

City Council Chamber, City Hall, Tuesday, June 18, 2002.

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 18, 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. Paul Bibler, Senior Counsel, City Attorney's Office; Mr. Richard Cantu, Director, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 2:00 p.m. Mayor Brown stated they would start with a couple of City Council presentations and invited Mr. Lonnie Vara, Director, Human Resources, and Ms. Cindy Sax to join him at the podium for the first presentation. Council Members Galloway, Goldberg, Keller, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Vara stated that the presentation was for a number of the children of the workers of the City of Houston that drew posters, which were displayed in the Council Chambers, of relatives and friends that worked for the City of Houston, that it was a part of Public Service Recognition Week, that Ms. Sax would call them out and then they would take a picture. Council Members Galloway, Goldberg, Keller, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Sax stated that the Third Place winner in the 5 and 6 year category was Helen Beckman, whose uncle, Paul Beckman, worked in the Human Resources Department, that the First Place winner in the 7 and 8 year old category was David Bruiwell, whose mother, Anna Bruiwell, worked in the Health and Human Services Department, that the Third Place winner in the 11 and 12 year old Category was Chris Casteneda, whose uncle, Ray Garcia worked in Planning and Development, that in the 13 and 14 year old category the First Place winner was Cedric Igbo, whose father, Stanley Igbo, worked in Planning and Development, and Anna Bruiwell won in the 15 to 18 year old category. Council Members Galloway, Goldberg, Keller, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown invited Mr. Rick Ferguson, Director of the Houston Film Commission and Mr. Keith Parret, Memorial Hermann Health Care Systems, to join him at the podium and stated that they had some exciting news and the news was that Houston Medical was a new real time television series set in the Texas Medical Center in Houston. the show would begin airing nationally tonight at 9 p.m. on ABC, Channel 13, that it was taking the NYPD Blue slot for the summer, that he wanted to encourage everyone to watch the show because it was about the City, and about a jewel in the City, the Texas Medical Center, that Houston Medical followed real live doctors, nurses and patients behind the scenes in a very dramatic fashion, that the show would bring national attention to Houston, and shed a very positive light on both the medical community and the City as a whole, that he had seen some of the teasers and thought it would be a show that would do their City well by focusing on not just the medical aspect, but their entire City as they follow people through their City, that he wanted to encourage everyone to tune in and see something that was very beneficial to the image of their City, that it was in that context that he wanted to present a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed Tuesday, June 18, 2002, as Houston Medical Day in Houston, Texas. Council Members Galloway, Keller, Vasquez, Quan, Berry and Robinson absent.

Mr. Ferguson stated that on behalf of the Houston Film Commission and the Greater Houston Convention and Visitors Bureau he would like to congratulate Memorial Hermann Hospital and Texas Medical Center, the producers of Houston Medical and the many patients that shared their lives in making the program a reality, that he would also like to present the proclamation to Mr. Keith Parret, Vice President of Marketing and Communications, in

recognition of everyone who had worked hard at Memorial Hermann Health Care Systems. Council Members Keller, Vasquez, Quan, Berry and Robinson absent.

Mr. Parret stated that obviously they were very excited at Memorial Hermann for the positive light this would reflect on them and the entire Medical Center of Houston and they thought it was going to be a great thing for the City of Houston, so they were as excited for the City as they were for themselves. Council Members Tatro, Galloway, Keller, Vasquez, Berry and Robinson absent.

Mayor Brown stated that next presentation was from Council Member Vasquez. Council Members Tatro, Galloway, Keller, Vasquez, Berry and Robinson absent.

Council Member Vasquez stated that they were going to provide a proclamation to the Greater Houston Young Leaders of the National Hispanic Institute and invited them to the podium and stated that the Greater Houston Young Leaders of the National Hispanic Institute strives to provide an environment to promote community involvement, that it's mission was to develop students' potential that would advance the Latino Community by providing an organized training structure that taught communication, leadership, social and analytical thinking skills, and read a proclamation that proclaimed that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed Tuesday, June 18, 2002, as The Greater Houston Young Leaders Day in the City of Houston and invited two of the students to share their experience and the value of being in the young leaders program. Council Members Keller, Berry and Robinson absent.

Ms. Christina Lopez stated that she represented one the 109 who represented the Houston area in the Y. O. C. Program, and one of the things that she could tell them was that as a group they had learned a little bit of self-confidence to be able to stand up proudly and give a speech to numerous people, that it had definitely unified them, not only in the City of Houston, but as Texans as they came together, all for one common goal, because as one of the leaders said, they were the crafters of tomorrow and they had to stand up and be able to be unified like this and to have some of these opportunities, so she was proud to say that she, as a part of the Y. O. C. Program, had learned a lot that she would take with her now and forever. Council Members Keller, Berry and Robinson absent.

Ram Picaso stated that he was an 11th grader and they were actually the ones who were teaching the freshmen from all around the City of Houston, that they were capable of taking a team of 36 students to the State debate and win First Place, that they were giving issues about the Latino community and were learning about their own culture. Council Members Keller, Berry and Robinson absent.

Mayor Brown stated that they wanted to congratulate them and were very proud of their accomplishments and encouraged them to keep up the good work. Council Members Keller, Berry and Robinson absent.

At 2:15 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Ellis led everyone in prayer and pledge of allegiance. Council Members Keller, Berry and Robinson absent.

Mayor Brown requested the City Secretary to call the roll. Council Members Keller and Berry absent.

Council Members Quan and Tatro moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Members Keller and Berry absent.

Council Member Ellis stated that he wanted to take a moment and introduce six students

from Strake Jesuit College Preparatory, that this week they were going through what was called Career View Week and today they had been shadowing him at City hall and his private business and asked that they step forward and be recognized. Council Members Keller, Vasquez and Berry absent.

Mayor Brown stated that he wanted to welcome them to City Hall and hoped that they would consider public service as their career. Council Members Keller, Vasquez and Berry absent.

Council Member Alvarado stated that she wanted to take a point of personal privilege to invite the Magnolia Gulf Coast Community Learning Center students to the podium and recognize them with certificates, that the Magnolia Gulf Coast Community Learning Center students were involved in a beautification project in her district, that they took the Pine View Triangle Park, a location that was being used for garage sales and was a place where people were illegally dumping trash and people in the neighborhood and the civic club took it upon themselves to work with various entities such as the Rockets, Giants, the Mayor's office and the Gulf Coast Learning Center along with Keep Houston Beautiful and they had turned it into a beautiful place, that they had planted 11 trees and flowers and they really turned what was once an eye sore into a beautiful sight and called the students up for the presentation of certificates. Council Members Keller, Vasquez, Sekula-Rodriguez and Berry absent.

Council Member Parker moved to suspend the rules to hear Ms. Sandra Burleson, Mr. Gregory Shepherd and Mr. John Bland out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Members Keller, Vasquez, Sekula-Rodriguez and Berry absent. MOTION 2002-0678 ADOPTED.

Council Member Tatro moved to suspend the rules to hear Mr. Norm Nolasco out of order, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Keller, Vasquez, Sekula-Rodriguez and Berry absent. MOTION 2002-0679 ADOPTED.

Mayor Brown requested the City Secretary to call the list of speakers. Council Members Keller, Vasquez, Sekula-Rodriguez and Berry absent.

Ms. Sandra Burleson, 11410 Ryland, Houston, Texas 77066 (281-893-8456) appeared and stated that she was currently the President of Transport Workers Local 260 in Houston, Texas, that the members were the mechanics, bus operators, cleaners, car starters, ball pullers, HOV workers, fare box technicians and storeroom workers, that they were a family of over 2,000 members and she bet a lot of them did not know they were such a large local in Houston, Texas, that they were currently in contract negotiations with the Metropolitan Transit Authority and she was present to speak to Mayor Brown and the City Council about their concerns with negotiations with the Metropolitan Transit Authority, that she would also like to touch on an issue with them, fast schedules, that they had heard numerous times that the City Council only appointed five Metro Board Members, but they had nothing to do with the duties that they carried out, that she would just like to let them know that they thought there was something wrong with that picture, that human nature states that if I do something for you, usually, you pretty much owe me some type of an allegiance, saying that, she would like to say that they had met with Metro four times and their comments were always, they had no money, they cannot do that, they were not going to do that, that one of the comments at the table, that was strictly impressed upon them, was that Metro's money was in the ground, that they take that, of course, as rail, that they were not saying they were against rail, they already had the rail jobs, but they did not want to not get a good contract at the cost of a Metro rail, that they had concerns with their health care, wages, they had a tiered pay system that they felt was unfair to the workers of Metro, that their pension issues were very concerning and Metro had benefits with their pension that they were not allowed to have and Metro's only reason for that was that they had no money, that they did

not think it was fair for Metro to deprive them of a fair contract, that they drive the streets of Houston daily, and those who drive in their cars have it made, that they drive in 42 foot buses, and had to maneuver, that their buses ran on time and their buses operated, and she thought the citizens of Houston should recognize that, that if they saw them speeding, they should take a look at their schedules, that she challenged Mayor Brown and City Council to get on a Metro bus, and ask the driver to look at his schedule, go through his schedule with him and she believed they would they would understand why citizens were saying that the buses were speeding and the buses were flying, that they had certain accidents, and she would tell them not to think those accidents were all because of the driver, they had schedules that were horrible, the drivers were not being able to rest at the end of working two hours, they were working three and four hours without any type of a break, that she knew they had not heard from Local 260 in awhile; that she wanted to end with a story, there was an old dog that laid on the front porch, and he had an owner that every time the owner came out, he kicked the dog by the tail and the dog would roll over and yawn, he did this for a while and one day, the owner came out and stepped on the dog's paw, and the dog snapped at him and growled at him and the owner stated, all these times he had been stepping on his tail, and he never said anything, and the dog replied, but this time he stepped on his paw, and now he was talking business, that Local 260 was here, and City Council and Mayor Brown, they were talking business. Council Members Keller, Vasquez, Sekula-Rodriguez and Berry absent.

Upon questions by Council Members, Ms. Burleson stated that they had not had a chance to meet with the new Board of Directors of Metro, that they had a kind of passive way meetings with them, but sitting down during contract negotiations was usually not done, and it was a shame because they had five new board members that were coming in on contract negotiations and she could honestly say she was kind of worried because some of them seemed like they really did not know about transportation, that they would love to meet with them, how else would they know their issues, that their concern was really the City Council and the people they represented because they felt, Local 260, like the public had really gotten a tarnished image of the bus operators, and Council Member Edwards stated that she would try to see that they had a meeting with the Board of Directors. Council Members Vasquez, Sekula-Rodriguez and Berry absent.

Mr. Gregory Shepherd, 5627 Santa Christi Drive, Houston, Texas (281-438-9557) appeared and stated that he was a union representative for Transport Workers Union Local 260, which represented bus drivers, mechanics, HOV, public facilities and many other employees at the Metropolitan Transit Authority, that he had been employed at Metro for 25 years and was a diesel mechanic, that it was the only real job he had outside of the Marine Corps, that the reason he was present was to offer a solution to the problems that they were having at Metro, that they probably knew that they were presently in contract negotiations, but were butting heads with Metro lawyers because they were saying that Metro did not have any money, that their favorite saying was that it was all in the ground, meaning rail, that they did not have any money for wage increases, no money for health care, and no money for pensions, that he could see why Metro was spending millions of dollars on advertising, they were subsidizing the merchants along the rail corridor, free advertising for businesses and discount coupons, that they were spending all this money to sustain an image, certainly not to increase ridership, their image was more important to them than their own employees, they were willing to pay and sacrifice anything or anyone to sustain an image and they knew why, that they lost valuable employees every day behind these homemade image protecting policies, that his solution was since Metro loved advertisement, let them get into the advertising business, that everywhere they went in the country, buses were used for advertising, it was revenue that they had not tapped into, that advertising could generate millions of dollars to subsidize the authority in some of their ventures and create new jobs, that a Gallery Furniture sign on the side of a Metro bus would not offend him, so what was to stop them, their image, they did not have adequate health care or a pension that would compare to the lowest level manager at Metro, yet they were giving themselves a

substantial increase in their pension while they had only allowed the drivers an increase of one dollar per year, that they were the ones working in unhealthy environments, they were the ones exposed to diesel exhaust, asbestos, old oil and other hazardous chemicals that were harmful to humans, that they were the ones getting sick, but what were they exposed to, paper cuts, that a governmental entity was supposed to be fair to all of its employees and not bias towards managers, that Metro was starting to act like some of those other companies they know, that all they were asking for was a fair shake, that Metro belonged to them the taxpayers, that he witnessed Mr. Bland fight for Mayor Brown's endorsement, that he saw their president, Sandra Burleson stand up on the convention floor in Austin to fight for Council Member Robinson, that however they decide to help them, to keep in mind that the employees built this company with their backs, the sweat of their brow and sometimes their lives. Council Members Vasquez and Sekula-Rodriguez absent.

Upon questions by Council Members, Mr. Shepherd stated that their contract ends July 31, 2002, that they had been to the table four times, but the hired gun that Metro had hired had no compassion for them whatsoever, that Metro did have an image, that if they were in Houston 25 years ago, they knew what kind of transit system they had then and knew the conditions they had worked under, that it had been a long struggle for them, that 25 years was a long time to work in this industry and not come across some kind of hazardous diseases, that he had just suggested the advertising, that they had looked at other cities like Dallas and Austin, and with the amount of buses and fleet Metro had they could generate money per year, that he did not have the figures with him, but they had done the study. Council Members Vasquez and Sekula-Rodriguez absent.

Mr. John Bland, 2000 North Loop West, Ste. 132, Houston, Texas 77018 (713-680-3272) appeared and stated that they represented over 2,600 employees of Metro and there were approximately 1,200 to 1,300 salaried employees, that they were present today to thank the City Council and Mayor Brown for their appointments of fresh blood to the Metro board, that they appointed members with a wide range of experience and they will be able to work with them, but he was also asking that with that appointment to give them some direction and tell them that it takes money to enhance a contract, that for too long Metro employees had financed the City of Houston and Metro and the surrounding cities through their one cent sales tax, that to his esteemed colleague, Council Member Robinson, he disagreed with the firefighters proposal to take a one-eighth percent of their one cent sales tax to finance the firefighters contract, whereas, their health costs had gone through the ceiling and whereas Metro was talking about a 50/50 split which was totally ridiculous and out of the question, the firefighters and the policemen, Metro had supported them and financed them for the past six plus years and now it was their our turn, they called it the me to, they needed them to finance their own now, that the Metro drivers had a two tier wage system, that they skillfully negotiated in the last contract to eliminate what they called the micro netting and now they had a two tier system which they needed to eliminate, that they called a small bus as something less than 30 feet, but that less than 30 foot bus carried the same engine as a 60 foot bus, that the operator had the same responsibility, and it was a stressful job, that they had a tragedy, a fatality the week before last and that operator needed all their love and support, that they asked that City Council talk to the board members, that they appointed, and tell them not to get caught up with the ways of the old saying that the bus drivers and mechanics did not mean anything, that they meant everything, that they fully supported the rail and we hoped that the next time he was present before Council that the whole Council would say they needed rail all over the City because rail meant jobs, that rail meant making their City be proud across the Nation, that they were the fourth largest City and yet they were somewhere way down the ladder, that they urged the Council's support for their concerns and cause, to help them bring down health care costs, to vote down any idea about attaching anything to the Metro money, that if they were going to do anything, let it be earmarked for Metro employees, that he knew they would do the right thing. Council Members Vasquez and Sekula-Rodriguez absent.

Council Member Alvarado asked Mayor Brown what kind of input, since they did appoint five members, could the City Council do as a body, and Mayor Brown stated it would be highly unusual, when there were negotiations going on, for those not at the table to insert themselves into the negotiations, otherwise they take away the potential for the negotiator to reach a compromise, that what the City Council did was to appoint the board members, that they appoint them as the policy makers for Metro, but he suspected if they had a position, there was nothing that would hamper them from letting the Metro Board Members know their position. Council Members Vasquez and Sekula-Rodriguez absent.

Upon questions by Council Members, Mr. Bland stated that they still had a two tiered pay system, that on the last contract they eliminated micro netting and in order to pay for that they had to spread it out over a number of years and so the big bus operators salaries were dropped to a certain level, excluding the ones at the Kirby dome, so they had two tiers, one rate of pay was for those drivers prior to three years ago, and then the union employees that they hired would come on at a substantial less, that the real problem with the contract negotiation, and this was where they really needed the Council's help to tell the Metro Board Members to tell their people to be serious because they were really not coming to the table with a serious attitude because they had what they called an old antiquated law that said that no municipality could enter into a binding contract and therefore they had what was called an impasse procedure, so on July 31, 2002, they had do nothing and then they would go into impasse, and then, even if they went into impasse arbitration and the arbitrator comes back and rules everything they asked for, then under the law Metro could impose whatever they wanted to and their only recourse would be the courts and some labor lawyers state that would be the time they would have the right to go on strike, that if the arbitrator granted them something and Metro refused to give it to them, then they did not want to inconvenience the citizens who need their service because they were fighting for the unspoken heros, and that was why they ask the Council to tell them to get serious, that they would be back at the State Legislature to change that law, that the two tier system pitted one employee against another, that employee A was making \$16.50 per hour and employee B was making \$12.50 per hour for doing the same job, that was a recipe for disaster, that as for the schedules being too tight, it all went back to their budget, it was the all mighty dollar, that the schedules were tight and with the major construction that was going on downtown, it was inconvenient to everybody, that they expected the employees to hold the schedule. Council Members Ellis, Vasquez, Alvarado and Sekula-Rodriguez absent.

Ms. Arnell Johnson, 3902 Lockwood Dr., Houston, Texas 77026 (713-617-3936) appeared and stated that she was present to give her public support to Council Member Galloway in her request for additional monies in the CIP Program as they pertained to District B, that she wanted to share a little story with them, that her mother always liked to tell her a good joke, that a woman was in court with her lawyer standing before a divorce judge and the judge looked at her petition, looked at the woman and said that he saw her petition and asked why was she petitioning for a divorce at age 85, with a clear unwavering voice, she said, "your honor, I have finally decided that enough is enough", that after she read the Houston Chronicle article entitled Neglected Districts Beg for City Funds, she said to herself, enough was enough, that they were not asking for other districts to have their monies usurped from them, they were simply asking for additional monies so that their neighborhoods could be brought into the 21st century as far as sewers and paved streets, curbing, et cetera, were concerned, that a man once said, "ask for what you want, and beg for what you need", and when he used that word beg, he was not saying ask for charity, he was simply saying or using that word beg in the context of asking humbly and earnestly, that they needed those things, that her family had property in Kashmere Gardens and had been there since 1960, and they had looked at ditches since 1960, almost 42 years ago, and they took pride in being Houstonians, and they wanted to continue that, that they wanted to raise their children in their neighborhoods, and they wanted to live in their neighborhoods, and they just wanted to have them look like the others. Council Members Ellis, Alvarado and Robinson absent.

Council Member Galloway stated that she wanted to thank Ms. Johnson for those kind words, that she had been living with this as well for over 60 years and they still had ditches and water standing, culverts were stopped up and for her to come down in support of what she was asking her colleagues for, she was just really grateful and thankful that she took her time to come to Council and speak on the issue. Council Members Alvarado and Robinson absent.

Council Member Edwards stated that she wanted to thank Ms. Johnson and stated that she represented a lot of people in her district who had been holding the light for a number of years, showing up at the polls, voting, putting people in office and still not coming up with a direct connection to their daily walk, that she wanted to thank her personally for doing that, and to try to get what they could get done, but she appreciate Ms. Johnson's work and appreciated her holding the light for them to come back and try to do something. Council Members Alvarado and Robinson absent.

Ms. Ann Lent, 3260 Chevy Chase, Houston, Texas 713-523-1323 appeared and stated that she was present in support of the budget amendment that would restore \$500,000 to the Parks Department, that the Parks Department had reduced its budget by a little under \$2 million, that the department, in fact, had done a yeoman's service in doing its part to respond to the difficult budget situation that the Council was wrestling with now, that if the money could be found they wanted to urge that they restore money into the parks budget, that they were about to put, as a community, \$80 million in capital funds into the Park System and they as a community were getting better and better on getting grants from outside Houston to help fund their capital projects, that they were about to, through the Parks Board, ask the private sector to invest more than \$20 million additional dollars into their Parks System, that for all of the major strides to work, it was strategically incredibly important that the maintenance function particularly be appropriately funded, that they had to be able, in very simple terms, to take care of the parks that they had, that again, she wanted to emphasize that the department was doing its part, that with the support of the administration it was working with the Parks Board, The Park People, the Quality of Life Coalition, and others, to scope and to secure private funding for business management review of the department, that the review would be an attempt to look for any possible additional efficiencies in savings, particularly on the maintenance side of the house, the department had already scrubbed itself down and was taking the extra step of trying to get outside consultant help to be sure they where doing everything they possibly could, that judging by the reductions already absorbed by the system, they were doing a darn good job, that she understood that the director proposed to put the lions share of the half million dollars, if they were able to find that money, into maintenance and she wanted to strongly encourage them to do that if it was at all possible. Council Members Galloway, Edwards and Robinson absent.

Mayor Brown thanked Ms. Lent for her attention. Council Members Galloway, Edwards and Robinson absent.

Ms. Candyce Rylander, 2001 Kirby Dr., Ste. No. 814, Houston, Texas 77019 appeared and stated that she was present the Houston Parks Board, that she was the Executive Director, and to follow on with what Ms. Lent stated, there was a direct one-two punch correlation between the level of maintenance of parks and the level of private funding for parks, and it was that direct, and when the Park System reached it's all time low in the late 1980's in maintenance funding, the donor community was so angry, which was the buzz saw she had the pleasure of walking into, they were so angry that they were funding, barely, sort of, about a million a year at that point, that since then they were averaging \$4 million to \$5 million in private donations just through the Parks Board and in the year before last, they even had an exceptional year, they had \$10 million, that the donors oftentimes, and they hear it a hundred percent of the time, say why should they give them that when the city will not take care of it, that was why she was present, to plead for the

fact that the Parks Department was really beyond the point of having any crumbs left on the table and now they were cutting services, that it was her understanding that many of the parks were going to a 17 day mowing schedule and she would like to describe to them what that looked like, to imagine in their own homes if they did not mow their lawn for 17 days and let them and their families pig out, that was what it would look like, a 17 day maintenance and mowing schedule, that she would really like for them to think about that, that one of the first things they did when she joined the Parks Board was to do focus groups with children in order to do a million and a half dollar playground at Hermann Park, and it was very upsetting to her to hear little children say that their parents would not let them play in the parks, that they were afraid to go to the parks because of the writing and the broken glass and it went on and on and she was fighting back tears, that she had a chance to mention it to Mayor Brown one time and he said yes in the police business they knew that very well, that it was the broken window theory, that she hoped they understood the importance of adequate maintenance of the Parks System. Council Members Galloway and Edwards absent.

Upon questions by Council Members, Ms. Rylander stated that as to the \$500,000 budget cut, she had seen what Mr. Wilson was suggesting in terms of restoration and knew the Parks Department well enough that she thought she could understand what was taken away, and it was over two-thirds for maintenance and security, that she had recently learned, that as of today, over the last few years, they had lost 40 people in Line Maintenance through attrition and they had not been getting replaced and so that was pretty scary, that the Parks Department had been cut three years in a row or maybe four, but the total cut this time, that was proposed, was \$1.9 million, so cutting Fun Day in the Park was just one-quarter of how they went about trying to come up with funds, as she was sure they had heard there had been a reduction in the recreational sports season, that including Fun Day in the Park, that one did not bother her as much because they had a really good Events Department in the Parks Department and she thought they were capable of putting on that kind of recreational activity for the parks and thought was important because activity created safety as well, that she thought outside contracting for maintenance sounded like a good idea, that she knew it was very common in a lot of major cities, and so through this business management maintenance study that was referred to, she was hoping that they would be able to learn more about the value of doing that, that it sounded like a good program, that as to doing focus groups with young people on their use of the park, that was in 1993 or 1994 and she thought she might be able to find that material, that it was mostly little girls and boys that were about 7 and 8 years old and it was very hard to witness, that they would use the kids in the Parks Department "Say Yes to Life Program, that also NRPA, National Recreation Parks Association had had information like that and she would be happy to see what she could get for them.

Mayor Brown thanked Ms. Rylander for all she did for the City of Houston.

Ms. Maria Munoz-Blanco, 803 43rd Street, Houston, Texas 77018 (713-527-9330) had reserved time to speak, but was not present when her name was called.

Council Member Robinson moved to suspend the rules to hear Ms. Lew Williams and Ms. Doris Ellis out of order after Mr. Norm Nolasco, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0680 ADOPTED.

Mr. Kenneth Barrett, 2160 Swift, Houston, Texas 77030 (713-664-7287) appeared and stated that 33 summers ago, a single mother of two school aged children opened a window to the arts world to her two children and he was her son, that he was present as the Chair of the Miller Outdoor Theater Advisory Board and was urging them to make sure that the window to the arts community remained open for rich and poor, young and old, all citizens of Houston, that for 80 years the City had supported this venue quite well and should be very proud of it, that it was a very unique venue, it was the largest free public theater in the entire Country, that there was no

other place in this Country where one could go and see the Shakespeare Festival, world class ballet, world class symphony, the blues, Ballet Folklorico de Mexico, and a diverse array of cultural arts, but the other function that this theater had served was that it had served as an incubator for emerging arts groups, such as Theater Under the Stars, that Miller Theater Under the Stars was able to build its expertise and build audience, in part from funding from the City, and from the Miller Outdoor Theater Board, and it grew to the organization that it was today, and organizations like the Ebony Opera Guild, built an audience at Miller Outdoor Theater and it had grown, but he thought that the most important thing that the theater had done, and that the City should be very proud of, was that it had served as a classroom for young people who had been exposed to and inspired by the arts sometimes for the very first time in their lives, that at a time when public schools were cutting their funding for the arts, the theater served a very important role, that already this season, they had entertained and educated almost 15,000 children who had come to programs either during the week or during the weekend to see such things as the symphony, the history of dance, Viva Mexico and The Emperor's New Clothes, that they were very proud and the City should be very proud of what it had been doing and it had only been possible by the commitment of the City for over 80 years to maintain a free programming at Miller Theater, that it had also made possible by the board of directors that Council had appointed who had been committed to maintaining diverse and quality programs and also to the Parks Department who had provided needed expertise both to the new arts groups, in terms of helping them become better at what they do, and in terms of putting on programming at the theater, that they understood that the City Council was considering a proposal to move the responsibility for the physical plan of the theater from the Parks Department to the Convention and Entertainment Facilities Department, that they thought, though well intentioned, that proposal could have some unintended consequences, that they thought that the loss of the expertise of the Parks Department would increase the cost to the producers and increase the cost of the theater, that the Parks Department had been integral in helping those organizations become what they are today, that they thought that the other unintended consequence were that they did not want any pressure on the theater to become a pay venue for the arts, that it was critical that they maintain that window to the world of the arts for both the young and for all the citizens of Houston and its visitors. Council Member Berry absent.

Council Member Robinson stated that \$1.3 million of Miller Outdoor Theater's funding came from the Convention and Entertainment Department through the Hotel Occupancy Tax and nowhere in his amendment did it say to make Miller Outdoor Theater a paid theater, that what he was trying to do was move as much off of the General Fund as they could, property and sales taxes, and if the argument was that jurisdiction under the C&E Department was a problem he did not care if they stayed under the jurisdiction of the Parks Department, he just wanted Miller Outdoor Theater paid for fully by Hotel Occupancy Taxes as soon as they could because it was already getting almost over 50 percent of its funding from the Hotel Occupancy Taxes. Mayor Brown absent. Mayor Pro Tem Quan presiding.

Mr. Steven Williams, 1907 Freeman, Houston, Texas 77009 (713-223-9166) appeared and stated that this year was no different than years past as it related to the budget process, that he was present on behalf of the members, that they say they had concerns and one of those concerns was that as in the last two years, there was nothing in this budget for the Firefighter Meet and Confer Agreement, that in that short period that he had off he went to the budget hearings and heard from Chief Connealy and Dr. Scheps saying there was nothing in the budget, but he heard the Mayor, in his presentation on the budget, and a very strong proponent for priorities, and going as far as showing it in the budget, a place holder for \$10 million for the Municipal Courts, that probably it was well deserved, they sure would like to see a place holder put in there for Meet and Confer, that he asked on behalf of over 3,300 members, when will the administration identify the importance and the role they play as firefighters with the citizens and the community, that they were continually preached to by their administration to provide extra customer service for the citizens, but customer service was a two-way street, that it was called

external and internal customer service, they were the internal customers and were still committed to external customer service, but they did not see anything as far as internal, that they went to the table and said they were willing to make the same sacrifices as their other colleagues in all areas to get a package out of Meet and Confer Agreement and they were told no, that it was hard to bring anything to the table when there was nothing there in return, that they saw a budget that was prepared, that the Mayor said no reductions in Police and Fire Department, the 3 percent, as other departments had been required to cut, but he would tell them there were services that were going to be reduced, they were looking at specialized apparatus being placed in stations or remaining in stations with nobody manned on them, that for example, that Council Member Edwards had two stations in her district that had booster apparatus, they were manned with a booster and an engine company, that right now five people were doing those jobs, four members on the engine company and one man on the booster, how do they get the work of five people out of four in the plan that the administration was bringing to them, that the Tri Data Report said to reduce the staffing on those boosters, leave them there, they would rob Peter to pay Paul to supplement staffing, but when was that report done, almost two years ago, that they had specialized equipment on those boosters, did they realize their boosters were the only pump and roll apparatus in the City now to lay down a bed of foam on any of the major thoroughfares when they had major fuel spills, they had so many miles of undeveloped area that required special attention by those boosters to respond immediately, not if they were waiting for somebody to jump off of one apparatus to get on another one, that they talk about four member staffing, it took them a long time to get there and under grave circumstances, do not let them go backwards on this, that the fact remained that the boosters and the command van played an intricate role in what they provided as a fire service, they needed those apparatuses on a daily basis manned with a trained, qualified engineer operator that was also trained in rescue boat, air boat, and water evacuations, that of those people that were trapped in Allison, when the Tri Data report came out, they said the boosters only responded to a little over 2,100 runs in 1999, that he was present to say that last year almost 5,200 runs, that they had doubled, but there was a plan to take those EO's off those apparatus, that they were losing the ability to respond quickly, they could not ask four members on an engine or a ladder company to do the work of five, they can not say that the booster was always going to be manned to respond and lay that bed of foam down, they could not expect that booster, when it was not paying, to make a rapid intervention to a major ground cover fire, such as we had a few weeks ago out on the west side, what would they have, another Colorado, where they had homes threatened, that they needed to maintain those qualified people on there, let them not create another smoking mirror scenario with those boosters, thus staffing existed with four members, which it did not when Tri Data recommended taking them off the boosters, that they only had three on 80 percent of their apparatus, that right now they were riding 100 percent and they needed to maintain that for the level of public safety. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Members, Mr. Williams stated that as far as Meet and Confer they had been in meetings and it was frustrating for them because they had tried to make proposals and concessions and there was nothing on the other side of the table with which to trade for and when they saw a budget, as they had for the last two years, that did not earmark any money, like what was taking place for the Municipal Courts, they saw the near future being very dim again, that they had been having dialog, but there was no money, that they had to continue to make a good faith effort and continue to go to the table. Mayor Brown and Council Members Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Norman Nolasco, 3121 Buffalo Speedway, No. 3405, Houston, Texas 77098 (713-859-8886) appeared and presented information to Council titled "Detailed Issues with Approval of Ordinance 2002-04601" and reviewed the presentation which related to the SimDesk, Sam Houston Project, until his time expired. Mayor Brown and Council Members Galloway, Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Members, Mr. Nolasco stated that he worked for a company called Advarian, Inc., that his software company had been in business since around 1997. since then they had developed all sorts of software for the Internet and for companies like Ford Motor Company and one of their clients was the U. S. Military, that they first heard about SimDesk in August of 2001 when they published an article on some of the software that they were also working on, that the next time he heard about SimDesk was May 28th or June 5th, when the City pretty much approved the project for \$9.5 million dollars, that the members of his company were practically stunned that it would cost that much so they contacted one of the City Council Members and then decided to give them this information, that they were in business of providing software over the web, that the software that was currently being used by the military was a medical patient management system, they were also using the system with Saturn Corporation, that he had both corporate and government clients, that they constantly look at the newspapers and all the published things as far as who was looking for this type of software since they were a small company and did wish to try to find as much business as possible, that they were able to look at the RFP and the proposal, that this RFP was at least peculiar, it was very different from other ones they had seen, that if they read the proposal and compared it to the RFP, pages 5 through 10 of the official proposal submitted and compared it to pages 10 through 13 of the RFP, they were practically identical, other than a few words changed, no numbers were changed, the figures were exactly the same, the order of each section was exactly the same, that he was definitely aware of at least one other company that catered to several Fortune 100 Companies, that in his professional opinion, it was superior to this software, that the RFP received one proposal, that that there was no way he could have submitted a proposal because it was drafted so narrowly that there was only one company that did submit the proposal, that he would say there was no way another company would even attempt to try to match what was in the RFP. Mayor Brown and Council Members Galloway, Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Ellis, Mr. Bibler stated that the drafts were generated by the department seeking the goods or services, that from time to time, they may check with the Legal Department, but did not think that there was any requirement that they do so, that he could not rule out the possibility that Mr. Piper conferred with someone in Legal. Mayor Brown and Council Members Galloway, Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Upon further questions by Council Members, Mr. Nolasco stated that this software was actually available from Microsoft for free for a period of time around 1996 to 1998, and since then had improved it vastly, in fact, a lot of the working innards were what they called this type of word processing software for the Internet, that it was actually built into the Internet Explorer or 6 browser, that they could get it for free, that the tools were available for free to build this, so if they were to go to any software development company anywhere in the world, and pointed them to these tools, it was trivial to make them work, so in a sense, this software was free, that he was not sure what Mr. Piper would have known, that if he at least did a search on the Internet spreadsheet or Internet documents, matches would have come up on the Internet; that SimDesk had a recruiter contact him and offer to look at some of the stuff they worked on, they did not make him a job offer, the recruiter contacted him and he demonstrated the software to the recruiter and basically the recruiter got back to him and said he was not someone they wanted to talk to. Mayor Brown and Council Members Galloway, Ellis, Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Edwards, Mr. Bibler stated that he had been asked if the RFP that Mr. Piper submitted was legal and the Legal Department did not prepare or review the RFP, after it was awarded and it came to them after the proposals had been received, they looked at it, but of course they were looking at it basically from the same perspective that Council

was looking at it, they had one attorney who had some expertise in computer matters, but for her to know whether or not this RFP was restricted in some invalid manner was probably beyond anybody in the Legal Department and he had spoken with the Division Chief and she said no such issue was raised with them and this was the first they heard about it today, that they were aware that there were a couple of other vendors in the area that might potentially have similar products, that they would not have let the issue go forward without raising it with Mr. Piper or whoever their client was if he thought his RFP was invalid, it would have never gotten this far. Mayor Brown and Council Members Galloway, Ellis, Vasquez, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mrs. Lue Williams, 3301 Chester, Houston, Texas 77021 (713-747-7814) appeared and stated that she and Ms. Ellis were present with the same organization on the same topic and asked if Ms. Ellis could join her at the podium, that she was a member of the Houston League of Business and Professional Women, an organization that was organized 39 years ago by Ms. Valeria W. Harrison, a pioneer and courageous woman in their City, that she believed that women working together could make a difference in the business and professional world, that part of their program or their mission was to promote and protect the interests of businesses and professional women towards united efforts for improved economic, social and civic conditions, that in line with their mission, she was present today to present to the City of Houston two books in observance of the Day of the African Child, that the Day of the African Child was a day that commemorated the June 16, 1976 massacre of school children in Sowetto, South Africa, that since it was first observed in 1991, the Day of the African Child had mobile communities around the world to look at the needs of all African children and to celebrate the diverse cultures and traditions, many national and international events included festivals, educational workshops on the rights of children, art exhibitions and radio and television broadcasts by governments on basically the rights of children, that their organization elected to focus on the African culture through education, and they did this by reading and donating books to various schools and the City of Houston, that they donated books that addressed the rich and diverse culture of the motherland and African Americans, therefore, on behalf of the Houston League of Business and Professional Women, she was delighted to present to them two books, Jambo Means Hello, an alphabetical book about Swahili, that it was written by Muriel L. Feelings and pictures by Tom Feelings and Langston Hughes, American Poet, written by Alice Walker. Mayor Brown and Council Members Tatro, Galloway, Ellis, Vasquez, Sekula-Rodriguez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Doris Ellis, 1520 Isabella Street, Houston, Texas 77004 (713-524-4474) appeared and stated that she was present for the second year to highlight the African child, that it was important for them to keep remembering children, that this was an administration that cared about children, that when they entered the Council Chamber today it was filled with children. so they knew the City Council cared about their future and they were going to make sure that the young boys and girls that grew up in their community were knowledgeable about the world, that looking at a global society they had chosen books that should make a difference, so when she decided to come today, that the first word that they needed to learn was Jambo, because when she said it to them she was saying hello and would hope they would say it back to her, that was one of the ways of dealing and creating the diversity that was important for young people if they were continue with the diversity, that on behalf of the Houston League of Business and Professional Women, they were very proud to come and make this presentation to Mayor Brown and the City because these books would be placed in the library and they placed them last year and was sure that they were there, that it was also important that the boys and girls of their City recognize that the City Council cared about education, the library and to make sure that they continued to bring forth a diverse community, and that was what celebrating the Day of the African Child meant, that the Organization of African Unity developed a theme for the Day of the African Child and they worked with UNICEF, that the theme for this year was something that she was sure that Houstonians would appreciate, the theme was called Child Protection Against

Abuse and Exploitation, that today it was including exploited children, child trafficking, child prostitution, pornography and child labor, that she knew that as they worked and dealt with issues daily, they will keep these issues in mind so the boys and girls of Houston could celebrate with children around the world. Mayor Brown and Council Members Tatro, Galloway, Ellis, Vasquez, Sekula-Rodriguez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that the African Community Organization Houston was working very hard to highlight the children of Africa that were now suffering, that in Kenya they had situations where there were no teen-agers, they had villages where they had babies and old people, and the average life span now in some African countries was down to 36 years of age, and so she would encourage them, if they could, to work with them in concert in lifting up the children of Sierra Leon, the Republic of Congo, South Africa and Kenya and others, that if they could do that she thought it would help build what they were all doing and wanted to thank them for holding the light for their children and appreciated their work, and Ms. Ellis stated that they would do that, that they had met with one of the gentlemen from the organization, and Ms. Williams stated that they did have other programs where they worked directly with some of the countries in Africa, so they would add that. Mayor Brown and Council Members Tatro, Galloway, Ellis, Vasquez, Alvarado, Sekula-Rodriguez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he wanted to thank them for their efforts and that the books would be presented to Mayor Brown. Mayor Brown and Council Members Tatro, Galloway, Ellis, Vasquez, Alvarado, Sekula-Rodriguez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Clare Nonmacher, 7706 Meadowview, Houston, Texas 77037 (281-999-2112) had reserved time to speak, but was not present when her name was called. Mayor Brown and Council Members Tatro, Galloway, Ellis, Vasquez, Alvarado, Sekula-Rodriguez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Heidi Carleson, 103 Fargo, Houston, Texas 77006 (713-520-9091) appeared and voiced her person opinions regarding the day labor work center and stated that she thought it was wrong and unfair, that she wanted the City Council to get an outside legal opinion on it, that it may be unconstitutional to build it based on a U. S. Supreme Court ruling two months ago, the Hoffman Plastics Compound, Inc. vs. the NLRB, The National Labor Relations Board, that she wanted the City Council to do an economic case study because she wanted to know how it benefited the general public if they build it. Council Members Tatro, Galloway, Ellis, Vasquez, Sekula-Rodriguez, Berry and Robinson absent.

Mayor Pro Tem Quan stated that he would be glad to check on that case, that as she may know his area of practice was Immigration Law and he kept posted on all cases affecting Immigration Laws, that he did not see how that case would affect anything they were doing in the day labor site, that they had a legal opinion already prepared by a professor from the University of Houston, who specialized also in Immigration Law, as to the legality of the day labor site issue, Professor Joe Vale, who had been an immigration judge for over five years in Houston. Council Members Tatro, Galloway, Ellis, Vasquez, Sekula-Rodriguez, Berry and Robinson absent.

Ms. Carleson asked why this was not on the election ballot, that she would like the public to vote on it. Council Members Tatro, Galloway, Ellis, Vasquez, Sekula-Rodriguez, Berry and Robinson absent.

Upon questions by Council Member Edwards, Ms. Carleson stated that she would like to see that the illegals organize and manage it themselves or get the groups that were pushing it

like LULAC or the Catholic Church go down there and organize it themselves because they were the ones that were pushing it, that she would quote from four years ago that they cost the economy, Nationally, \$170 billion per year, and Council Member Edwards stated that she would like to see those figures because her figures showed that 90% of the people working did added to the economy because they did an honest day's work and paid taxes and did not necessarily get the benefits of their labor. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Goldberg, Ms. Carleson stated that she was opposed to it period, but was opposed to the financing of it, that she did not believe the public should have to pay for this and thought the illegal alien needed to pay for it because they were the ones benefiting from it. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she did not agree with anything Ms. Carleson stated, that she thought Ms. Carleson was misinformed, that what about the economic analysis to what the immigrant community contributed to their society, paying taxes, purchasing goods, purchasing cars, homes, that she thought those individuals came here because they wanted to work, and many times they were doing jobs that people who were born and raised here did not want to do, that the money that was going to fund that particular project was Community Development Block Grant money that came from Housing and Urban Development. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated that not everyone who used those day labor sites were illegal immigrants, there were legal U. S. citizens who did use those sites as well, that the private sector was organizing and in fact there were some private sector sites that were actively operating, including Casa Juan Diego, that in Spring Branch the churches that had approached the city and asked for City assistance gave every indication to them last week that they were going to go ahead and do a private day labor site in the Spring Branch area, whether or not the City participated, so there was a lot of private sector activity going on. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that he appreciated her being present and giving her viewpoints. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Dante Toza, 2014 Washington, Houston, Texas 77007 (713-707-0444) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Detrick Kelly, 3718 Faulkner No. 2, Houston, Texas 77021 (832-487-9392) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-408-8181) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Helen Knight-Morejon, 8121 Findley, Houston, Texas 77017 (713-645-5271) had

reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

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

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

Mr. Freddy L. Holland, 6203 Downwood Forest Dr., Houston, Texas 77088 (281-445-9837) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Wanda Schultz, 3520 Bellaire Blvd., Houston, Texas 713-667-8270 (713-667-8270) appeared and stated that she was present concerning the new \$100,000 work site for the mostly illegal alien day workers and continued to voice her personal opinions regarding the day labor sites and her opposition to the day labor sites and the borders into the United States until her time expired. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Schultz stated that she was talking about the southern borders, that they should definitely be controlling borders in the north as well, that was why she was not vacationing to Canada because they were not doing it. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Joleen Reynolds, 1003 Trapper Dr., Houston, Texas 77007 (281-556-1335) appeared and voiced her personal opinions in opposition to the day labor sites until her time expired. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Richard Parker, 1639 Nocturne, Houston, Texas 77043 (713-468-8127) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Rufus Brown, 902 Marcolin, Houston, Texas 77088 (281-260-9102) appeared and stated that he was present to support Council Member Galloway, that they commended her for speaking out for the poorly served districts that had been under served for many years, that she had made a great contribution that no Council Member that he knew of could claim, that they were prepared to do battle with anybody over a CIP plan that did not address the neglect and discrimination that had occurred over the years, that it was not right for them to continue to pour money into areas that already had everything they needed, that the areas that had 81 percent of their streets with curbs and gutters did not need more, that the streets that had curbs and gutters did not need to be reconstructed, they could be overlaid with asphalt like you do in their neighborhoods, that the neighborhoods that had 31 percent of their streets with curbs and gutters needed to be increased to 81 percent like the other neighborhoods that already had them, that Mr. Haines and Mr. Litke seemed to be aware of the problem that existed, but what were they doing about it, that they should question themselves and ask why do the people in these under served areas had to spend money in every part of town except their own, they were being

robbed of an opportunity to live life like others in areas of town such as Midtown, Galleria, downtown, southwest Houston and Greenway Plaza, that come election time they would hold all of them for their actions, that since Mr. Haines thought that fixing a street or tearing down a building could not solely revitalize a community, what could, and when was this going to happen, that if the entire communities should pitch in as the city says, what was the city doing to pitch in, and what was it that they wanted them to do in the neighborhood, that they were stating that they needed to do more, what did they want them to do. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Calvin Muhammad, 2106 Lake Creek, Kingwood, Texas 77339 (832-276-3900) appeared and stated that he was not present to speak for the union, although he was a bus operator for Metro, but Ms. Burlison did an excellent job of that earlier, that he was present to continue the beat of drums that had beat and cried out against oppression and injustice for the last ten years, that he had cried out before to the City Council, to the Metro board, the Legislature, State labor, that he had cried out to the Attorney General's Office, the FBI, the Department of Transportation, labor and related agencies, to Hillary Rodham Clinton, to Johnny Cochran and had cried out to the federal courts in a lawsuit alleging conspiracy, discrimination, and racketeering on the part of MTA and T. W. U. of America, that unlike the lady at Enron, he had not been able to get anyone to listen to him, that in 1995, Transport Workers Union Local 260 President, Mr. Robert Outley and T. W. U. Representative of America, Mr. John Bland agreed that with Metro privatizing the northwest facility, taking away 250 union jobs, they said that it would only hurt the riding public, and of course those of them at Metro knew that was the biggest labor lie that was ever told, that he had passed out a handout to the Council Members, it was called 13C, Memorandum of Agreement, that the essence of this 13 C was a means by which Metro received its federal funds, that at the same time, this document protected the working conditions of the employees, it prevents an MTA from privatizing out the work to the extent that it adversely affected the employees, that the City, Local 260, and the federal government were in agreement with this, that the last time he was present their attorney told the partial truth, and that was that it had to do with the beginning of Metro, but it also extended to any project that Metro had or grant that Metro had gotten up until this day, that he was asking that the City Council investigate this, that he had been present several times, three times, so that it would alleviate some of the oppression and injustice that they suffered at Metro. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Richard L. Freeman, 121 Riggs, Houston, Texas 77022 (no phone) appeared and voiced his personal opinions until his time expired. (Note: a copy of Mr. Freeman's complete speech is on record in the City Secretary's office.) Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. J. C. Hernandez, 2904 Mangum No. 3083, Houston, Texas 77092 (713-250-9428) appeared and voiced his personal opinions regarding his opposition to the day labor centers until his time expired. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Labby Wilkerson, 7127 Knoll, Houston, Texas 77016 (713-633-4876) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Nakisha Sparks, 802 Seminar, No. 123, Houston, Texas 77060 (281-445-8681) had reserved time to speak, but was not present when his name was called. Council Members

Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Carolyn Webster, 6823 Reed, Houston, Texas 77087 (713-644-9266) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. William Ennols Beal, 4748 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and voiced his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 15 Charleston, No. 1107, Houston, Texas 77025 (713-665-1929) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Robert Horton, P. O. Box 21635, Houston, Texas 77226 (713-697-0958) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

President Joseph Charles, 8034 Antoine, No. 107, Houston, Texas 77088 (713-878-2355) appeared and voiced his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

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

At 5:02 p.m. the City Council recessed until 9:00 a.m., Wednesday, June 19, 2002. Council Members Tatro, Galloway, Goldberg, Ellis, Vasquez, Alvarado, Quan, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 19, 2002

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, June 19, 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 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 Mayor Brown reconvened the meeting of the City Council. Council Members

Goldberg, Keller, Sekula-Rodriguez and Berry absent.

Council Member Parker moved to suspend the rules to consider Item Numbers 1a, 36, 50, 51, 52, 53, 54, 55, 89, 89a, 89b, 89c, 89d and 89e out of order after the public hearing, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Goldberg, Keller, Sekula-Rodriguez and Berry absent. MOTION 2002-0681 ADOPTED.

HEARINGS

1. **PUBLIC HEARING** to update and amend impact fee capital improvement plans and impact fees for Water & Wastewater Facilities - **9:00 A.M.**

Mr. Paul Nelson stated that the public hearing was being held in accordance with State law and was for the purpose of gathering public comment on a proposed amendment to the City's ordinances regarding impact fees, that pursuant to a bill passed last session the City of Houston was required to address the maximum impact fees collected for water and sewer, that those fees had been addressed in a study performed by PATE Engineers for the City of Houston and the fees had been presented to the Planning Commission as well as the Capital Improvements Advisory Committee and taken to the TTI Committee and what they were asking basically was that those maximum impact fees be changed to reflect the requirements of the State bill and that the amounts collected for impact fees today for development remain the same.

Council Member Quan asked Mr. Nelson once they set these impact fees, were they set for the next five years and when would they be revisiting the issue, and Mr. Nelson stated that the way he understood it the maximum impact fees they establish today would be established unless there was another study and another hearing, that they were set until the next requirement, which was probably eight years from now, that he thought it was every ten years, that the fees that Council had established as those which would be collected from development can change, he believed, at any time that Council brings it to the table, as long as they were in those maximum ranges.

Mr. Jim Box appeared and stated that he was President elect of the Greater Houston Builders Association and also Director of Governmental Relations for Agencies for the Houston Real Estate Council, that they had worked with Mr. Nelson from day one on the impact fees and they supported the increase, which had not been increased in ten years, and this was no net increase to the Development Community whatsoever, that he just wanted to assure Council that they were okay with this and comfortable with this ordinance.

Council Member Quan asked how did they compare to other surrounding areas with this impact fee, and Mr. Box stated favorably, that the City of Houston had always been somewhat under what they could charge in the first place and he had something to do with that, the law that established the procedure for impact fees a number of years ago in the legislature, and every time that it had come up, his groups had testified before the Planning Commission and City Council to maintain impact fees at a level not as high as they could get by with charging, but to make it really help to recover their loss, that the main reason for that was, like City Council, they were in favor of development within the City and if those fees get out of kilter, then they would just go across the City limit line and build in the County, and Council Member Quan stated that he wanted to make sure that they were competitive and did encourage development in the City, that this was not something that would inhibit the development in Houston.

Council Member Robinson moved to close the hearing, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2002-0682 ADOPTED.

- 1a. ORDINANCE amending the Code of Ordinances, Houston, Texas, relating to Impact Fees for Water and Wastewater Facilities; amending Impact Fee Capital Improvements Plans for Water and Wastewater Facilities – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2002-0517 PASSED FIRST READING.
36. ORDINANCE appropriating \$10,997,203.00 out of Airports Improvement Fund and approving and authorizing reimbursement agreement and a Memorandum of Understanding between the City of Houston and the **UNITED STATES POSTAL SERVICE** for Relocation of the Air Mail Center at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2002-0518 ADOPTED.
50. ORDINANCE appropriating \$1,449,734.00 out of Water & Sewer System Consolidated Construction Fund to reimburse **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)** for the cost of construction of the City’s Water and Sanitary Sewer Lines in the Downtown/Midtown Transit Streets Program - Milam Street from Spur 527 Street to Pierce Street, CIP S-0443-22-3 and R-0537-15-3 (WA10730) under Transportation Improvement Agreement with the Metropolitan Transit Authority (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2002-0519 ADOPTED.
51. ORDINANCE appropriating \$1,140,965.00 out of Water & Sewer System Consolidated Construction Fund to reimburse **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)** for the cost of construction of the City’s Water and Sanitary Sewer Lines in the Downtown/Midtown Transit Streets Program - San Jacinto Street from Blodgett to Holman Street, CIP S-0443-23-3 and R-0537-16-3 (WA10744) under Transportation Improvement Agreement with Metro (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2002-0520 ADOPTED.
52. ORDINANCE approving certain betterments to City facilities pursuant to a Light Rail Consent Agreement between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)**, and appropriating \$5,319,171.00 out of Water & Sewer Consolidated Construction Fund and \$1,107,829.00 out of Storm Sewer Consolidated Construction Fund to reimburse Metro for the cost of such betterments - **DISTRICTS C - GOLDBERG; D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2002-0521 ADOPTED.
53. ORDINANCE appropriating \$3,090,000.00 out of Street & Bridge Consolidated Construction Fund No. 437 to reimburse the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)** for the City’s initial cost participation in the construction of Clay Road from Hickory Downs to Addicks Reservoir, as part of the Metropolitan Transit Authority (Metro) General Mobility Program approved by City Council under Ordinance No. 1995-85 on January 29, 1995, GFS N-0576-01-3 (SB9069); making various findings and provisions related thereto - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. ORDINANCE 2002-0522 ADOPTED.
54. ORDINANCE appropriating \$441,208.00 out of Water & Sewer System Consolidated Construction Fund and \$24,909.00 out of Storm Sewer Consolidated Construction Fund as an additional appropriation to reimburse **METROPOLITAN TRANSIT AUTHORITY OF**

HARRIS COUNTY (“METRO”) for Construction of the City’s Water, Sanitary and Storm Sewer Lines in the Metropolitan Transit Street Program - Phase II, Fannin Street from South Braeswood Boulevard to North MacGregor Drive, CIP S-0443-15-3, R-0537-07-3 and M-0671-06-3 under a transportation improvement agreement with Metro (Approved by Ordinance No. 93-169); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and Storm Sewer Consolidated Construction Fund - **DISTRICTS C - GOLDBERG and D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2002-0523 ADOPTED.

55. ORDINANCE appropriating \$530,492.00 out of Water & Sewer System Consolidated Construction Fund and \$698,790.00 out of Storm Sewer Consolidated Construction Fund as an additional appropriation to reimburse **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (“METRO”)** for construction of the City’s Water and Sanitary Sewer Lines in Downtown/Midtown Transit Streets Program - Lamar Street from Louisiana Street to Main Street, CIP S-0443-24-3, R-0537-19-3, M-0671-09-3 (WA10755) under a Transportation Improvement Agreement with the Metro (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and the Storm Sewer Consolidated Construction Fund **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2002-0524 ADOPTED.
89. ORDINANCE amending Article IV of Chapter 39, Code of Ordinances, Houston, Texas, relating to fees for Extra Capacity Collection of Solid Waste, containing findings and other provisions related to the subject; containing a repealer; containing a savings clause; providing an effective date; providing for severability – **(This was Item 51B on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBERS KELLER, ELLIS, WISEMAN and SEKULA-RODRIGUEZ)** – was presented.

Mayor Brown stated that this was the beginning of their consideration of the budget items and before they considered their budget for 2003 he wanted to take this opportunity to express his appreciation to all the Members of Council, that they had been very thoughtful in their participation as they put the budget together, that they had been really engaged in the process and he believed this would make for a better budget primarily because of their participation, that he was pleased and very gratified that their budget discussions had been so collaborative and he also wanted to give special thanks to Council Member Annice Parker who chaired their recent budget workshops, she facilitated over 20 workshops on their departmental budgets, including that of the Mayor’s office, that the sessions generated lively and productive discussions that helped move the process forward and he was proud to say that the department directors, not only answered numerous questions posed by the Members of Council during their individual presentations, but they also responded in writing to over 200 other questions, that they had taken the process very seriously and at his direction been very responsive to their concerns, that he would also take this time to express his thanks to Dr. Scheps and his staff for managing a productive, comprehensive and inclusive schedule of workshops, that what they ended up with was a balanced budget and because they phased out the \$50 million Metro subsidy and the cash transfers from Any Lawful Purpose Fund, it was a much more fiscally sound budget, that what it did was meet expenses with recurring revenues, that it allowed them to make good on the wishes of Council to fund the Police Meet and Confer Agreement, maintain their four firefighters on every truck, lower taxes to their seniors and disabled citizens by increasing the amount of their property tax exemptions and it provided for a pay increase for civilian employees, that he again wanted to say their collaboration had helped develop a budget that accomplished two very important things, it maintained all of the basic services without increasing property tax and it allowed them to not raise the water or sewer rates, and finally, it demonstrated that they had risen to the challenge of downsizing virtually every department except their public safety

agencies while maintaining core services and avoiding layoffs, which were being experienced by many other jurisdictions throughout the Country, so again, he wanted to express his personal thanks to the Members of Council for their participation in this budget process.

Council Member Parker stated that the first few items had to do directly with the budget, that she actually had a procedural motion that would more substantively impact 89c and 89d, which were the Council budget amendments, and would be happy to introduce it at this time if it was appropriate, that she had distributed a memo with a motion which she would now move and that was really to have a systematic process to deal with the multitude of Council budget amendments.

Council Member Parker moved to work from the matrix that was prepared at the request of the Fiscal Affairs Committee, in the order the items were presented on the matrix, and then since many Council Members had similar motions or budget amendments, that they allow the administration to speak to them and then not wanting to choose one over the other, that it would be up to the Council Members to move one of those, for example, the first item on the matrix is the senior disabled exemptions, there were several versions of that, the administration had a proposal, so her motion was that the administration be allowed to speak to the motion and then Council Members would remove one of those and they would follow parliamentary procedure, if they did not like that one they could substitute one of the other motions and they would go from there and then just proceed down the matrix, seconded by Council Member Sekula-Rodriguez.

Council Member Vasquez stated that he wanted to commend Council Member Parker on the procedural motion, that there was another item that he would like to put on the table for discussion and it may or may not be directly related to the procedural motion, but he would like to think that they would be able to vote everything up or down and not have any procedural motions to tag something, to delay it until next week, that they just agree to vote everything up or down today in that regard, and Council Member Parker stated that her procedural motion had nothing to do with that and she concurred whole heartily, and Council Member Vasquez stated that he meant amendments that were presented today and included today as well, that the wanted to be clear on that.

Council Member Weisman asked if with respect to point No. 3 on Council Member Parker procedural motion where she said any deviation from the matrix be only to accommodate the withdrawal of amendments by their makers, that she had circulated an amendment to her amendment, one that was in the matrix, that it was just changing one word on that, that she still wanted that to be considered with everything else in the matrix, and Council Member Parker stated that again, her motion would not speak to that at all because any of those items could be amended, that it was really more toward new amendments or total withdrawals.

A vote was called on Council Member Parker's motion. All voting aye. Nays none.
MOTION 2002-0683 ADOPTED.

A vote was called on Item No. 89. Council Members Robinson, Tatro, Keller and Wiseman voting no, balance voting aye. ORDINANCE 2002-0525 ADOPTED.

89a. ORDINANCE amending Chapter 39 of the Code of Ordinances, Houston, Texas relating to the Franchising of Commercial Solid Waste Operators to provide service within the City and Assessing Fee therefore; declaring certain conduct to be unlawful and providing a penalty therefore; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 51C on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBERS ROBINSON, VASQUEZ, TATRO and SEKULA-RODRIGUEZ)** - was presented.

Council Member Quan stated that he would like to offer an amendment to 89a, that he had just passed it out at the table.

Council Member Quan offered the following amendment to Item No. 89a:

"I hereby move that the definition of 'commercial properties' in Section 1 of the proposed ordinance amending Section 39-111 of the Code of Ordinances be amended so that the definition shall read as follows:

Commercial properties means land used for commercial and industrial purposes excluding apartment and condominium complexes and land used for single-family residential dwelling purposes, as defined in Section 42-1 of this code"

Upon discussion by Council Members, Council Member Sekula-Rodriguez asked what was the fiscal impact that this would have, how much of a reduction in the overall revenue that the City was depending on would this have, and Mr. Haines stated that the impact was minimal, it was about \$1.5 million five, that \$1.2 million to \$1.5 million was their estimate on it, that the impact was between \$1.2 million and \$1.5 million to the original projection, again, this was an amendment that they believed was consistent, that the total desired revenue from this fee, he believed, was \$4.6 million, that it would be reduced by a fourth, that the administration was prepared to accept that reduction.

Council Member Keller asked how would they know whether the trash was from an apartment complex or an office building, and Dr. Scheps sated that the haulers were going to have to code every one of their accounts, that they had a fairly complicated coding that they had to do and they met with all of them and they were willing to do this and could do it within the time frame, so they were going to have to know in their own billing who they were serving, that there was a fee on the gross revenues, lawful gross revenues of everything they collect within the City of Houston in the ordinance, so there was a responsibility and presumably they would audit periodically like they did for all of their other franchises, and Mr. Haines stated that it would be just like today, it was a matter between two parties, that the City was simply going to be assessing against that particular bracket or framework, that if they decided to put all their refuse in an apartment complex, that was between them and the apartment owners.

Council Member Quan stated that he just wanted to clarify that this was again Item 89a and finally he would just like to say that this was done by other cities and been successful.

A vote was called on Council Member Quan's motion to amend Item No. 89a. All voting aye. Nays none. MOTION 2002-0684 ADOPTED.

A vote was called on Item No. 89a as amended. Council Member Tatro voting no, balance voting aye. ORDINANCE 2002-0526 ADOPTED.

89b. ORDINANCE amending Chapter 11 of the Code of Ordinances, Houston, Texas, relating to Fire Alarm Systems; containing findings and other provisions relating to the foregoing subject; providing for Civil Fees and Criminal Penalties; providing an effective date; providing for severability – **(This was Item 51D on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBERS GALLOWAY, TATRO, VASQUEZ and ELLIS)** - was presented.

Council Member Ellis stated that he wanted to thank the administration, BOMA and IREM for all coming together and working to draft this budget amendment or this fee for the false fire alarms, that this came to the Regulatory Affairs Committee and they had a lot of discussion, that

there was give and take both from the administration and from the real estate community, that the language had been drafted in such a way that everybody was in agreement and he would urge everybody to vote for this item.

A vote was called on Item No. 89b. All voting aye. Nays none. ORDINANCE 2002-0527 ADOPTED.

89c. Consideration of amendments to Agenda Item 89E below, that have been pre-filed by Council Members Wiseman, Sekula-Rodriguez, Keller, Edwards, Goldberg, Parker, Alvarado, Quan, Vasquez and Robinson and are outlined in the memoranda attached to this agenda as Exhibits 1 through 10. – **(This was Item 51 on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. Item 89c and Item 89d were before Council and further listed in a Matrix provided by the administration to list similar proposed amendments together and numbered Matrix No. 1 through Matrix No. 71.

89d. Consideration of amendments to Agenda Item 89E below, that have been filed by Council Members Robinson, Vasquez, Keller, Berry, Tatro and Ellis and are outlined in the memoranda attached to this agenda as Exhibits 3 and 9 through 13 – **(TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. Item 89c and Item 89d were before Council and further listed in a Matrix provided by the administration to list similar proposed amendments together and numbered Matrix 1 through Matrix 71.

NOTE: Matrix 1 through 71 and Agenda Exhibits 1 through 13 may be found on pages 70 through 85.

Mayor brown stated that he would have Mr. Haines give the administration's position on each item.

Matrix No. 1 - Senior/Disabled Exemption contained in Exhibits 1-2, 4-1, 7-11, 10-1 and 13-1 was before Council.

Mr. Haines stated that they concurred with the principals contained in everyone of the amendments that were offered by the respective Council Members and that it would be to increase the senior exemption \$40,000 beginning in Fiscal Year 03 and to commit to an additional 10 percent increase every fiscal year thereafter for the next five fiscal years, that they would concur with those amendments and with the intent to move forward to an ultimate cap in excess of \$60,000 dollars for senior exemptions over this five-year period of time.

Upon questions by Council Members, Mr. Haines stated that the total would be \$64,420 with the cumulative effective of 10 percent.

Council Member Ellis moved that they adopt the administrations amendment, seconded by Council Member Robinson. Council Member Tatro absent.

Upon further questions by Council Members, Mr. Haines stated that \$64,420 dollars would be the final cap that they achieved in terms of exemptions, so if they had a \$100,000 the value will be \$35,000 for this tax, that the current exemption was \$34,000, that this was effectively tax relief, that was what this amendment really addressed was a form of tax relief to citizens that were classified as seniors, that it would go from \$34,000 to \$40,000 with an eventual cap at \$64,000 plus, that the impact to the budget was \$2.5 million, but the reality of this was that it was a tax relief measure first. Council Member Berry absent.

After further discussion a vote was called on Matrix No. 1. All voting aye. Nays none. MOTION 2002-0685 ADOPTED.

Matrix No. 2 - Health Department Service Restoration contained in Exhibits 2-1, 4-2, 7-9 and 9-2 was before Council.

Mr. Haines stated that these were four amendments offered relative to the principal of restoration of service reductions in the Health & Human Services Department, that they concurred with the principle, that was that they concurred with the restoration of clinic sessions at Fiscal 02 levels, that it would have about a \$1.5 million dollar budget impact and would recommend concurrence on that matter.

Council Member Quan moved adoption of Matrix No. 2, seconded by Council Member Parker.

Upon questions by Council Members, Mr. Haines stated that as part of the concurrence with this amendment was a proviso based on Council Member Sekula-Rodriguez language, Exhibit 2-1, that this would be conditioned on the department's commitment to provide all possible support to non profit primary health care centers, including facilities that were or could be federally qualified health centers, that had been discussed with Dr. Kendrick and was in place. Council Members Edwards, Keller and Vasquez absent.

Council Member Parker stated that there is was no budget amendment to do this, but would suggest that the administration undertake a performance review of the Health Department, that she thought there ought to be better ways to maximize use of clinic space and staffing and to examine the overall management of the department, that she would really like some options explored to free up Dr. Kendrick for more big picture focus instead of the minute things and she thought the department was the best place to do that analysis, and Mayor Brown stated that they could do that and would pursue it. Council Members Edwards, Keller and Vasquez absent.

A vote was called on Matrix No. 2. All voting aye. Nays none. Council Members Edwards, Keller and Vasquez absent. MOTION 2002-0686 ADOPTED.

Matrix No. 3 - Increase funding in Parks by \$500,000 for operations and maintenance contained in Exhibit 9-4 was before Council.

Mr. Haines stated that Item No. 3 was an amendment to provide increased funding in the Parks Department for \$500,000 for operations and maintenance purposes to restore cuts relative to mowing, other kinds of service activities going on in the Parks Department, that the recommendation and concurrence of the administration was that this be appropriately funded again for operations and maintenance purposes for the Parks Department, that they were assuming with the passage of those ordinances relating the fees and those fees embedded within the budget document itself, that it could be done.

Council Member Quan moved adoption of Matrix Item No. 3, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2002-0687 ADOPTED.

Matrix No. 4 - Kingwood Fire Engine contained in Exhibits 1-1, 4-9 and 10-14 was before Council.

Mr. Haines stated that this item referred to amendments offered by three Council Members concerning engine location and staffing at the Kingwood Fire Department, specifically Station 101, that the amendment being to replace the current Quint apparatus at that station with a new apparatus with an equivalent equipment capability of a ladder truck and a Class A pumper, that was a minimum of 550 gallon water tank capacity, that replacement apparatus would be staffed by the Houston Fire Department with four men to a truck, 24 hours, 7 days a week, and that

Booster 101 in that station would not be reassigned but continue to be staffed again on the 24/7 schedule, that they concurred with this amendment recommendation and recommend approval.

Council Member Quan moved to adopt Matrix No. 4, seconded by Council Member Vasquez.

After discussion by Council Members a vote was called on Matrix No. 4. All voting aye. Nays none. MOTION 2002-0688 ADOPTED.

Matrix No. 5 - Clayton Library service restoration contained in Exhibits 6-1, 11-2 and 9-1 was before Council. Council Member Parker absent.

Mr. Haines stated that this was a summary of amendments offered by three Council Members and was to restore the service level hours at the Clayton Library, that they concurred with those amendments and recommend approval.

Council Member Quan moved to adopt Matrix No. 5, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Parker absent. MOTION 2002-0689 ADOPTED.

Matrix No. 6 - Use of Excess Insurance Reimbursement for Rainy Day Fund contained in Exhibits 6-1 and 10-2 was before Council. Council Member Parker absent.

Mr. Haines stated that this was a reflection of two amendments substantially, or at least in principle, they believed consistent with each other, and that was in the event that they did realize reimbursements for insurance and FEMA claims that had been offered as a result of Tropical Storm Allison, that those reimbursements be allocated on a priority basis to the Rainy Day Fund for emergency purposes. Council Member Parker absent.

Council Member Quan moved to adopt Matrix Item No. 6, seconded by Council Member Robinson. Council Member Ellis voting no, balance voting aye. Council Member Parker absent. MOTION 2002-0690 ADOPTED.

Matrix No. 7 - Eliminate water-sewer transfer to General Fund contained in Exhibits 1-5, 10-18 and 11-7 was before Council.

Mr. Haines stated that this was reflective of three amendments generally consisted with each other to eliminate the water and sewer transfer to the General Fund, that this particular item was to be considered only in the event of or in conjunction with the consideration of a drainage fee which was not a part of this budget, that in prior discussion, in the Fiscal Affairs Committee, as well as in the TTI Committee, the effect of this activity would be deferred until there was a series of public meetings throughout the community over the course of the next few months to consider the significance of a drainage fee on capital programs, so they concurred with the amendments, that they would essentially be moot at this point.

Council Member Quan moved to adopt Matrix Item No. 7, seconded by Council Member Vasquez.

Council Member Robinson stated that Matrix Item 25 also related to eliminating the transfer to the General Fund and wanted to see if that was germane to this conversation so they could roll the two of them together, and Mr. Haines stated that it was consistent because they were not recommending on Item 25, that which was being proposed under the amendment any way, that they were proposing in this budget the creation of a Storm Drainage Utility Fund, to which any ALP Funds would be deferred, not to the General Fund, so yes it would be appropriate.

Council Member Robinson moved to suspend the rules to consider Matrix No. 25 (Exhibit 12-3) out of order after Item No. 7, seconded by Council Member Keller. All voting aye. Nays none. MOTION 2002-0691 ADOPTED.

After a lengthy discussion by Council Members, Council Members Robinson, Berry and Wiseman stated they would pull down their amendments contained in Matrix Item No. 7.

Matrix No. 25 - Reduce water-wastewater transfer to General Fund to 4% contained in Exhibit 12-3 was before Council.

Council Member Tatro moved to place Exhibit 12-3 on the table for a vote instead of considering the administrations Matrix Item No. 25, seconded by Council Member Ellis.

Mr. Haines stated that the effect of the amendment was consistent with a total add of 5 percent, that as they presented it in both TTI and Fiscal Affairs, in recommending the creation of a Storm Drain Utility Fund, the recommendation was that there be an ALP transfer to that fund, that there be no activity going to the General Fund from Water and Sewer; but that 5 percent, which would include the current 4 percent plus the MPDES amount, be incorporated into a charge of 5 percent to maintain exactly what they were doing today relative to both storm drainage, maintenance programs and the MPDES Program.

Upon questions by Mayor Brown, Mr. Haines stated that if the intent of Council Member Tatro's motion was not to do MPDES they did not support his amendment, that the reason why was that they would lose funding capacity to meet their MPDES Funding requirement in the law, that they were currently doing it with a \$5 million transfer out of ALP, that if Council Member Tatro's amendment was to freeze the transfer at 4 percent, the effect of that was that they would not be able to meet the funding ability for the MPDES Program, that was the reality, and they had been funding MPDES as well as Storm Drainage Maintenance Programs out of the ALP or the Any Lawful Purpose Fund for several years and that was in response to Council policy that they were simply proposing, in this budget, that the policy be sustained, that was, again, presented in Fiscal Affairs when they made their presentation on moving any consideration of ALP away from the General Fund and that they hold it or freeze it up with the exception of this amount, that this had been going on for several years, that they would not agree with a funding to a program that would not fully fund what they had been doing for many years.

After further discussion by Council Members, Council Member Ellis moved to call the question, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2002-0692 ADOPTED.

A roll call vote was called on Council Member Tatro's motion to adopt Exhibit Item 12-3.

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 no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez voting no
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2002-0693 FAILED

Matrix No. 8 - Pilot Program on non-emergency transport contained in Exhibit 2-2 was before Council.

Mr. Haines that that this was an amendment to develop a pilot program to implement the Fire Department's Non-emergency Medical Transport Program as submitted previously by Dr. Persse, that they concur with that amendment, that they believed it had some value in moving forward and would recommend approval.

Council Member Quan moved to adopt Matrix No. 8, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2002-0694 ADOPTED.

Matrix No. 9 - Index all fees to inflation contained in Exhibit 10-13 was before Council.

Mr. Haines stated that this was in response to an amendment to consider indexing various fees to inflation or other kinds of indexes, that they concur with the intent of that amendment, but were not in a position today to have it in place, but rather would be doing a review of fees and have a report and recommendation to Council during the first quarter of this Fiscal Year 03.

Council Member Robinson moved to adopt Matrix No. 9, seconded by Council Member Galloway.

After discussion by Council Members, Mayor Brown stated that if this was voted on then the Council would have the opportunity to vote anything else that was recommended by the administration, that they would do a study and bring it back to the Council for consideration.

A roll call vote was called on Matrix No. 9.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Rodriguez voting no
Council Member Wiseman voting aye	Council Member Berry voting no
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2002-0695 ADOPTED

APPROXIMATELY 10:15 A. M.

2. Announcement by City Controller of the results of the electronic auction-style bidding for the sale of \$175,000,000.00 City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2002 - was presented.

Ms. Garcia stated that she was pleased to report on the bids received this morning for the \$175 million in tax revenue anticipation notes Series 2002, that the lowest bids were submitted as follows with the weighted average to an interest cost of 1.59255 percent, J. P. Morgan securities, \$75 million at 1.58807, Zions First National, \$15 million at 1.58850, Bank of America Securities, \$50 million at 1.59515 and Bank of America Securities \$35 million at 1.60019 percent, that a complete tabulation of all the bids was attached for their information with the times they were received, that they had a total of 40 bids submitted by 13 firms and it was all done over the Internet, and that concluded her report.

- 2a. MOTION awarding the Sale of \$175,000,000.00 City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2002, based on the lowest true interest cost - was presented, and Council Member Robinson moved to award the sale to the following firms: J. P. Morgan Securities, Inc. \$75 million at 1.58807%, Zions First National, \$15 million at 1.58850%, Bank of America Securities, \$50 million at 1.59515% and Bank of America Securities, \$35 million at 1.60019%, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2002-0696 ADOPTED.

Council Member Robinson moved to suspend the rules to take Matrix Item No. 61 (Exhibit 10-33) out of order, seconded by Council Member Tatro. all voting aye. nays none. MOTION 2002-0697 ADOPTED.

Matrix 61 - Amend the budget to limit the Department of Health and Human Services proposed Dry Cleaners fee increases to 100% contained in Exhibit 10-33 was before Council.

Council Member Robinson stated that he had a discussion with Mr. Haines and Dr. Scheps and they were asking that the amendment actually read that they eliminate the proposed increase and allow the administration up to 90 days to come back to them with a recommendation, that he would move the recommendation at this time, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2002-0698 ADOPTED.

Matrix No. 10 - Mayor Pro Tem's budget reduction contained in Exhibits 3-1, 5-1, 4-7, 8-1 and 10-6 was before Council.

Mr. Haines stated that this was a summary of several amendments that were offered relative to a reduction in the Mayor Pro Tem's budget, that after concurrence, the Mayor Pro Tem had recommended that \$50,000 be removed from that budget and be transferred to the Health Department, and they concurred with that and would recommend approval. Council Member Wiseman absent.

Council Member Quan moved to adopt the recommendation, seconded by Council Member Robinson. Council Member Wiseman absent.

After discussion by Council Members a vote was called on Matrix No. 10. All voting aye. Nays none. Council Member Wiseman absent. MOTION 2002-0699 ADOPTED.

Matrix No. 11 - Pay raise for employees contained in Exhibit 4-3 was before Council.

Mr. Haines stated that the amendment was to provide a pay raise for civilian employees

and again they concurred with the intent of the amendment, that the recommendation, as incorporated in the budget was for a 3.5 percent increase in compensation for civilians for grades 28 and below and 2 percent on a performance-based pool for those in grade 29 and above, that they would concur with that intent. Council Member Keller absent.

Council Member Edwards stated that she wanted to withdraw her amendment because it only went for a 3 percent raise, that she supported heartily the administration's 3.5 percent raise. Council Member Keller absent.

Mayor Brown stated that Council Member Edwards withdrew her amendment in favor of the 3.5 percent.

Council Member Quan moved to adopt Matrix Item No. 11, seconded by Council Member Vasquez.

After discussion, Council Member Robinson stated that he had an amendment later on down the line, but was going to withdraw it now because it related to this topic, that it was Item 46.

After further discussion by Council Members a vote was called on Matrix No. 11. All voting aye. Nays none. Council Members Wiseman, Ellis and Vasquez absent. Motion 2002-0700 ADOPTED.

Mayor Brown stated that he wanted to thank the Council for approving it, that the civilian employees were below scale when compared to other cities throughout the state, that what he hoped they would do in future budgets was to include a salary increase in the base budget as compared to what they had done in the past, pass the budget or look at putting together a budget and if there were funds left then they considered the workforce, that was the wrong way of doing business. Council Members Wiseman and Ellis absent.

Matrix No. 12 - Property tax revenue in excess of projections to Rainy Day Fund contained in Exhibits 4-6 and 10-3 was before Council.

Mr. Haines stated that this was an amendment to identify that any excess property tax revenues above projection during the fiscal year be transferred into the Rainy Day Fund, that again, they concurred with the principle to build up capacity in the Rainy Day Fund, the issue, of course, was that if there were revenues that were in excess of projection, they would go in one of two places, naturally they would go into the Fund Balance, this would be a little more restrictive, this approach, but they did not disagree with it. Council Member Wiseman, Ellis and Keller absent.

Council Member Quan moved to adopt Matrix No. 12, seconded by Council Member Vasquez. Council Member Wiseman, Ellis and Keller absent.

Council Member Robinson stated that this was something that had been very important to him and Council Member Parker and other council members, but at the close of the day, today, they had really started well down the road to get to where from everything the rating agencies had said, that they would have enough cash on hand in the next couple of years in that Rainy Day Fund that they could see an increase in the General Fund bond rating whose end resulted in savings to the taxpayers and he thought those two steps, with the FEMA reimbursement and anything above the property tax revenue projection, that they made a big dent into that goal of at least \$30 million to \$35 million, so he highly supported this item and wanted to thank the administration again on this one. Council Member Wiseman, Ellis and Keller absent.

Council Member Parker stated that she supported the item but just wanted clarification and asked Council Member Robinson, that there was an upper limit for the rainy day fund of \$30 million to \$35 million, if the monies went over that amount would it go to the Ending Fund balance or did he want it all to go to the Rainy Day Fund, and Council Member Robinson stated that he did not think they had ever set a goal, that \$30 million to \$35 million was the talking, that was his own personal view, that in light of what they saw with Allison, where they crossed the \$100,000 million threshold, that should be their target, where they would have enough cash on hand to deal with the worse case scenario, that the \$30 million to \$35 million, gave them, he thought, a bump up in their rating, that he would assume the appropriate process would be this, that as they went through the year, any excess revenues at the end of the year would be at Fund Balance and then it would go from Fund Balance and be transferred into the Rainy Day Fund account, so they would get an accounting of it in the Fund Balance and then it would be transferred over into the Rainy Day Fund account, and Council Member Parker asked if the administration concurred with that and Mayor Brown and Mr. Haines stated that was correct. Council Members Tatro, Ellis and Keller absent.

A vote was called on Matrix No. 12. All voting aye. Nays none. Council Members Tatro, Ellis and Keller absent. Motion 2002-0701 ADOPTED.

Matrix No. 13 - Fund a deed restriction tracking system contained in Exhibits 4-5 and 7-1 was before Council.

Mr. Haines stated that this item was the result of two amendments offered to strengthen the Deed Restriction Program by implementing a Deed Restriction Tracking System, and providing appropriate funding, that they concurred with those amendments, again, under the assumption that it would be addressed and taken care of, that there will be volunteer labor available to provide a significant amount of data entry work for them and would concur with the amendments. Council Members Ellis and Keller absent.

Council Member Quan moved to adopt Matrix 13, seconded by Council Member Vasquez. Council Members Ellis and Keller absent.

Upon questions by Council Member Alvarado, Mr. Haines stated that been advised by the Director of Planning that there was a significant amount of interest in supporting this with volunteer help, that if it was a concern to her, who had made this particular issue a significant amendment, they would be willing to monitor it, that if they had to bring some people in on a paid basis, they would come back to Council and let them know. Council Member Ellis absent.

Upon further discussion, Council Member Alvarado moved to amend Matrix Item No. 13 to say that they would try this for six months and come back if they found that this was not efficient, that they would put in place a funding mechanism for both the equipment and the staffing, seconded by Council Member Vasquez. Council Members Tatro and Ellis absent.

After further discussion, Council Member Vasquez stated that he also supported the effort for deed restriction tracking system and moved to call the question, seconded by Council Member Keller. All voting aye. Nays none. Council Members Tatro, Ellis and Sekula-Rodriguez absent. MOTION 2002-0702 ADOPTED.

A vote was called on Council Member Alvarado motion to amend Matrix Item No. 13. All voting aye. Nays none. Council Members Tatro, Ellis and Sekula-Rodriguez absent. MOTION TO AMEND CARRIED.

Mayor Brown stated that they would have a report back in six months. Council Members Tatro, Ellis and Sekula-Rodriguez absent.

A vote was called on Matrix Item No. 13 as amended. All voting aye. Nays none. Council Members Tatro, Ellis and Sekula-Rodriguez absent. MOTION 2002-0703 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Matrix Item Numbers 14 through 18 all at one time, seconded by Council Member Parker. All voting aye. Nays none. Council Members Tatro, Ellis, Keller and Sekula-Rodriguez absent. MOTION 2002-0704 ADOPTED.

Matrix No. 14 - Study feasibility of citywide day labor program contained in Exhibits 4-11 and 7-10 was before Council.

Matrix No. 15 - Study visitability ordinance contained in Exhibits 4-12 and 10-21 was before Council.

Matrix No. 16 - Building Inspectors to work nights and weekends contained in Exhibit 7'2 was before Council.

Matrix No. 17 - Insure building and deed violations contained in Exhibit 7-3 was before Council.

Matrix No. 18 - Increase fines for various types of offenses contained in Exhibits 7-4 thru 7-7 was before Council.

Mr. Haines stated that they concurred with all of those amendments, 14, 15, 16, 17, and 18, and would mention to Council that Matrix Item 16 would include the Neighborhood Protection inspectors as well. Mayor Brown and Council Members Tatro, Ellis, Keller and Sekula-Rodriguez absent. Mayor Pro Tem Quan presiding.

Council Member Robinson stated that he had a clarification question and thought there was a typo on Matrix No. 17, and that on Matrix No. 18, which fees were they talking about increasing in the base budget already increased or would they be increased in the base budget, and Dr. Scheps stated that he thought the concurrence was that they were in favoring of doing that, only those were not fines set by the administration, so there was nothing wrong with that, but believed it was nothing that they controlled, and Council Member Robinson asked what was Matrix No. 17, that it said "insure building and deed violations", so what were they asking to vote on, that was what it literally read on the paper, and Council Member Alvarado stated it was a typo, and Council Member Robinson stated that Matrix No. 18 said "increase fines for various type of offenses", which offenses were they being asked to increase, and Dr. Scheps stated that Exhibit No. 7-3 was what they were voting on, to increase the scope of Neighborhood Protection Inspectors to include deed restriction violations, and Mr. Haines stated that it was essentially Council Member Alvarado's amendment, Exhibit 7-3, that was what they concurred with in this, that it was a shorthand version and it should be "increase" as opposed to "insure", and Dr. Scheps stated that as to Exhibit Numbers 7-4, 7-5, 7-6 and 7-7, they did not set those fines, that they were in favor of the notion, and Mr. Hall stated that these were fines, not fees, for penal violation of codes, that it was his understanding that they had control over and the others would have to be part of a Legislative initiative to get them increased. Council Members Tatro, Galloway, Goldberg, Edwards, Keller and Sekula-Rodriguez absent.

Council Member Quan moved to adopt Matrix Numbers 14, 15, 16, 17, and 18, seconded by Council Member Parker. Council Member Berry voting no, balance voting aye. Council Members Tatro, Galloway, Keller and Sekula-Rodriguez absent. MOTION 2002-0705 ADOPTED.

Matrix No. 19 - Increase patrol in vicinity of bus station contained in Exhibit 7-8 was before Council.

Mr. Haines stated that they concurred with the recommendation of the amendment Council Member Alvarado has submitted, that the amendment was to increase HPD patrol's budget to increase the patrols in the vicinity of the bus station.

Council Member Quan moved to adopt Matrix No. 19, seconded by Council Member Robinson.

Upon questions by Council Members, Mayor Brown stated that no extra money was being allocated in the budget, that it was a request to the Chief to take care of the problem.

A vote was called on Matrix Item No. 19. All voting aye. Nays none. Council Members Galloway and Sekula-Rodriguez absent. MOTION 2002-0706 ADOPTED.

Matrix No. 20 - Require reverse auction contained in Exhibits 8-2, 10-26 and 13-2 was before Council.

Council Member Quan moved to adopt Matrix No. 20, seconded by Council Member Ellis.

Council Member Robinson stated that on Matrix Item No. 20 he did not think they needed it, that it was on the Council agenda, and Mayor Brown stated that those who made the amendments may want to withdraw them. Council Members Galloway, Parker and Sekula-Rodriguez absent.

Council Member Ellis stated that for two years he had been trying to get reverse auctions and they were told it was illegal and so forth, that the State Legislature passed the Senate Bill which allowed them to do it, that he thought they had taken up too much time, that he wanted to make sure and the intention of his amendment was to make sure that they do at least 50 percent of their purchasing of goods and services through the reverse auction process for the Fiscal Year 2003, that he read in an article that KODAK, who purchases some \$6 billion per year, would save up to 20 percent, that if they could just save 10 percent on 50 percent of the commodities that they purchased, they were talking about some rather substantial money, in the tens and twenty million dollar range, that was his intent, that he knew the administration was trying to move forward on this, that he wanted to make sure they at least did 50 percent, and was why he did not want to pull down his amendment, that he would rather vote it up or down, and moved to adopt Exhibit No. 13-2, seconded by Council Member Robinson.

Mayor Brown asked Mr. Haines if there was any difference in what Council Member Ellis was trying to do, and Dr. Scheps stated that he was not sure, that 50 percent seemed kind of arbitrary, that he presumed if they could not do as many as this budget amendment called for they could come back and give reasons why they were going to fall short of that.

After further discussion, Council Member Ellis stated that he would accept a friendly amendment to at least do 25 percent and try to push for 50 percent and Council Member Quan stated that he would offer that as a friendly amendment.

Mayor Brown stated that what they were voting for was 25 percent instead of 50 percent., and a vote was called on Matrix No. 20 as revised. All voting aye. Nays none. Council Members Galloway, Goldberg, Edwards, Keller, Alvarado, Parker and Berry absent. MOTION 2002-0707 ADOPTED.

Matrix No. 21 - Develop comprehensive flood management plan by March 2003 contained

in Exhibit 10-20 was before Council.

Mr. Haines stated that they concur with the amendment, as offered by Council Member Robinson, to amend the budget, require the development of a comprehensive flood plain development policy and management plan by the Public Works and Engineering Department for submission to City Council for approval by no later than March 2003 and planning (inaudible). we recommend approval. Council Members Goldberg, Edwards, Alvarado, Parker and Berry absent.

Council Member Keller moved to adopt Matrix No. 21, seconded by Council Member Robinson. Council Members Goldberg, Edwards, Alvarado, Parker and Berry absent.

After further discussion a vote was called on the motion to adopt Matrix No. 21. All voting aye. Nays none. Council Members Goldberg, Edwards, Keller, Alvarado, Parker and Berry absent. MOTION 2002-0708 ADOPTED.

Matrix No. 22 - Evaluate the outsourcing of special events marketing contained in Exhibit 10-22 was before Council.

Mr. Haines stated this was an amendment to consider an evaluation of the outsourcing of the Parks Department Special Events Division, that the results of the study and recommendation to be presented to Council by January 1, 2003, that they concurred with that and would also comment that this study would include the Miller Outdoor Theater as well as general special events policy matters in the same study. Council Members Keller, Alvarado and Berry absent.

Council Member Quan moved to adopt Matrix No. 22, seconded by Council Member Robinson. Council Members Keller and Berry absent.

Council Member Robinson stated that he had two amendments, Matrix No. 51 and No. 52, that he would like to pull those down because they fell in the broad scope of what was being discussed now, that his objective with those two amendments was to get Miller Outdoor Theater fully funded out of Hotel Occupancy Taxes, that he would look at that as a part of the study, that he wanted to let the people at Miller Outdoor Theater know that he did not think Ms. Ullrich was trying to get them, that it was to try and free up that million dollars out of General Fund, that was his aim to try to free up as much as they possibly could, so he would pull down Matrix Numbers 51 and 52 and was going to support the special events study. Council Members Keller and Berry absent.

Mayor Brown stated that Council Member Robinson withdrew Matrix Numbers 51 and 52. Council Members Keller and Berry absent.

Council Member Vasquez stated that was also going to pull Matrix Item No. 26. Council Members Keller and Berry absent.

Mayor Brown stated that Council Member Vasquez withdrew Matrix No. 26. Council Members Keller and Berry absent.

Upon questions by Council Members, Mr. Haines stated that they wanted to evaluate the ordinance, that there was a draft that was currently under review and they wanted to roll that element under a general, perhaps more standard, policy matter, that they believed that the events, the event policies surrounding Miller Outdoor Theater, as well as policies governing various events, including budget impact, needed to be, fully vented and presented to Council, that the cost of outsourcing was part of the study, that the evaluation would be done in-house. Council Members Tatro and Berry absent.

After further discussion a vote was called on motion to adopt Matrix No. 22. All voting aye. Nays none. Council Members Tatro and Berry absent. MOTION 2002-0709 ADOPTED.

Council Member Vasquez moved to suspend the rules to consider Matrix No. 57 out of order, seconded by Council Member Keller. All voting aye. Nays none. Tatro and Berry absent. MOTION 2002-0710 ADOPTED.

Matrix No. 57 - Restore Fun Day in the Park program contained in Exhibit 9-3 was before Council.

Mr. Haines stated that this was an amendment that would restore the Fun Day in the Park Program, that there was a fiscal impact of \$500,000, that they did not concur in that recommendation, that they believed there were two priorities that really needed to be satisfied, they dealt both with O and M and Children's Summer Programming issues, that they would recommend ahead on that matter, so they did not concur with the recommendation. Council Members Tatro and Berry absent.

Council Member Quan moved to adopt the recommendation of the administration.

Upon questions by Council Members, Mr. Haines stated that as to the consequences of the company not meeting the contractual arrangements by canceling the events, it was his understanding that a contract was in place and if they were canceled there was a penalty involved, that he would follow up and to see if they were following up and making sure they recouped the City money if they were not doing these events, that the item was not funded in the budget as it was submitted to council, and Mr. Wilson had essentially stated that he could manage a Fun Day Program type of program with his existing staff, and maintain it that way, that he was not sure if they could get all of the components that they were now getting with Fun Day in the Park, that Mr. Wilson had made the commitment that he would maintain a program of festival activity in the parks, whether or not it was identical to what they had was another matter, that the agreement ends the end of this month. so it would be effective July 1st, not June. Council Members Tatro, Berry and Robinson absent.

After further discussion Council Member Vasquez stated that he wanted to make a substitute motion that they consider his item on the Matrix, Exhibit No. 9-3 as opposed to the Mayor's position, Matrix Item No. 57, seconded by Council Member Ellis. Council Member Tatro, Berry and Robinson absent.

Council Member Quan stated that he was willing to remove his motion and Council Member Ellis stated he would second that and call the question. Council Member Tatro, Berry and Robinson absent.

Mayor Brown stated that the question had been called for, it was a substitute motion to consider Council Member Vasquez Exhibit Item 9-3 in lieu of Matrix Item No. 57.

A vote was called on Council Member Ellis's motion to call the question. All voting aye. Nays none. Council Member Tatro, Berry and Robinson absent. MOTION 2002-0711 ADOPTED.

Mayor Brown stated that they would now vote on the amendment and so that they were all clear what they were voting on it was Council Member Vasquez amendment, Exhibit 9-3, which was the Parks and Recreation Department's Fun Day in the Park Program which would be renewed for Fiscal Year 03 with \$500,000 in funding.

A roll call vote was called on Council Member Vasquez's motion to adopt Exhibit 9-3.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro absent	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
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 aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson absent
Council Member Keller voting aye	MOTION 2002-0712 ADOPTED

Matrix No. 23 - Evaluate cost-benefit of associate prosecutors contained in Exhibit 9-6 was before Council.

Mr. Haines stated that this was a request by Council Member Vasquez to conduct or evaluate the cost effectiveness of considering associate prosecutors in the Municipal Courts, that the idea of an associate prosecutor would be similar to an associate judge, that it would be utilized during peak need periods, thus allowing for potential reduction in permanent prosecutor staffing, study to be completed no later than February 1, 2003 for consideration possibly in the 2004 budget cycle, that they had concurred with the amendment to initiate that study. Council Member Robinson absent.

Council Member Quan moved to adopt Matrix No. 23, seconded by Council Member Sekula-Rodriguez. All voting aye. Nays none. Council Member Robinson absent. MOTION 2002-0713 ADOPTED.

Matrix No. 24 - Dedicate and track funds for pothole and street repair contained in Exhibit 11-5 was before Council.

Mr. Haines stated that this was an amendment relating to dedicating and tracking funds for pothole and street repair, that they concurred with the amendment, so long as there was budgetary flexibility through the city council.

Council Member Sekula-Rodriguez moved to adopt Matrix No. 24, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2002-0714 ADOPTED.

Matrix No. 26 - Increased funding of Talento Bilingue de Houston and Ensemble Theater contained in Exhibit 9-5 was withdrawn.

Council Member Robinson moved to suspend the rules to take Matrix No. 28 through 38 as a package and leave Matrix No. 27 for individual discussion, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2002-0715 ADOPTED.

Council Member Robinson moved to adopt Matrix Numbers 28 through 34 and Matrix Numbers 36 through 38.

Council Member Keller stated that he had concurred with Council Member Vasquez and asked if they could pull Matrix No. 35 out of the package, and Council Member Robinson stated that he would accept that as a friendly amendment, and Mayor Brown stated that Matrix No. 35 was removed from the request and would be discussed separately.

Matrix No. 28 - Use monitoring companies to collect alarm fees contained in Exhibit 10-10 was before Council.

Matrix No. 29 - Voter referendum on tax rate and fire district contained in Exhibit 10-17 was before Council.

Matrix No. 30 - Use drainage fee savings as funding source for various items contained in Exhibit 10-19 was before Council.

Matrix No. 31 - Eliminate dumpster fee contained in Exhibit 10-9 was before Council.

Matrix No. 32 - Mandate joint publications from funded agencies contained in Exhibit 10-24 was before Council.

Matrix No. 33 - Consolidate all purchasing, payroll, auditing, accounting contained in Exhibit 10-25 was before Council.

Matrix No. 34 - Reduce duplicative services in various departments contained in Exhibit 3-7 was before Council.

Matrix No. 36 - Prohibit employees from training contractors contained in Exhibit 10-27 was before Council.

Matrix No. 37 - Prohibit sic days from affecting EPE contained in Exhibit 10-28 was before Council.

Matrix No. 38 - Earmark funds in the CIP for crime lab repairs contained in Exhibit 10-34 was before Council.

Council Member Robinson moved to approve Matrix numbers 28 through 34 and 36, 37 and 38, seconded by Council Member Parker.

A vote was called on Matrix Numbers 28 through 34 and Matrix Numbers 36 through 38. All voting aye. Nays none. MOTION 2002-0716 ADOPTED.

Council Member Parker moved to recess until 1:00 p.m., seconded by Council Member Ellis. All voting aye. Nays none. Council Member Berry absent.

The City Council reconvened in the Council Chamber at 1:05 p.m. to complete the meeting. Council Members Tatro, Galloway, Goldberg, Edwards, Sekula-Rodriguez and Berry absent.

Matrix No. 27 - Simplify WBE/MBE certification process contained in Exhibit 13-3 was before Council. Council Member Sekula-Gibbs absent.

Mr. Haines stated that this was an amendment relating to the WBE and MBE certification process, that there was an agreement that they were proposing to study the item and would defer the item to Mr. Hall and others to comment on the legal aspects of the issue. Council Member Sekula-Rodriguez absent.

Mr. Hall stated that they were asked to look at it, that there was staff present from Affirmative Action Division. Council Member Sekula-Rodriguez absent.

Council Member Vasquez stated that there was an amendment on the table and did not

know if Mr. Hall was commending about the amendment to the amendment on the table or the amendment as submitted on the Matrix and Mr. Hall stated that he was commenting on the issue, that he had seen them both, that part of it was because he thought there were Council Members who did not know the history and the intricacy, they were presently in litigation on their MWBE Program, that the MWBE Programs had been successfully operated for some time without legal challenge until several years ago, that Houston's MWBE Programs had been given awards over the Country in the past and probably was part of the reason that Houston's had not been summarily stuck down, that those were very important points, that the issue was whether or not they had complied with the rather evolving standards for addressing past discrimination and generally the standards were that there had to be a study that demonstrated that there had been some governmentally sanctioned or at least permitted past discrimination in the governmental operation and secondly and critically important here, was that the remedy that was fashioned to address that was very narrowly tailored, that it was key to this that they in Houston had been given those awards for operating what had been probably considered the most well run administrative MWBE Program in the Nation, that they were one of the few that actually made physical site visits, that the site visits actually insured that the kind of operation that specifically a business would be given credit for was actually what went on, and equally as important was that the people that were listed either as the women or minority business owners, operators or in control were the people who were physically there doing so, that those had been critical components to their success thus far, that there had not been a serious allegation made, to his knowledge, to the Houston Program that it operated as a sham, that there were those who would argue that certification was political and in his judgment not at all, that for one to get the benefits of MWBE designation by the City it had to be owned, operated or controlled by either a women or minority, that he believed if they should pass Matrix No. 27 that they significantly heighten the opportunity for failure legally in defending the City's program and thought it spelled the beginning of the end of MWBE as they knew it in Houston, Texas. Council Member Sekula-Rodriguez absent.

Council Member Ellis stated that he had passed out some amendments to Matrix 13-3 and stated that he had looked at the information that Mr. John DeLeon had sent out and still thought that the budget amendment was a good amendment, that he had included that the company have a local presence, Section 15-84, that they also had included was the size of the company, Section 15-87, that one of the things that had been said to him was that he was trying to backdoor and kill the Affirmative Action Division, but that was not his intention, that it was basically to open it up to more individuals who wanted to be certified with the City, that it was a reciprocity program, that they were still going to have the Affirmative Action Certification Division and they would still have to certify any federally funded transportation projects, because they had to fall under their guidelines and that was the last sentence of the amendment, that he had spoken to a number of individuals in the Hispanic Community who stated they supported it wholeheartedly and were curious why someone had not opened it up to everybody in the past. Council Member Sekula-Rodriguez absent.

Council Member Ellis moved the following amendment:

"MWBE Reciprocal Certification:

In an effort to reduce costs in the Affirmative Action Division and to aid qualified MWBE's desiring to do business with the City of Houston, any company which has been certified by the Houston Minority Business Council or the Houston Women's Business Council shall automatically be certified as a MBE or WBE with the City of Houston, respectively, and shall automatically be determined to be an established business enterprise for all SIC/NAIS codes listed for the company with those organizations.

The Affirmative Action Division shall only determine that the company has a local presence as required by Section 15-84 and the size of the company as required by Section 15-87.

Approval of this amendment could result in a 50% reduction in the budget of the Certification and Outreach Section of the Affirmative Action Division.

For all federally funded transportation projects that are restricted by federal criteria, the City will still certify them under the present MWBE certification process.”

After further discussion by Council Members, Council Member Galloway moved to suspend the rules to hear from Mr. John DeLeon and Ms. Velma Laws, Affirmative Action, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0717 ADOPTED.

Council Member Vasquez asked for a point of order and stated that he needed clarification between what was submitted and what was on the table, and Mayor Brown stated that what was on the table was Council Member Ellis’s written amendment for a 50% reduction.

Mayor Brown asked Mr. DeLeon what impact would Council Member Ellis’s written amendment have on the Affirmative Action Program, and Mr. DeLeon stated very little because that is what they did, that they had to continue to do the letter of the law of the City of Houston and this amendment basically stayed with their program with a few exceptions, that they would have a few individuals that would be dropped from being MWBE’s because of where they lived, that he was looking at Council Member Ellis’s amendment for the first time.

Ms. Laws stated that there was varying criteria between the different entities, that as they were aware now they had agreements in place with both of the agencies for several years and the original intent was have a reciprocal agreement with the other certifying entities in the area, however when they began to study the issue they saw that there were variances in the certification criteria which would not allow them 100% reciprocity with those issues or with those entities and that was why the terminology was common certification, that as a matter of fact when the program was amended in 1995 and the new administrative procedures drafted there was a specific section that addressed common certification and it directed to do basically what they had already done, that was to work with the other certifying entities in the area to help streamline the administrative burden, not only for applicants but also for the certifying agencies who were all working with the same people, but it wisely states at the end that the City shall maintain the final authority to approve or disapprove any applicant for certification because they had to insure by law that they meet specific criteria, for example they had some of the criteria, but the City required that a business be currently functioning, that they could have a new company but it had to have done business with someone so they could verify that they did what they say they did, that the Council’s would certify a brand new business that may not have necessarily have done any business with someone, so they could not automatically accept that when they had not met the City’s criteria, that they did accept the certification of the other agencies, but to the fullest extent allowed by law. Council Member Sekula-Rodriguez absent.

Council Member Galloway asked what effect would the 50% reduction have on the outreach section, and Mr. DeLeon stated that it would be about 3 people that they would have to go, that members of their staff also sat on the boards of the Women’s Business Council and the Houston Minority Business Council, when they were trying to get certified by them, and Ms. Law stated that they would still have to do the site visits for the DBE applicants and 80% to 85% of the companies they certify were DBE, and if this were to pass it would really generate more work for them and would nullify the criteria that they had if they would automatically accept people that they did not know would still meet their criteria, that as to the budgetary impact, as she said, they were still doing the DBE certifications and the majority of their applicants were DBE, and Mr. DeLeon stated that their office certified for the State and the Federal Government, so when they came into their shop they got certified for everything that had to be certified for and they would also encourage that they become members of the other organizations, and that the focus of the

Council was to provide minority and women business entry into the private sector, so for companies who would want to do business with the City they would not want to send them to an organization where they would have to pay to get certified just to do business with the City, and Mr. DeLeon stated that they were talking about their process being political, that they had an appeals process that went up to Austin, Texas with the Federal Department of Transportation and never once had any of the people who did not get certified did the department come back and say they were certifiable, so their certification, he would attest, that they had not had one individual or company that on both sides of the aisle, whom ever they may be, if they wanted to get certified by them they looked at the company and not whom they were the brothers or sisters or partners of. Council Members Quan and Sekula-Rodriguez absent.

After further discussion by Council Members, Council Member Edwards moved to call the question, seconded by Council Member Quan.

A roll call vote was called on Council Member Edwards motion to call the question.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting no
Council Member Tatro no	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson aye
Council Member Keller voting no	MOTION 2002-0718 ADOPTED

A roll call vote was called on Council Member Ellis's written amendment to Matrix No. 13-3.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting no
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2002-0719 FAILED

Matrix No. 35 - Outsource all IT functions contained in Exhibits 3-8 and 9-8 was before Council.

Mr. Haines stated that this was a consolidation of two amendments offered by Council Members Keller and Vasquez relating to the outsourcing of IT functions, that they agreed with the substance of Council Member Vasquez's amendment and that was that the administration undertake an internal cost benefit study of the full privatization of the new IT department to be completed no later than February 1, 2003 thus being available for the Fiscal 2004 budget cycle, that they believed it was fairly consistent with both amendments and allowed them to move forward to at least study the initiative. Council Member Sekula-Rodriguez absent.

Council Member Quan moved to adopt Matrix No. 35, seconded by Council Member Parker.

Council Member Keller moved to suspend the rules to put Exhibit No. 3-8 to a vote, that

Council Member Vasquez had a similar amendment to it, that his point was that he thought it was ready to be put to a vote as far as amending the budget now to outsource to do competitive bidding of the information systems by putting it out with RFP's right away and the results of those RFP's to come to Council and let that be the definition of the study, that what he would like to do, in unison with Council Member Vasquez, was to mandate that they would see what the market would bear and see the interest that the people in the industry would like them as a client, and have the results of those given to Council and see how much they possibly could save and if they could not then they as a body could reject going in that direction and moved that Exhibit 3-8 be put to a vote. Council Member Sekula-Rodriguez absent.

Mayor Brown asked Mr. Haines to respond and asked if he was correct that they did have a strategic IT Plan and part of the plan was to do what Council Member Keller was talking about studying, outsourcing their IT operations, and Mr. Haines stated that was correct and would simply add that they would consