

City Council Chamber, City Hall, Tuesday, January 15, 2002.

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, January 15, 2002, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Rodriguez, M.D. and Michael Berry; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office; Mr. Richard Cantu, Director, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member Carroll Robinson absent.

At 2:07 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Vasquez led everyone in the prayer and pledge of allegiance. Council Members Goldberg and Keller absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Robinson absent. Council Members Goldberg and Keller absent.

Council Members Vasquez and Quan moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Robinson absent. Council Members Goldberg and Keller absent.

Mayor Brown requested the City Secretary to call the list of speakers. Council Members Goldberg and Keller absent.

Mr. Ovide Duncantell, 8002 Crestwick, Houston, Texas 77083 (713-645-9598) appeared and stated that today could turn out to be his happiest day before City Council or his saddest day, that it was possible because they knew he had been carrying on with Dr. Martin Luther King's programming in the City, that it was the 24<sup>th</sup> anniversary and because of problems that had happened outside and beyond their control they may find themselves in jeopardy of having to cancel a lot of Dr. King's activities, but he was going to call upon the Council to help them solve that problem, that Dr. Martin Luther King came to the City and the way he was treated twice the City failed, that when he came to Houston the first time only 400 people met him and the second time he came with Ms. Aretha Franklin and Mr. Harry Belafonte and the Klan put gas in the coliseum and ran all of the people out of there and it was horrible, that what he was trying to say was if they did not celebrate this man's birthday in the fullest they too would have failed, that he was asking the City Council to help him between now and Thursday to accumulate \$100,000, that he knew it was a big order but knew they could do it for Dr. King. Council Members Goldberg and Keller absent.

Council Member Edwards asked Mr. Duncantell if he had said that he needed \$100,000 between today and Thursday of this week, and Mr. Duncantell stated yes, that Council Member Quan was their dinner Chairman and he had his five dinner tables and they needed the rest of Council to assist them in doing this because if not they were going to fail financially, that Continental Airlines had called them and they could not bring in the nine people with the Temptations that they had plan to do, that Enron canceled on them, that they needed help, if they were not able to come up with the \$100,000 the dinner, the annual youth concert and the huge festival planned could be canceled, that they started back in January making initial inquiries for help with this, that a lot of things were positive for them before September 11, 2001, that the organizational funds that had canceled on them since would have more than covered what they were trying to do. Council Member Keller absent.

Council Member Galloway asked if the parade was part of the \$100,000 and Mr. Duncantell stated that the parade was in pretty good shape, that two of the dealers had donated 32

convertibles, that they needed to sell some tables for the Mountain Top Award Dinner, that each table was \$1,000 each, that this was where they had fallen short without the company's to purchase tables. Council Member Keller absent.

Council Member Quan stated that it may come as a surprise as to why he was the chairman of the Martin Luther King banquet this year, but in talking with Mr. Duncantell it was their vision that they needed to take the activity beyond just the African American community, that it needed to be inclusive of all communities in Houston, that it was a tough situation and they were talking about a lot of money, that it was certainly a worthwhile cause. Council Member Keller absent.

Council Member Edwards stated that she would like to take the opportunity to offer her office to help in planning for next year's Martin Luther King's celebration starting next month, and she would like to talk to him about it, that she would like to plan her support for next year. Council Members Keller and Parker absent.

Council Member Alvarado moved to suspend the rules to add Mr. Brad Greer to the speakers list, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent. Council Member Keller absent. MOTION 2002-0046 ADOPTED.

Council Member Alvarado moved to suspend the rules to allow Council Member Goldberg to make a presentation, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent. Council Member Keller absent. MOTION 2002-0047 ADOPTED.

Council Member Goldberg invited Mr. John Hasselman to the podium and stated that Mr. Hasselman was the Business Software Alliance's legislative manager and he focused on high tech issues including privacy, taxes, licensing and education and managed house relations on Capitol Hill, and previously worked for the Democratic leadership coordinating political outreach to the State and local officials around the Country, and during his ten years in Washington, D. C. he had worked for two governors and a member of Congress and also worked and volunteered on many political campaigns, that he was present to help them honor Business Software Compliance Month, that it was a thirty day grace period starting this month to allow businesses in Houston and throughout the Nation to review their software programs and try to find if they had any unlicensed software that would be in violation of federal copyright laws and that they had an opportunity to acquire the licenses without facing any penalties for past infringements that would be imposed by the Business Software Alliance, and read a proclamation that proclaimed that Lee P. Brown, Mayor of the City of Houston hereby proclaimed January 2002 as Business Software Compliance Month. Council Member Keller absent.

Mr. Hasselman stated that he wanted to thank Mayor Brown and the City Council for recognizing the importance of intellectual property rights and software compliance. Council Member Keller absent.

Mr. Brad Greer, 2907 Austin Street, Houston, Texas 77004 (713-751-0368) appeared and stated that he lived in Council Member Alvarado district and he had just about had it with the Public Works Department and in particular the Water Department and Utility, that Tuesday a week ago he received his water bill for the month and it was almost \$100 for two adults and an 18 month old daughter, that they had no yard or pool, that he had called the Water Department over and over about their bills and there appeared to be a lack of competence that existing there, that he was told the same story over and over and that story was that there may be a leak and the leak may be inside the meter or outside the meter, that all they could do was check the meter again, that he had water bills with 3,000 gallons per month for \$8.50, month after month, and

then out of the blue it would go up to \$25 or \$35, that his October 2001 bill was \$52 which was for 9,000 gallons, that last month it was down to 6,000 gallons for \$36.00, that he also had a bill from his in-laws who lived in a MUD district in northwest County and had a 5 bedroom house and a swimming pool and their bill was about \$36.00 per month, that he was present to ask for their help, that it was not just him but his neighbors also who had the problems to, that they read articles in the newspapers about the City shifting Water Department revenues to other City departments and here he got a bill for \$100.

Mayor Brown stated that he would assign Mr. Greg Simpson, Public Works Department, to work with him to see if they could resolve the issue that he brought to them and would report back to him on how it had been resolved.

Council Member Alvarado stated that she would also like some feedback on the follow up with the representative of Public Works Department and to please let them know if it had not been taken care of, that in the future, so this would not happen to any other constituent in any other district, if they could have someone tell them what the procedure was so that they were not just having to call repeatedly and being told that there might be a leak.

Mayor Brown stated that they would ask the Public Works Department to provide that information to everyone.

Council Member Parker asked if the Public Works Department went out to check for a leak, and Mr. Greer stated that there was no follow up from any customer service call that he made to the City, and Council Member Parker stated that was the problem because there was a procedure.

Council Member Sekula-Rodriguez stated that she too would like a copy of any correspondence that he would give to Council Member Alvarado so they could make sure they did what they could to help fix the problem.

Council Member Quan asked if an adjustment had been made on his bill, and Mr. Greer stated that he had asked for adjustments, but no adjustments had ever been made.

Council Member Weisman asked Mr. Greer if his meter was an automated meter, and Mr. Greer stated that when he spoke with customer service they had stated that it was not, that they lived in a townhome community and there were about four or five meters in a row, that the townhomes were all connected, Council Member Weisman stated that this was certainly a concern that they seemed to have in their district as well especially in the Kingwood area, that she hoped the issue could be resolved and would like to be apprised as to how it was coming along.

Council Member Tatro stated that one of the concerns he had were the jumps in their bills, that depending on when the meter was read they might get bumped to the higher bracket when in fact it was just the timing of the read and the next month they were down in the lower bracket, that the rate was a significant issue when it came to when they read the meter, and he asked Mr. Greer if he had been advised of the option for applying for an adjustment for his unusually large bill, and Mr. Greer stated that no he had not, and Council Member Tatro stated that he thought because of this he would find that was the avenue, and Mr. Greer stated that he was not aware of that option and it had never been offered. Council Member Alvarado absent.

Mayor Brown stated that they would get to the bottom of it and get a resolution. Council Member Alvarado absent.

Mr./Coach Bobby Taylor, 2107 Sumpster, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak, but was not present when his name was called. Council Member Alvarado absent.

Ms. Berline Haynes, 7445 Caddo, Houston, Texas 77016 (713-631-4948) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Mrs. Eula Johnson, 7406 Bywood, Houston, Texas 77028 (713-635-8585) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Mrs. Jo Ann Gordon, 10134 Hollyglen, Houston, Texas 77016 (713-631-3636) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Ms. Lura Carter, 815 E. 42<sup>nd</sup>, Houston, Texas 77022 (713-695-0209) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Mrs. Joyce Jones, 3008 Cliffdale, Houston, Texas 77091 (713-686-0206) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Mrs. Queen Ester Gordon, 12219 Blue River Drive, Houston, Texas 77050 (281-442-500) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Ms. Shirley James, 2900 Woodridge, Ste. 311, Houston, Texas 77087 (281-893-6536) had reserved time to speak, but was not present when her name was called. Council Member Alvarado absent.

Mr. Harry Jones, 2407 N. Main, Houston, Texas 77009) had reserved time to speak, but was not present when his name was called. Council Member Alvarado absent.

Mr. Joe Khanoyan, 2400 Fountainview, No. 204, Houston, Texas 77057 (713-748-5466) appeared and stated that he was owner of Triple A Corporate Car and Limousine, that he was present regarding the interpretation and enforcement of the City ordinance that applied to limousine companies and also the exile of limo drivers from Houston airport terminals, that there were ordinances in place, Section 46.239, Section 46.241, governing limousine drivers on certain things that were meant for the safety of the passengers and also just the general appearance of the world class city like Houston and the ground transportation service, that one of them was the jackets, that they were required to wear jackets at all time except when their vehicle was not in motion, that since September 11, 2001 people had changed their priorities nationwide due to security, businesses, all priorities had been changed, but the airport system transportation department still insisted on enforcing nick pick rules, that they had a couple of copies of the ordinance for them to read, that when a limousine drops off on top of the terminal he was required to have his jacket on, the ordinance said they did not have to wear the jacket when the vehicle was in motion, that the inside lane was closed due to security measures and HPD flagged them off of the terminals and they had inspectors giving them tickets when they got out of the car having their jackets half way on, that they believe the nature of the ordinance was to make the City and limo drivers look good, that they had to have manifest and licenses and it went on and on, that the ordinances were put forth by Council and were being used to harass drivers even after September 11, 2001 and they would like for Council to look into that, but more importantly they were looking at the exile of drivers out of the terminal, that since September 11<sup>th</sup> there was an FAA regulation that said any car left less than 300 feet away from the terminal must

be inspected if it was to be left unattended, that in the private lot they had security officials that checked the cars, the general public could go into the terminal and meet their loved ones, but for the limo driver in the limo lot there was no one to check the car, that the Aviation Department of the Houston Airport System defense on that was that there was no manpower to secure the limo's so that they could go inside the terminal and pickup their customers that requested the service, physically needed the service, had too much luggage or were elderly, that there was enough manpower to check their manifest, see if their suits matched, make sure that their jackets were on, make sure that their tire pressure and stickers were all current, that he thought since September 11<sup>th</sup> some priorities should change.

Mayor Brown asked what would he recommend that they change, and Mr. Khanoyan stated that he would suggest that the staff that enforces City ordinances be told by Aviation to abide by the FAA regulation and look in the limousines of the drivers who wished to leave unattended, more security measures instead of harassment measures. Council Member Vasquez absent.

Council Member Parker stated that one answer was to wear the jacket, that was part of the rules, but if they could enforce that certainly they could spend the time to inspect the cars, that it had come up over and over again and would hope that once they had a Regulatory Affairs committee that they would schedule the limo issues in as soon as possible so they could have a full airing. Council Member Vasquez absent.

Council Member Edwards asked what happened when they did not inspect their cars, and Mr. Khanoyan stated that they could not leave it unattended which meant that they had to sit in the parking garage and their passengers had to get their own luggage and find them. Council Member Vasquez absent.

Upon questions by Council Member Quan, Mr. Khanoyan stated that the cab inspectors were the ones who were giving them the tickets for no jackets, that they had inspectors at different times but there were always two starters who worked in the cab booth, that it was 18 to 20 hours a day. Council Member Vasquez absent.

Mayor Brown stated that Ms. Tina Paez, F&A, would meet with him and get all the details that were necessary to see how to best address his concern, including talking to people at the airport. Council Member Vasquez absent.

Mr. Van Lane, 4406 Pineville, Spring, Texas 77388 (281-353-2055) appeared and read the following statement: "Good Afternoon, I am the owner of Lane Towne Car & Limousine. I have come today to double check if our original understanding of Councils intent when they drafted and passed the Limo ordinance has changed. There is of course no way council could have known about the events of 9/11 and in an effort to allow flexibility passed Section 46-192 which grants the authority to carry out the intent and purpose of this ordinance. What I do not understand is why enforcement of these ordinances are still pre 9/11 and have at times become not only unreasonable but abusive and ridiculous. Council had the insight to change the old ordinance and put the vehicle in motion clause in Section 46-239. The wording is vague but the intent is clear. As a member of the Houston Limousine Association I pushed for and was pleased with this change. No longer would seat belts & seat backs make the drivers look like they dressed from the dirty clothes hamper. Restrictive coats would no longer be an issue in an emergency driving situation. We have changed our procedures and do as much as possible at the time of pickup to expedite the airport drop. I am therefore astonished that drivers are being ticketed for not wearing suit jackets while dropping off airport customers a procedure that usually takes 5-15 seconds. Unsafe drop off situations are being created because Limo drivers must now share a lane with overwhelmed private car drivers while being hurried off the terminal by HPD. Section 46-239, paragraph D states that a suit jacket need not be worn from May through

October. We believe Councils intent was to allow for hot days and did not want Houston Limo drivers with BO & underarm sweat rings picking up customers. I am once again astonished that a Transportation Department Inspector can come out of a nice cool terminal to write no jacket tickets to drivers standing outside in the direct sunlight in 80+ degree weather for sometimes over an hour. Please understand most Suit Jackets are black. Based on Section 46-241 which speaks to advertisement, we were told to remove the American Flag sticker. How a 4 X 6 sticker of an American flag can be compared to a Mickey Mouse bumper sticker or how anyone can feel it degrades the look of a Houston Limousine I have no earthly idea. As a disabled American Veteran, injured in service to our flag, I refuse to remove it and will continue to display it proudly on all of my Limousines. Surely the intent has again been corrupted, I cannot believe Council as proud Americans would consider the displaying of an American Flag below the standards of the City of Houston. These tickets are dismissed daily in our overburdened courts. These tickets waste drivers, Limo companies and jurors time and money. Drivers are by no means rich and are already asked to pay \$100+ each for a suit per the ordinance (Jacket & Matching Slacks). Now The Transportation Dept. is asking them to, at best make the suit look like a rag and at worst ruin it. When a driver receives a ticket for not displaying a Limo license while dropping off a customer because the seat belt knocked it off his coat while exiting the vehicle then enforcement has become not only ridiculous but asinine. If Councils original intent was other than what I have stated or you do not agree with what I have just said could you please tell me what you disagree with and why.” ‘

Mayor Brown asked Mr. Lane to also meet with Ms. Tina Paez and he would ask her to take more detailed information from him and see whether something could be done administratively or would it take a change in the ordinance.

Mr. Charles Campbell, 1120 Grovewood, Houston, Texas 77008 (713-993-0671) appeared and stated that he was present with some very pertinent questions regarding his own situation that he would like to address to the Council, that he and his family were victims of flooding in Tropical Storm Frances, three years ago last September and again much worse in Tropical Storm Allison in June of 2001, that based on that they had a number of questions that they could not seem to get any answers to and there did not seem to be a lot of information forthcoming from the City's administration or the Harris County Flood Control, that specifically those items were, why was it taking so long to get any information to the homeowners within the City of Houston, of which he was one, who had volunteered for a buyout program, that number two, when did the City actually know about funding levels and information that came from FEMA through the State Emergency Management Association back to the City of Houston, and when were they planning on sharing that information with them, they had been on hold for a long time trying to determine what they should or should not do with their lives or their properties, that they would like to know why Houston did not receive all of the funding that was requested, that it seemed like if there were 1,400 households within the City of Houston and a certain amount of money was requested and yet FEMA only gave a very small piece of that money to the City, they would really like to understand why, that they had some suspicions but did not know the answers, that nobody seemed to be willing to talk to them about it, but if it was because the City of Houston had no coordinated planning for flood control within the City he would really like to understand that if he was going to chose to continue living in the City, that number four, after Mayor Brown's promises to the flood victims, he would still like to know why when he talked to the Harris County Appraisal District his property had been worth virtually nothing since June, yet they were telling him he still needed to pay 100% of his total tax bill for all of 2001, even after they did hear some words about tax relief and other things from the Mayor immediately following the event, that number five, they would like to know why at least in White Oak Bayou they were informed in a meeting at the Heights Fire Station, a post flood event, that there had been millions of dollars spent on studying the White Oak Bayou problem but there was not a single word of a plan in place for what to do to go forward, that lastly they had development issues in the White

Oak Bayou that were disturbing, immediately north and south of his property two large scale commercial apartment developments had gone in where they had both raised the grade to build their buildings more than four feet, yet when he talked to the City Planning people they told him he was not allowed to raise his grade more than 18 inches. Council Member Vasquez absent.

Upon questions by Council Member Tatro, Mr. Campbell stated that they had stayed with friends for about a month and a half, that they had been living at Allen House Apartments since the end of August, that they had requested reimbursement from FEMA and to date FEMA had given them a portion of rent that they had paid for three months and that was it, that the rest of the funding that they had requested reimbursement for had come out of their pockets as well as their continued mortgage payment, that FEMA had indicated they would pay up to \$600 per month for an apartment and in Houston they could not find one for that, that to date they had only received payment for three months, that they could not seem to get any information from FEMA about it, that he had written them three different letters and they had not responded, that he had six month lease and they were facing renewal terms right now and part of the reason they were trying to determine where things stood and whether they would or would not be eligible for a buyout was because they were faced with either signing another lease or find other accommodations right now, that he did receive a copy of the letter that was sent out by Mr. Haines office, that he had not heard another official word from anybody other than phone calls that he had made, and repeated phone calls to the Harris County Flood District had gone unanswered and un-responded to, that they wanted enough information to make a decision, either they sell their property or they rebuild it, and there were even issues with rebuilding, that they did have insurance, and they got information from the insurance company stating that they would pay for repairs to the property, but if they received a buyout 100% of all insurance funds were deducted from anything they were eligible for in terms of a buyout price.

Mayor Brown stated that Ms. Sara Culbreth was present and he would ask her to meet with him and answer all of his questions, that she had spoken to his wife last night.

Upon questions by Council Member Quan, Mr. Campbell stated that he received a copy of a memo from Council Member Tatro's office on December 26, 2001 and that was the only communication that he had gotten in paper form, and Council Member Quan stated that they were now trying to get their program in place, that Mr. Campbell was right and he apologized that it had taken so long, that Ms. Culbreth could provide information as to what had been going on and all he wanted to say was that they were sympathetic to the situation that the 1,400 home owners were in and what they were trying to do now was to begin to take those actions. Council Members Galloway and Goldberg absent.

Council Member Sekula-Rodriguez moved to suspend the rules to hear from Ms. Sara Culbreth, Mr. Haines Office, seconded by Council Member Parker. All voting aye Nays none. Council Members Galloway and Goldberg absent. MOTION 2002-0048 ADOPTED.

Upon questions by Council Members, Ms. Culbreth stated that with regard to the specific question on why they only received \$50 million and the length of time, she could not respond in regards to the State, that they submitted the application and requested funding for a total of \$127 million for some 1,500 structures, that it was the State's decision with regard to the amount of funding that was available that they would fund for those properties, that she could not speak for the State on how they reached that final decision on the amount, that with regard to the length of time, the application they had submitted was in response to a program instituted this year for the first time and relative to the flood by State and FEMA, called a Fast Track Application Program, that they had a deadline date for that application of August 22, 2001, which was the point and time they submitted their application for the 1,500 homes, that they did not receive word from the State on the amount of funding available that they were going to be funding for that program until

the early part of December, and again, she could not speak for the State and FEMA with regard to why it took that length of time to approve the application, that with regard to standards of flooding in the neighborhood she would have to get some more information and specifics as to what they were wanting and perhaps defer them to the Flood Plain Administration or the Harris County Flood Control to get some more specific information on that, that with regard to tax relief, she indicated to Mr. Campbell's wife last night her understanding of that and would be glad to follow up, that at this point relative to taxes that were assessed as of January 1, 2001 which were now due and payable at the end of January 2002, there was no relief, but she would follow up with Harris County and determine that for sure, as well as Harris County Appraisal District, that she thought the appeal time had passed, but she had not had a chance today yet to follow through with that but she would and would get a response back to Mr. Campbell and his wife in that regard, that relative to the taxes that were assessed as of January 1, 2002 that would then be due and payable next year, she had informed his wife that she would also follow up and ask them in regard to that as well and was there any relief or what could be done, that she had quite a long conversation with Mr. Campbell's wife last night and she assured her that she would follow up with as many of the questions and respond with as many of the answers as she could and those that she could not get an answer on she would share that with her as well, that she would do what she could to get the answers and assist in any way that she could, that if he would like to meet with her after the meeting she would be glad to do that as well; that yes this was the fastest that FEMA had ever gotten money back into a flood damaged area, that under the regular application process for this type program they had from 12 to 18 months in which they could submit an application of homes, that due to the significance of this flood and the number of homes that were affected they instituted the Fast Track Application Program in order to be able to commit those funds earlier, that normally in the regular buyout process they did have their neighborhood meetings many times first, get interest from the citizens and the impact that it may have on the neighborhood, etc., prior and then file the application, but once they filed the application they had to wait for approval from the State and FEMA and then start the process, that in this instance what they were encouraging them to do in order to be able to commit those funds as early as possible to start that process was to identify properties that might be eligible, that were eligible and that the citizens may be interested in the buyout, submit those properties so they could review that application and commit the funds for the program and then come back and have the neighborhood meetings, that may seem backwards but it was an attempt to try to earmark the money as fast as possible so they could start the process so much sooner, that a number of the homes that were affected in a previous storm back in 1994 and 1995 were a number of properties that they actually just closed on this year, that was six years later, that was the purpose of the Fast Track Program and that was the purpose of the neighborhood meetings, that they did want to meet with the neighborhoods and would be continuing to follow up and send out memos to the individuals on the list, but if they sent out memos today to every one and said yes or no that may not necessarily be true because it would change daily, that as people volunteered out of the program, and as they determined how much the insurance proceeds would affect the amount of funds available, then that would pick up additional properties, that it was going to be very fluid, that they would communicate as much as they could. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Council Member Weisman stated that she would appreciate some information and asked that Ms. Culbreth visit with her on the whole buyout situation, and Ms. Culbreth stated that she would be glad to do that. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that one of the problems they were having was the very name FEMA implied that it was an emergency management and for them to say that it was a fast track and they were getting money back faster still did not give her the sense of urgency that the name seemed to imply should be happening, so she would like to sit with her and see how



as a district office they could maybe assist in moving it even faster because there were very real life situations, and Ms. Culbreth stated that she would be glad to meet with her. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Council Member Tatro stated that again he would recommend that the City take a proactive position in contacting the individuals and finding out if they still wanted to participate and if they had insurance or not, that the administration was giving out information with regard to what number they were on the list, that they knew that the list was nothing more than a sorted list in the lowest value home to the highest value home and it did not benefit the constituent who wanted specific information to be additionally discouraged because his house may actually be closer to the bayou than many of the homes and actually lower on the list for the actual buyout, that he would request that they not give out that number. Mayor Brown, Council Members Galloway, Keller and Vasquez absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Sekula-Rodriguez, Ms. Culbreth stated that they had priorities, one, two, three and four, priority one and two being in the flood way, three in the flood plain, following the flood way out into the flood plain, etc., that the reason for the numbering was to have some idea on how far perhaps the funds that they had been committed would go to which properties, that she could look at the list and see what number Mr. Campbell was, that she could look relative to the available funds as they had prioritized them, that she explained to Mrs. Campbell last night that what that meant was that they might actually be in a position that they were offered the buyout, depending on resolution of the prior properties, that the numbering system was just a way they had to try to manage and determine how far the funds may go that they had committed so that they could then notify the homeowners as the funds became available; that she talked to the State daily to see if there was any more money and could they have more money because of the need, and she was being told time and time again from both agencies that at this point those were all the available funds that they had under this program, that the funding for this program was based on 15% of the total estimated damages, which obviously limited the total pool, that there were a number of potential applicants for that money, the Medical Center, University of Houston, Rice, City of Houston and Harris County and other jurisdictions that were affected and the State and FEMA both were well aware of their desire to have additional funding and were working toward identifying as much additional funding to put towards this program as they could. Mayor Brown, Council Members Galloway, Edwards, Wiseman, Keller and Vasquez absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Sekula-Rodriguez, Mr. Bibler stated that the concept of the appraisal district was that they operated independently of the governmental entities and they essentially provided the City with the numbers, that the other thing that people did not understand about property taxes was that it was really a one day tax, for instance he could start building a house today and finish it next month and he would not be taxed on it in 2002, that it was value as of January 1. Mayor Brown, Council Members Galloway, Edwards, Keller and Vasquez absent. Mayor Pro Tem Quan presiding.

Mr. Tony Koosis. 7407 Grape Street, 77074 (713-779-6941) appeared and read the following statement: "The Houston Center for Independent Living (HCIL) was founded in 1980 as a consumer controlled/directed organization to promote the full integration and inclusion of people with disabilities into all aspects of community life. Our core services are peer counseling, information and referral, independent living skills training, and individual and systems advocacy. One of our major roles as agents of systems and social change is to increase options and expand community capacity. The lack of accessible, affordable housing for people with disabilities has always been a great barrier to independence. HCIL has worked to meet this need by helping to create the Home of Your Own Coalition, by supporting construction of affordable, accessible rental units in the city and county, by co-sponsoring housing fairs, and through

meetings with bankers, developers, and political leaders. In addition, we have created the HCIL/HUD Consumer Housing Council. This group meets monthly to discuss not just housing, but such issues as employment, job readiness, methods for enhancing credit, and creative use of the Internet. Houstonians with disabilities have been educated about resources and issues in community development. **Our recommendations for local action are:** 1) Increased funding for fair housing and building code enforcement; 2) Outreach to potential program sponsors to provide previously designated priority services to, a) provide housing and utility deposits to eligible people with disabilities; b) provide up to twenty four (24) months of tenant based rental subsidy to assist city residents in transitional programs; c) notify existing shelters that funds are available to cover renovation costs which would improve accessibility. 3) To increase funding limits for barrier removal/rehabilitation programs, with funding through grants **up to \$10,000 per home** and low cost/no cost loans **up to \$20,000**; 4) Use of Community Block Development Grant and other HUD monies to promote the possibility of homeownership for people with disabilities earning 80% of median income or less through a homebuyer assistance and rehabilitation program. The Houston Chronicle recently detailed the limited funding and priority that the fair housing program has. The budget is less than that for Dallas. Because of the high proportion of discrimination complaints by people with disabilities, this has become a priority item for our community. City agreement to increase funding levels for homeownership and rehabilitation will improve neighborhoods and housing stock, and aggressive outreach to identify sponsors for the implementation of our other proposals to provide transitional housing assistance, for help with monthly rent, utility and security deposits, and to promote awareness about the existence of renovation funding for shelters will help all Houstonians to benefit from the redevelopment which is occurring throughout the city, and assure that people with disabilities have greater options for living in the community. Mayor Brown, Council Members Galloway, Goldberg, Keller and Alvarado absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that he wanted to thank Mr. Koosis for being present and stated that he knew he had been a very active of the community and apprising the City of what they needed to be doing with for people with disabilities, that as they knew Ms. Kim King was present of the Mayor's Office for People with Disabilities and asked for a motion to bring Ms. King forward. Mayor Brown, Council Members Galloway, Goldberg, Keller and Alvarado absent. Mayor Pro Tem Quan presiding.

Council Member Parker moved to suspend the rules to hear Ms. Kym King at this time, seconded by Council Member Sekula-Rodriguez. All voting aye. Nays none. Council Member Robinson absent. Mayor Brown, Council Members Galloway, Goldberg, Keller and Alvarado absent. Mayor Pro Tem Quan presiding. MOTION 2002-0049 ADOPTED.

Upon questions by Council Members, Ms. King stated that Mr. Koosis had been an extraordinary advocate for individuals with disabilities for a very long time and their office for one was pleased to have his support in helping to provide assistance and services for individuals with disabilities, that one of the things that they were doing, and they did also have a representative from the Housing and Community Development Department in the audience as well, but the Mayor's Office for People With Disabilities along with the Housing and Community Development Department ran a program called the Home of Your Own Program and it was essentially a local version of the program that Mr. Koosis was talking about earlier that their organization was responsible for getting started on a statewide level, that it provided down payment assistance and home modification funds for individuals for disabilities who qualified under the program to purchase their own home and last year the City of Houston was responsible for at least 10 citizens with disabilities purchasing homes through this program, that when they looked at the fact that they had quite a large population of individuals with disabilities they could probably do more and certainly at the moment she thought the Housing Department was looking at renewing the contract. Mayor Brown, Council Members Galloway, Goldberg and

Keller absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan asked Mr. Koosis for a copy of his prepared remarks and as the Housing Committee continued to look at initiatives they could undertake they would try to take those into considerations, and Mr. Koosis stated that many of the comments were incorporated into high priority items of the consolidated plan and a review of the public Housing Authority Management Plan, which expires in March, they designated that up to 20% of all people with disabilities in the City of Houston were eligible for subsidized housing and 25% of all the people on the waiting list were people with disabilities, so they believed to the extent that the City of Houston could encourage the Housing Authority to take greater note of that it would be most welcome. Mayor Brown, Council Members Galloway, Goldberg and Keller absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that she would like to invite Mr. Koosis to use their district office as a resource for ACL, that one of the things that she would like to do was that in District D they had a number of particularly young Black men who were disabled through whatever activities and there did not seem to be from her vantage point a program or process of how they were gathering those young people in and how were they dealing with housing issues, that most of them were currently living with grandmothers or elderly keepers who would not be with them forever and she was not sure that they were being nurtured to take care of themselves in an independent way, that she talked a lot about this with Darrel Simmons and she would like to see if they could setup some kind of working arrangement so they could, one, identify the numbers and then see if there was any kind of program that they could work together to get those young people more in charge of their lives, and Mr. Koosis stated that they would be most glad to do that. Mayor Brown, Council Members Galloway, Goldberg, Keller and Vasquez absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Sekula-Rodriguez, Mr. Koosis stated that the percentage of disabled people was a Housing Authority of the City of Houston submission to HUD to designate people who were in need of housing, subsidized housing or other sort of assistance to make housing arrangements and the figure of 25% on the waiting list was also in the public Housing Authority Management Plan, that 20% of the people with disabilities were eligible for public housing, that the way the whole program started, the housing issue and their Center for Independent Living, was a front page article in the Chronicle which appeared about 6 years ago which said that 1% or less of all people of the very lowest income were actually recipients of subsidized housing, so it had been an ongoing issue and the public Housing Authority did open a voucher list for the first time in 7 years in December but it was only open for 21 days and the list of people on the waiting list would be given out in March so that meant another two months where potentially eligible people would still be homeless or living with friends and roommates and not being able to control their housing situation, and Council Member Sekula-Rodriguez asked what he would suggest that they do as a Council to facilitate people with disabilities having more access to public housing, and Mr. Koosis stated that as far as that went he knew they had applied on several occasions for what was known as Mean Steam Housing Vouchers and that was specifically a HUD Program to help people with disabilities to obtain subsidies separate from the regular list, but one thing that they could do, the Housing Authority no longer had a preference for people who were making less than 50% of median, no longer had preference for people who were homeless, of which 40% of all homeless people were people with disabilities, that they would like to recommend that the Housing Authority, at their next management plan, and the directors who were appointed by the City of Houston be encouraged to reinstate those preferences so that the hope with the highest percentage of eligibility and the biggest percentage of people on the waiting list could have real access to subsidize housing, and Council Member Sekula-Rodriguez asked how it interfaced with transportation, and Mr. Koosis stated that the issue of housing was another, because even in the

City of Houston, Metrolift, which was the para transit service, did not cover all of the City of Houston, that it was only in April that all of the Metro fixed route buses were made accessible and they had tried to publicize it, but even there the fixed route buses did not go all over the City either. Mayor Brown, Council Members Galloway, Goldberg and Keller absent. Mayor Pro Tem Quan presiding.

Council Member Parker stated that she hoped he would also visit with Council Members about the issue of visitability which was explored here but they could not get it pushed through, that it was the new housing that was built as affordable housing with federal dollars be accessible, that the folks moving into those housing units may not need them to be customized for sort of disability but in the long run it increased the overall pool of housing for the disabled and it was good concept and had been tried in other cities, and Mr. Koosis stated that it was in the Regulatory Affairs Committee and when that was reconstituted they would be making appearances because additional cities had joined on to that and they wanted to demonstrate to Council Members that it was less of an issue than they thought, that in a report that was given to Ms. Margie Bingham, Director, Housing Authority, in relation to the visitability issue, one of the comments from the Greater Houston Builders Association was that for every \$100 that they added to the cost of the house 300,000 people were eliminated from buying, and as people with disabilities with the lowest per capita income that would affect them more greatly than any other group, so that issue needed to be addressed. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Council Member Edwards asked Mr. Koosis if it was his opinion that ADA requirements were being met within public housing for those currently living there, and Mr. Koosis stated that to be honest it took them quite a long period of time to get the information, that they actually received it through the Department of Housing and Urban Development and they were in the process of reviewing apartments that had been labeled as barrier free to make sure that all of the requirements of the federal law were incorporated, and Council Member Edwards asked if Mr. Koosis could accompany her to some places, in particular Irvington Village, that she was over there and from her eye she saw very little compliance and if he could help her with that she would appreciate it, and Mr. Koosis stated they would be glad to do that. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that he wanted to thank Mr. Koosis for being present and they would take action on his recommendations. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) had reserved time to speak, but was not present when his name was called. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mr. Albert W. Coleman, 10938 McKenzie Dr., Houston, Texas 77086 (713-213-1633) had reserved time to speak, but was not present when his name was called. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Dr. Motapa, 6425 Woodard, Houston, Texas 77021 (713-645-9598) had reserved time to speak, but was not present when his name was called. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak, but was not present when his name was called. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

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. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mr. Lee Mercer, 4928 Winnetka, Houston, Texas 77021 (713-741-9656) appeared and voiced his request for a budget once again. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Mr. Joseph Charles, 8034 Antoine, No. 107, Houston, Texas 77088 (713-878-2355) appeared and voiced his personal opinions until his time expired. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

At 3:41 p.m. upon motion by Council Member Keller and seconded by Council Member Vasquez, City Council recessed until 9:00 a.m., Wednesday, January 16, 2002. Council Member Robinson absent. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

City Council Chamber, City Hall, Wednesday, January 16, 2002

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, January 16, 2002, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Rodriguez, M.D., Michael Berry and Carroll Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director present.

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

At 9:12 Mayor Brown reconvened the meeting of the City Council. Council Member Galloway, Goldberg, Edwards and Robinson absent.

### **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 33**

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 21

7. **FLEX-O-LITE, INC** for Spheres, Reflective Glass for Aviation Department - \$1,531,940.00 Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0050 ADOPTED.
8. **AMEND MOTION #99-1329, 7/21/99, TO INCREASE** spending authority by \$1,109,977.50 from \$4,439,910.00 to \$5,549,887.50 for Fuel, Diesel Low Emission Part I for Finance & Administration Department, awarded to **SUN COAST RESOURCES, INC** - Central Service Revolving Fund had been pulled from the Agenda by the Administration and was not considered. Council Members Galloway, Goldberg and Robinson absent.
9. **AMEND MOTION #2001-295, 3/21/01, TO INCREASE** spending authority by \$387,500.00 from \$1,550,000.00 to \$1,937,500.00 for Fuel, Diesel Low Emission Part II for Finance & Administration Department, awarded to **ADARESOURCES, INC** - Central Service

Revolving Fund had been pulled from the Agenda by the Administration and was not considered. Council Members Galloway, Goldberg and Robinson absent.

10. **AMEND MOTION #2000-154, 2/2/2000, TO INCREASE** spending authority by \$71,458.43 from \$285,833.73 to \$357,292.16 for Allison Transmission Rebuilt & Repair Parts for Fire Department, awarded to **INTERNATIONAL TRUCKS OF HOUSTON** - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0051 ADOPTED.
11. **MEDTRONIC PHYSIO-CONTROL CORPORATION** for spending authority to address Emergency Repair and Calibration of Lifepak 12 Monitors/Defibrillators for Fire Department \$75,000.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0052 ADOPTED.
13. **JOHNSON CONTROLS, INC** for Replacement of the Air-Cooled Chiller at the Sunnyside Multi-Service Center for the Health & Human Services Department - \$33,567.32 and contingencies for a total amount not to exceed \$35,245.69 - Public Health Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0053 ADOPTED.
14. **COLLEGIATE PACIFIC, INC** for Infield Conditioner for Parks and Recreation Department \$66,324.90 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0054 ADOPTED.
15. **DIRECT ACTION UNIFORMS** for Tactical Vest (Full Body Armor) Contract for Police Department \$93,390.00 - Asset Forfeiture Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0055 ADOPTED.
16. **L. N. MCKEAN, INC** for West Oak Drive Drainage Improvements for Department of Public Works & Engineering - \$66,430.00 and contingencies for a total amount not to exceed \$69,751.50 Street & Drainage Maintenance Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0056 ADOPTED.
17. **HBC ENGINEERING, INC** for Asbestos Management Services for Department of Public Works & Engineering - \$37,050.00 - Dangerous Building Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0057 ADOPTED.
18. **INTERNATIONAL TRUCKS OF HOUSTON, INC** - \$64,689.07, **HEIL OF TEXAS** - \$615,822.00 and **LAWRENCE MARSHALL CHEVROLET II, L.P.** - \$171,186.00 for Nine Heavy-Trash Loader Trucks for Solid Waste Management Department - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member

Galloway, Goldberg and Robinson absent. MOTION 2002-0058 ADOPTED.

19. **JERRY MCKINLEY CONCRETE PIPE CO., INC** for Concrete for Various Departments \$679,458.40 - Enterprise and Street & Drainage Funds had been pulled from the Agenda by the Administration and was not considered. Council Members Galloway, Goldberg and Robinson absent.

Council Member Tatro moved to suspend the rules to consider Item No. 30 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway, Goldberg and Robinson absent. MOTION 2002-0059 ADOPTED.

30. ORDINANCE approving and authorizing contract between the City and **ARTHUR ANDERSEN, LLP** for Arbitrage Services - \$198,700.00 - General and Enterprise Funds – was presented. All voting aye. Nays none. Council Member Goldberg and Robinson absent. ORDINANCE 2002-0023 ADOPTED.

**ORDINANCES** - NUMBERS 22 through 33

23. ORDINANCE establishing the south side of the 700 block of Bomar Street within the City of Houston as a Special Building Line Requirement Area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2002-0024 ADOPTED.
25. ORDINANCE approving and authorizing contract between the City of Houston and the **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION** for the City's Air Pollution Control Program - \$1,359,517.00 - Grant Fund – was presented. All voting aye. Nays none. ORDINANCE 2002-0025 ADOPTED.
31. ORDINANCE appropriating \$1,400,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23** for construction of water lines on Fairbanks North Houston and Breen Roads, CIP S-0800-44-3 (WA10727) – was presented. All voting aye. Nays none. ORDINANCE 2002-0026 ADOPTED.
32. ORDINANCE appropriating \$17,527.00 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 the MKT/SP Rails to Trail Project as approved by Resolution No. 99-43, GFS N0420-30-2 (N-0420-30) - **DISTRICT H – VASQUEZ** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

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

## **MISCELLANEOUS**

1. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for airport leasing (concession) contracts through September 30, 2002, in compliance with DBE Ordinance Nos. 89-226, 99-893 and DOT/FAA requirements – was presented.

Council Member Vasquez moved to consider Item No. 1 to the end of the agenda, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2002-0060 ADOPTED.

2. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from the **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION** Wastewater Quality Assessment and Wastewater Inspection Fees for Fiscal Year 2002 - \$968,484.50 Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2002-0061 ADOPTED.

## **DAMAGES**

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **MICHAEL BURK, et al** v. City of Houston and Jerry Mixon; Blackburn v. City of Houston; Stagner, et al. v. City of Houston; Martinez v. City of Houston - \$433,000.00 - Property & Casualty Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0062 ADOPTED.
4. RECOMMENDATION from City Attorney for settlement of lawsuit styled **DONQUENCY HEFLIN** v. City of Houston and Gerald Kerry Clopton; in the 190th Judicial District Court of Harris County, Texas; Cause No. 2000-03309 - \$120,000.00 - Property & Casualty Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0063 ADOPTED.
5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **BARTO WATSON, INC** vs. The City of Houston et al.; in the County Civil Court at Law Number Four (4) of Harris County, Texas, Cause No. 649,064 - \$25,000.00 - Property & Casualty Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2002-0064 ADOPTED.

## **ACCEPT WORK**

6. RECOMMENDATION from Director of Aviation Department for approval of final contract amount of \$11,630,856.36 and acceptance of work on contract with **WILLIAMS INDUSTRIES, INC** for Improvements to Mickey Leland International Airlines Building (IAB) Modifications to Gates 11/12 and C-Link at Bush Intercontinental Airport (IAH), Project 513, CIP A-0203 and A-0343 17.55% over the original contract amount - **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Tatro.

Council Member Keller stated that he had a couple of questions regarding the change order, that in 1999 on February 24<sup>th</sup> they appropriated \$2,034,500 for the relocation to recheck carousel and his question was that when they gave that amount of money was the \$1.9 million that was recommended for them to allot today included in that or in addition to that, and Mayor



Brown stated that it was included in what they were addressing today.

Council Member Sekula-Rodriguez stated that it seemed like an extraordinary amount of money for a change order and wanted to go on record that it was noted, that she did not understand the need for that large amount but assumed if Council Member Galloway was okay with it since it was in her district that it would probably be alright, that she thought that 17% was excessive for change orders, and Mayor Brown stated that she was right, that it was unusual but there were unusual circumstances that demanded that it take place, that they would give her a briefing on it.

A vote was called on Item No. 6. All voting aye. Nays none. MOTION 2002-0065 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS**

12. **MAJOR PHARMACEUTICAL** - \$30,740.00 and **NATIONAL VITAMIN COMPANY, INC** \$67,200.00 for Medical, Vitamins Prenatal for the Health & Human Services Department General Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0066 ADOPTED.
20. **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$72,340.00 and **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$386,768.00 for Trucks, Herbicide Sprayer for Various Departments Equipment Acquisition Consolidated and Street & Drainage Maintenance Funds – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0067 ADOPTED.

Council Member Parker stated that she did not have a problem with the item but these were herbicide sprayer trucks and she had been trying for some time to get a comprehensive set of rules, something in writing about how they used pesticides and herbicides, that she would like to bring it to a committee, but it was something they had been trying to get in writing for a long time and hoped they could move on that, and Mayor Brown stated that they were in the process of putting it together and would get it to her as rapidly as possible.

21. **AMEND MOTION NOS. 99-1160, 99-1691, 99-1754, 99-2114, 2000-904, 2000-1397 and 2001-194 TO DECLARE LINBERRY AUTO PARTS** in default on their bids for Automotive Brakes Replacement Parts Contract, Automotive, Air Conditioning Repair Parts, Automotive, Ignition System Replacement Parts, Automotive Chemicals, Automotive, Fan Belt, Hoses and Caps and Engine Drive-line and Chassis Parts Contract for Various Departments and **NOS. 2000-870 and 2001-12 TO DECLARE LINDALE AUTO SUPPLY** in default on their bids for Automotive Lamps and Spotlights and Automotive, Ignition Systems, Part II for Various Departments and hold them non-responsible for two years – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0068 ADOPTED.

### **ORDINANCES**

22. ORDINANCE authorizing pick-up of certain contributions for employees participating in the Houston Municipal Employees Pension System – was presented. All voting aye. Nays none. ORDINANCE 2002-0027 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City and the **HOUSTON CLEAN CITY COMMISSION, INC d/b/a KEEP HOUSTON BEAUTIFUL** for the Clean

Neighborhood Program - \$350,000.00 - General Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - VASQUEZ and I - ALVARADO** – was presented.

Council Member Vasquez stated that he wanted to applaud the contract and the effort and the relationship they had with Keep Houston Beautiful, that it had been very good with District H and last year they actually did 9 cleanups in different neighborhoods and would take advantage of that again this year and would encourage other Council Members, that he thought it was a good example of making government work and a good example of cleaning up Houston.

Council Member Alvarado stated that she wanted to echo the same comments, especially in districts like theirs, H, I, B and D, where it was heavily needed, that she had been part of the program even before coming to City government and it worked well and hoped that they could continue to extend those types of programs.

A vote was called on Item No. 24. All voting aye. Nays none. ORDINANCE 2002-0028 ADOPTED.

26. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RECAPPING PLANT** for Tire Recapping and Retreading Services for Various Departments approved and authorized by Ordinance No. 97-1045 - \$960,000.00 - General Fund – was presented, and tagged by Council Member Edwards.

Council Member Edwards stated that she had some questions and concerns regarding the inmate labor that was used in this particular contract, especially since a lot of the inmates came from her particular district, that she would like to talk more about if the workers were certified, could the labor be used once they came back into the community and seek work, that she was in the process of looking at that and would like some more time, and Mayor Brown asked if it translated into a tag and Council Member Edwards stated yes.

27. ORDINANCE appropriating \$2,040,000.00 out of Airport System Consolidated 2000 AMT Construction Fund and \$35,000.00 out of Airports Improvement Fund and approving and authorizing professional architectural and engineering services contract between the City of Houston and **PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC** for an Inter-Terminal People Mover System at George Bush Intercontinental Airport/Houston, Project 604A; CIP A-0477 and A-0422; providing funding for the Civic Art Program financed by the Airports Improvement Fund; providing funding for contingencies relating to construction of facilities financed by the Airport System Consolidated 2000 AMT Construction Fund - **DISTRICT B - GALLOWAY** – was presented, and tagged by Council Members Keller, Parker, Goldberg and Robinson.

Council Member Keller stated that he wanted to know the estimated total project cost for Item No. 27.

Council Member Keller moved to suspend the rules to hear from Colonel Eric Potts, Aviation, at this time, seconded by Council Member Vasquez. All voting aye. Nays none. MORTION 2002-0069 ADOPTED.

Upon questions by Council Member Keller, Colonel Potts stated that the total cost for the planning and programming for the ITPM was at \$2.075 million, total cost, that the breakdown was programming and planning was \$1.2 million, the preliminary design was \$400,000, special services was \$100,000 and the reimbursable expenses was about \$300,000 because of the nature of the project, that the project was to determine what was doable for the ITT Train

System, and Council Member Keller stated that he was going to tag the item because he wanted to know more about the optimization of a space need, that he wanted to know exactly why planning and programming was so defined, that he wanted to meet with him on the item because he would also wanted to know what they find from the study and in which direction they may go, and what direction would they give the consultant or others to proceed on further action by Council, and Mayor Brown stated they would have Colonel Potts meet with him.

Council Member Parker stated that she wanted to tag the item also, that they had been asking a number of questions about it, that she did not necessarily oppose it but was trying to figure out how it integrated with what they had been doing with the elevated people mover and they forged ahead on that in cooperation with the airlines and she did not understand why they did not analyze what they were doing with the underground people mover when they went ahead and did the extension of the above ground, that she had a whole lot more questions, and Mayor Brown stated they would have someone meet with her.

Council Members Goldberg and Robinson asked to have their tag added to the item.

28. ORDINANCE appropriating \$2,000,000.00 out of Fire Consolidated Construction Fund for Renovation/Reconstruction of various Fire Department Facilities; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund – was presented, and tagged by Council Member Weisman.
29. ORDINANCE awarding contract to **BIO LANDSCAPE & MAINTENANCE, INC** for Right-of-way Mowing Services for Public Works & Engineering Department; providing a maximum contract amount - \$1,161,562.50 - Street & Drainage Maintenance Fund - **DISTRICTS A - TATRO; G - KELLER and H – VASQUEZ** – was presented, and tagged by Council Member Weisman.
33. ORDINANCE appropriating \$350,000.00 out of Street & Bridge Construction Fund and approving and authorizing professional services contract between the City of Houston and **WILBUR SMITH ASSOCIATES** for Development Study on the Inner Katy Transit Corridor - **DISTRICTS A- TATRO and H – VASQUEZ** – was presented, with Council Member Robinson voting no, balance voting aye. ORDINANCE 2002-0029 ADOPTED.

Council Member Robinson stated that he was trying to figure out why they were studying a corridor that Metro put up and were supposed to be studying, that on I-10 the corridor already had a study the last time they went out there and looked at the expansion of I-10 and they were giving Metro back \$400 million, and Mayor Brown stated they would get an answer for him.

#### **NON CONSENT AGENDA** - NUMBER 34

#### **MISCELLANEOUS**

34. MOTION to set a date not less than seven (7) days from January 16, 2002 to receive nominations for Positions 1 and 2, and Alternate Positions 1 and 2 of the **HOUSTON GALVESTON AREA COUNCIL**, the one year terms to expire December 31, 2002 – was presented. Council Member Robinson moved to set Wednesday, January 23, 2002 to receive nominations for Positions 1 and 2, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0070 ADOPTED.

#### **MATTERS HELD** - NUMBERS 35 through 39

35. RECOMMENDATION from Finance & Administration Department to award to **J. TYLER SERVICES, INC** - \$1,421,780.00, **ROCKFORD BUSINESS INTERIORS, INC** \$246,000.00, **ROBERT WEISZ OFFICE FURNITURE** - \$170,000.00, **CORPORATE EXPRESS** \$683,000.00, **VANGUARD ENVIRONMENTS, INC** - \$580,000.00 and **CONTRACT RESOURCE GROUP** - \$337,055.00 for System Furniture for Various Departments - \$3,437,835.00 - General, Grant and Enterprise Funds – (This was Item 15 on Agenda of January 9, 2002, TAGGED BY COUNCIL MEMBERS WISEMAN and KELLER) – was presented. Council Member Wiseman voting no, balance voting aye. MOTION 2002-0071 ADOPTED.
36. RESOLUTION relating to the appointment of Directors to the Board of Directors of the **HOUSTON HOUSING FINANCE CORPORATION** – (This was Item 16 on Agenda of January 9, 2002, TAGGED BY COUNCIL MEMBER GALLOWAY) – was presented.

Council Member Tatro moved to refer Item No. 36 back to the administration.

A roll call vote was called on Council Member Tatro motion to refer Item No. 36 back to the administration.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez voting aye
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2002-0072 FAILED

A vote was called on Item No. 36. Council Members Goldberg, Parker, Sekula-Rodriguez, Tatro and Robinson voting no, balance voting aye. RESOLUTION 2002-0003 ADOPTED.

37. ORDINANCE awarding contract to **RASCH GRAPHIC SERVICES CORPORATION** for Bindery Services for the Central Print Shop for Finance & Administration Department; providing a maximum contract amount - \$523,906.25 - Central Service Revolving Fund – (This was Item 24 on Agenda of January 9, 2002, TAGGED BY COUNCIL MEMBER GOLDBERG) – was presented. All voting aye. Nays none. ORDINANCE 2002-0030 ADOPTED.
38. 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 – (This was Item 25 on Agenda of January 3, 2002, POSTPONED BY MOTION #2002-16) – was presented.

Council Member Parker stated that she had indicated she would place the item on Fiscal Affairs when they discuss alternative revenue sources, that she thought there needed to be a lot more discussion of the item before they moved forward.

Council Member Parker moved to refer Item No. 38 back to the administration, seconded by Council Member Tatro.

Council Member Vasquez stated that he recognized the need for additional discussion but

at the same time he had placed on the table an amendment, and basically the amendment would eliminate from consideration in the study any City of Houston facility that had been named in honor of any individual, that he thought this particular amendment began to address the criticisms and comments that had been made publicly in terms of upholding the civic dignity of their civic facilities, that he hoped that his amendment would be considered, that he knew that there was additional discussion, but he thought that what had occurred was that the idea had been poorly presented to the public and to Council, that he would hope that they would consider it and vote no on sending it back, and asked Council Member Parker if she would allow the amendment to come to the table so that it would go back to committee with some consideration.

Mayor Brown stated that if Council Member Parker would withdraw her motion they could consider the amendment and then they could consider amendment and both could be taken up together, and Council Member Parker stated that the administration had already indicated in writing that there was no intention to rename buildings and while she did not particularly object to the amendment she thought that amending a flawed item simply gave them a better flawed item and she would really rather they go back to the drawing board and come out with something that was a stronger and better project and so she would decline.

Council Member Galloway stated that she was glad that they were thinking about increasing their revenues and she had recommended that maybe they could consider as well private companies or companies to place on the premises advertisements, excluding alcohol, cigarettes, sexual oriented businesses and other products or concepts considered objectionable, that she was thinking that it could be used similar to what they had at the airport, that she hoped they would look into it.

Council Member Robinson stated that he was going to support Council Member Parker motion to refer the item back to committee, that he thought the discussion around the table clearly reflected why he initially asked for the two week delay and the ongoing discussion was still going on, that it went back to the point he made two weeks ago that it needed to be fully discussed or they would end up going in the same kind of pattern they did when they did Compaq and a committee was the best place for them to fully engage in the discussion about the threshold question did they want to move forward instead of trying to hash it out at the full Council table.

Council Member Quan stated that he understood Council Member Parker concerns, but until they had data he did not think they could make any intelligent decision regarding what to do, that he did not mind their doing the study and then reviewing it in committee, deciding whether they wanted to accept some the recommendations or not, but until they had the information he thought they were talking about a phantom item, that the contract would make no commitment to Bonham other than to do the study.

Council Member Vasquez stated that he also thought that rather than send it back to committee they could make an amendment that would say that any results would go to committee for discussion prior to the development of any RFP or RFQ and that way they could place the restraint at that point and time and still have the full committee experience that Council Member Robinson mentioned as well.

Council Member Sekula-Rodriguez stated that she wanted to speak in support of Council Member Parker initiative to send it back, that she did think it was a very important option that they explore revenues that were alternative to the City and try to minimize the increased taxes that were in their future, but the real question was, was this group the right group to do the study.

Council Member Wiseman stated that she supported Council Member Parker's request to

send it back to the committee because she had a real problem with it, that she had received numerous e-mails and had talked to people in the district, that it was a distasteful prospect that they would sell naming rights, and according to the RCA, "to determine what Houston residents deemed to be appropriate in terms of naming rights for municipal properties", if there was some sort of discrepancy about what it was they were trying to do with it she thought it was important that they send it back to committee so they could determine for sure what they were trying to do with it, that she did not think they should be in business of prostituting themselves to corporate America to make up for some budget shortfalls, that she thought they needed to be disciplined and not desperate.

Council Member Tatro stated that he disagreed that the Bonham group was neutral and disagreed that a survey could not be taken with the Kleinberg Group, that he thought the idea may have some merit, that the political question to be answered was that did the citizens of the City want advertisements in, on or in affiliation with their public facilities, that he supported the referral back.

Council Member Goldberg stated that he did not support the referral back, that this was a consultation, report and survey and did not think that some of the Council Members realized that, that they had not voted to rename any building with the agenda item.

Council Member Edwards stated that as she understood it they were talking about a process to look into how they could better raise monies for the City without always going back to the taxpayers and saying they were going to raise the taxes, that she thought it was a study to investigate to see if this was one tool that they could use in that process and that it had nothing to do with naming buildings, that she would suggest that they move forward with the amendment that Council Member Vasquez put forward.

Council Member Berry stated that the first question was that they were purported to survey public opinion and the second issue was that they were looking at sponsorship opportunities, that he knew that Mr. Tollett stated that his department was not staffed to do that but he thought that no one was more capable of doing that and once they opened up their doors and said they were looking for sponsorship opportunities companies would beat down the door to tell them how much they would pay to put their name all over what the City had, that he was against that anyway, that their research on Bonham suggested that this was not a company that did this and was not a company that if they did do it appeared to be very good, that he would encourage everyone to look at their website [www.bonham.com](http://www.bonham.com) where their supposed vice-president for research, who had no education with regard to methodology favorite quote was "win if you can, lose if you must, but always cheat", that they were very concerned the more research they did on the Bonham Group and compared them to some of their competitors all of whom said that Bonham was very good at brokering deals between companies and cities to put names on sides of buildings and products, but it was not a company that engaged in serious public research.

Council Member Keller stated that he would hope that somebody who wanted to be in this business of getting sponsorships and earning commissions for doing so would bring them an offer and in that offer they would consider reimbursing them for the study and possibly a commission if they were going to entertain it at that time and he thought that it should be available to anybody in the free market system in the United States, that he did feel that they should look in house because they had paid over \$5 million since the inception of the Houston Image Group and how much of that money went into salaries to people who were employed by the Houston Image Group and how come the Houston Image Group, which this was about, the City of Houston's image, not conducting the survey and giving them the results that they needed, that they had committed themselves to the Houston Image Group and they had been a part of their team, so he would look to that and look to the Houston Image Group as far as analyzing

whether they should even consider something like that before they even look at it in committee.

Council Member Alvarado stated that it was her understanding that this was not so much a survey but was more of a market analysis and was not something new, that they had a market analysis when they were looking at expanding the George R. Brown, that they also did a market analysis for parking fees at C&E facilities, that there had been some additional ones, when they were looking at the arena they did a market analysis, that she thought that some of the Council Members had confused the issues, that they were not adopting to name anything, so she supported moving the item forward.

Council Member Vasquez moved to suspend the rules to hear from Mr. Jordy Tollett, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2002-0073 ADOPTED.

Upon questions by Council Members, Mr. Tollett stated that maybe municipal property was the wrong word and maybe it should be municipally owned anything, that what they meant by that was anything owned by the City, that they did not know which ones were marketable and in the second paragraph of the RCA it stated that the Bonham Group would summarize, document and communicate sponsorship opportunities that existed for the City no matter what they were, that this would cover the entire City, every asset that they owned, that he had made the commitment to Council Member Parker that after all the information came back they would gladly give it to the Council committee and let them hash it out and talk about it and figure it out, that they talked to everyone of the cities that they named in the RCA and had good reports that the Bonham Group worked very closely and well at bringing opportunities to the City, that this was only the market research side of it they were not entering into a contract that guaranteed them the rights to go and market anything, that Council would determine the next step or no step.

After further discussion Council Member Parker moved to call the question, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2002-0074 ADOPTED.

A roll call vote was called on Council Member Parker's motion to refer Item No. 38 back to the administration.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting no	MOTION 2002-0075 FAILED

Council Member Ellis moved to amend Item 38 to provide that any results that were received would go through committee and be discussed at that time prior to the administration bringing it to the full council, seconded by Council Member Vasquez, and tagged by Council Member Tatro.

Council Member Vasquez moved to amend Item No. 38 to eliminate any City of Houston facility that had been named in honor of any individual, seconded by Council Member Ellis, and tagged by Council Member Tatro.

A roll call vote was called on Item No. 38.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting no	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Rodriguez voting no
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	ORDINANCE 2002-0031 ADOPTED

39. 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 27 on Agenda of January 3, 2002, **POSTPONED BY MOTION #2002-18**) – was presented.

Council Member Keller moved to postpone Item No. 39 for two weeks, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2002-0076

**Items received during meeting.**

32. ORDINANCE appropriating \$17,527.00 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 the MKT/SP Rails to Trail Project as approved by Resolution No. 99-43, GFS N-0420-30-2 (N-0420-30) - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2002-0032 ADOPTED.

**Items postpone to end of agenda.**

1. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for airport leasing (concession) contracts through September 30, 2002, in compliance with DBE Ordinance Nos. 89-226, 99-893 and DOT/FAA requirements – was presented, Council Member Vasquez moved to approve Item No. 1 with the amended goal of 12%, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2002-0077 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Ellis stated that yesterday he was driving down Fondren and noticed that they had spent tens of thousands of dollars making the sidewalks up and down Fondren Road wheelchair accessible, but the problem that he saw was that the sidewalk had been buckled and came up to a T some 12" to 18", that he would encourage the Public Works Department that if they were going to spend the money to make the sidewalks wheelchair assessable they should reconstruct the sidewalks if necessary, that it was in between Bellaire and Harwin

Council Member Ellis stated that he wanted to comment on Item No. 30, that it had become



somewhat of a political hot potato, that it was the contract with Arthur Andersen, that as late as yesterday evening he was having discussions with the Controller's office and he put full faith and confidence in their selection process and they felt that there was really no problem with Arthur Andersen with regard to the arbitrage rebate calculation, that they had not been under contract with anybody since October 12 and they needed to have the rebate calculations done.

Council Member Ellis stated that he and Council Member Alvarado had sent a letter to the Mayor's office requesting that he place a resolution supporting the appointment of Dr. Jack Christie as Chairman of the President's Council on Physical Fitness, that he was a local doctor from the Houston area and was being considered at this time.

Council Member Weisman stated that she wanted to acknowledge the fact that a large group of young people had entered the Council Chambers and welcomed them for being present and hoped that they had been able to view some of what had gone on today.

Council Member Weisman stated that she wanted to reiterate her position on the naming rights, that she did not think it was appropriate.

Council Member Galloway stated that it seemed that there was mixed feelings and mixed views on naming rights, but she did not think there should be no mixed feelings when it came to advertising, that when they went to the airport they had advertisements there, that they seriously needed to think about it, that it could be a way to increase the revenue for the City.

Council Member Robinson stated that he was kind of disappointed that Council rushed to vote on Item No. 30, that the reason he was running late was that he was meeting with Dr. Scheps on a couple of ideas that he thought would generate about \$5 million more for the City in next years budget if they implemented them in the next couple of months, that he would have been a no vote on Item No. 30. Council Members Goldberg and Berry absent.

Council Member Robinson stated that he understood there was an impasse between the Legal Department and the lawyers at TXDOT about an interpretation of the no trucks in the left hand lane statute and they needed an opinion from the Attorney General to move forward, that the point of contention was that the Legal Department had said that trucks could have no more than two lanes on I-45 and TXDOT stated that the State statutes said that they had to have at least a minimum of two, they just wanted to keep trucks out of the far left lane and allow them to use the other three lanes and the City Legal Department was saying that trucks should only be allowed to use two of the four lanes so they needed an Attorney General opinion to clear that up, that there was a meeting coming up on January 22, 2002 in Deer Park with the cities of Deer Park, Pasadena, Baytown and La Porte to try to finalize discussion about extending the no trucks in the left hand lane along Highway 225 and asked that the Legal Department give him an update on where they were on the request for the Attorney General opinion. Council Members Galloway, Goldberg and Keller absent.

Council Member Robinson stated that he sent out a memo to Dr. Scheps, the Mayor and all Council Members, that there was some question or confusion about whether or not firefighters were entitled to base pay equalization adjustment in their salaries now that the new police meet and confer contract had come into place, that he was trying to find out if they were going to receive the base pay parity increase and if not, why not, and what was the bases for the change in the base pay parity process, that he wanted someone to visit with him by next week. Council Members Goldberg, Wiseman and Keller absent.

Council Member Edwards stated that she wanted to speak to the issue of incarceration of the youth in Harris County, that as she had been informed by several groups and she was trying

to verify the information that Harris County was now the leader in incarceration in the County, and of that group District D had a large population involved in that, that in tagging the item regarding the issue of prison labor being used in a contract that was one of the issues that she wanted them to look at, that how could they connect that back, that if young people were going to prison were they being rehabilitated and how could they use their work in the City to help that work be certified so that the work was usable in the free world, that she wanted to ask the Mayor's support in those types of investigations and queries and also Chief Bradford and any other Council Member who might be interested in that particular issue. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Edwards stated that she wanted to recognize the Willowridge Eagles group who were present, that they were from District D and not only did they excel in sports but they excelled in excellence and wanted to comment the teachers and parents who had brought them here today to review what they did at City Hall, and Mayor Brown welcomed the group to the City Council meeting and stated that they were very happy they were present and hoped that they had seen how City government worked, and also encouraged them to consider a career in public service or in elected office. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Tatro stated that he personally did not support the process of the City entering into naming rights. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Tatro stated that the Mayor and Council Members had received a letter from Mr. Larry Lee and Ms. Eileen Sabinsky in reference to the Building and Standards Commission, that when homeowners received tickets or citations because of weeded lots or ponds and home problems that Neighborhood Protection issue citations and the homeowner had an opportunity to protest it and they go in front of the volunteer panels that the Curb Ordinance years ago set up and known as the Building and Standards Commission, that Mr. Lee and Ms. Sabinsky sat on a couple of those panels and the other day they were at the E. B. Cape Center trying to conduct their annual meeting and they could not conduct that meeting for lack of a quorum, that it brought them to a long standing issue and that was the importance of the nominees and their willingness to participate in those committees. Council Members Galloway, Goldberg, Edwards, Wiseman, Berry and Robinson absent.

Council Member Vasquez stated that they were taking another significant step in the northside to improve the neighborhood and revitalize the area, that they were posting a grant funded job announcement for a program manager for the Weed and Seed Program and the program manager would basically be the lead person in terms of helping to revitalize and helping to improve neighborhoods in the northside, that he wanted to thank the Mayor for supporting the program. Council Members Galloway, Goldberg, Edwards, Wiseman, Berry and Robinson absent.

Council Member Vasquez stated that he wanted to wish everyone a happy Martin Luther King Day and hoped that everyone remembered the significance and importance that Dr. King brought to the City and to the Nation. Council Members Galloway, Goldberg, Edwards, Wiseman, Berry and Robinson absent.

Council Member Keller stated that the El Paso Marathon was coming up on Saturday, that it was the Compaq Marathon, El Paso Energy Half Marathon and the Uptown Park Four Miler, that it was very important to the people not only supporting the marathon, but because it made it so much more worthwhile when everybody went down there and cheered and it really helped the runners, that the course had changed a little bit so he hoped everybody would take note of the new course they were using. Council Members Galloway, Goldberg, Edwards, Wiseman, Berry

and Robinson absent.

Council Member Keller stated that the Subway Health and Fitness Expo would be open to the public on Friday and Saturday at the George R. Brown Convention Center. Council Members Galloway, Goldberg, Edwards, Wiseman, Berry and Robinson absent.

Council Member Quan stated that downtown street repair still remained a big issue for many citizens and businesses and he would encourage a report from the task force and knew they were working hard on it but would like some Council participation on the task force so that they could respond more quickly to the constituents. Council Members Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent.

Council Member Quan stated that he thought it was a very good discussion on the issue of the Bonham Group and thought that everyone spoke from the heart and had the interests of the City in their presentations, that he would like to make sure that as they studied the naming issues that they would not look at renaming City facilities and that whatever results came back would go back to the Fiscal Affairs Committee. Council Members Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent.

Council Member Quan stated that he wanted to acknowledge that Council Members Tatro, Parker, Wiseman and representatives from Council Members Berry and Edwards office did take the Youth Council up on their offer to attend their meeting last week and thought they were certainly appreciative. Council Members Galloway, Goldberg, Wiseman, Vasquez and Berry absent.

Council Member Quan stated that he planned to be at mile 22 cheering the marathoners on. Council Members Galloway, Goldberg, Wiseman, Vasquez and Berry absent.

Council Member Sekula-Rodriguez stated that the constituents who had called her office regarding the Bonham issue were acknowledged and she appreciated their input, and in addition the corporate and foundation sponsors who had supported the City so generously throughout their history were also recognized and appreciated for their continued input into the issues as well, that she regarded them as serious parts of the discussion. Council Members Galloway, Goldberg, Wiseman, Vasquez and Berry absent.

Council Member Sekula-Rodriguez stated that the fire union was ready and eager to negotiate and contract, according to the reports she had gotten from them and were very interested in restoring the item of parity, that she was interested in being a part of that process. Council Members Galloway, Goldberg, Wiseman, Vasquez and Berry absent.

Council Member Sekula-Rodriguez stated that she had passed around some photographs of Squatty Lyons Park which she had visited yesterday and was in Council Member Galloway district across the Hardy Toll Road from Melrose Park, that it was brought to her attention by Congressman Gene Green, that there was much need for maintenance in the park, that there were metal containers open which could literally become coffins if a child crawled into them, there were announcement stands which were falling apart and some of them were being used by people who should not be on the grounds, that it was not a good place for the children, that she wanted to ask the Mayor to look if the Parks Department could allocate some maintenance money to bring it up to standard. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Mayor Brown stated that the letter she referenced was a letter to him from the Congressman and they were looking at it, that there was some question about whether or it was

a City park, that if it was not a City park they would refer the Congressman's letter to the County and if it was a City park the Parks Department would take care of it. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Parker stated that Council Member Tatro raised the issue about attendance at boards and commissions which had been a sore spot for her for a long time, that she had written the Mayor last week after they heard about the lack of a quorum at the annual meeting of Building and Standards Commission and they also spoke about it, that she would encourage for all of the boards and commissions that they record attendance scrupulously and force their appointees to adhere to attendance policies, that there were too many people in the City who really wanted to serve and had no opportunity to serve and they had people who were clogging boards and commissions who did not bother to attend, that she had a related issue with the Citizens Review Committee, which was one of their appointed boards, that there was a newspaper article a week ago about the committee and they interviewed her and the reporter called the Internal Affairs Division to make contact with member of the Citizens Review Committee and was told that it was privileged information, that these were members of a City appointed board and Council voted on those members and it was public information, that she called the coordinator of the Boards and Commissions and was told that yes it was public information, that she did not know how often it happened but hoped they could clear it up, she sent the information to the report, who had already written the story, but there was some confusion, that obviously the folks at the Citizens Review Committee were in a delicate position but they had a number important boards and commissions and it was public information. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Parker stated that she had the opportunity over the last couple of months to watch their street repair program in action, that the street in front of her house was resurfaced, that there had been several problems with it, they resurfaced her street and two days later she was called by a television reporter, who had been called by her neighbors, that two days after they finished resurfacing the street a private townhome developer, a couple of blocks away, had torn up the brand new resurfaced street in order to do a water and sewer hookup, that they investigated and the contractor had the permit to do the water and sewer for weeks and for at least two weeks there was no street there to disturb and he waited until they put the brand new street surface, that the Public Works Department looked at it and said that yes the contractor had been in violation and would have to repair the entire street under their new Street Cut Ordinance from intersection to intersection, that it had been a couple of months and nothing had happened, that they did do a nice patch and the neighborhood had kind of let it go, that last week a City repair group tore up an entire block in another direction to do a sewer line repair, that the sewer line had broken and the Public Works Department went out and did a patch and acknowledged at the time that they were going to have to do a major reconstruction in that section of the street, they contacted the contractor who was going to do the street resurfacing and asked for a delay, they said the repair on the sewer line was going to take five days to repair, so they could repair the sewer before the street was resurfaced, that they went out the next day with crews to repair the sewer and the contractor had already resurfaced the street, so they waited a couple of months and now they were back out there again, that the contractor was Angel Brothers and if someone would not explain to her why Angel Brothers allowed this to happen they were going to have a real hard time getting her to pass anything that had Angel Brothers name on it, that at the same time they had been trying to get them to finish curb repairs that they had left undone, that she did not understand where their followup was on this was and did not understand how they could have one Public Works Department, committed to do a sewer line repair, telling a contractor that they had to wait and the contractor not listen to it, that someone needed to come and talk to her, and Mayor Brown asked Mr. Haines to follow up on it and report back to Council Member Parker on that problem. Council Members Galloway, Goldberg and Wiseman absent.

Council Member Berry stated that he was proud to say that Houston was home of some world class entertainers and they had some of them present today and he wanted to honor them and the Mayor would join him in doing so, and invited Ms. Yolanda Adams and Ms. Kelly Roland, Destiny's Child, to the podium and asked Ms. Adams on behalf of Ms. Jackie Martin, for One Houston United, which every Member of Council was behind, to perform on the January 26, 2002 at the telethon for Tropical Storm Allison, that Ms. Roland would be performing at the telethon. Council Members Galloway and Wiseman absent.

Mayor Brown read a proclamation that proclaimed the Lee P. Brown, Mayor of the City of Houston hereby proclaimed January 15, 2002 as Yolanda Adams Day in Houston, Texas and also read a proclamation that proclaimed the Lee P. Brown, Mayor of the City of Houston hereby proclaimed January 15, 2002 as Destiny's Child Day in Houston, Texas. Council Members Galloway and Wiseman absent.

Ms. Adams stated that she was a proud Houstonian and loved Houston, that because it was her daughter's birthday she could not participate in the telethon, but she and her husband would be donating \$20,000 to the Houston United Fund, that they would not be there in spirit but would be there in dollars. Council Members Galloway and Wiseman absent.

Council Member Alvarado stated that she wanted to thank the Mayor and the administration, particularly the Parks and Recreation Department and her colleagues on City Council for accepting her challenge, that they were going to have a Council weigh in, that they were going to have the scales brought to the front and have every Council Member weighed, that it was a collective weigh in and they were not going to single anyone out, that nobody's weight was going to be posted, that the goal was to have the entire body collectively lose about 105 pounds, that was about 5 to 7 pounds per member, that it was for six weeks, that she wanted to invite everyone to come out tomorrow in front of City Hall between 11:00 a.m. and 1:00 p.m. for the Subway Challenge, that Jerred, who lost 245 pounds would be there talking about the Subway Challenge and also Shape Up Texas, which they were working with other cities in the State to be removed from the top ten list in terms of being the fattest cities in America, that initiative would launch on January 31, 2002, and invited the Mayor and all Council Members to participate in the weigh in. Council Members Galloway and Wiseman absent.

There being no further business before Council, the City Council adjourned at 10:56 a.m. upon MOTION by Council Member Quan, seconded by Council Member Keller. All voting aye. Nays none. Council Members Galloway and Wiseman absent.

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary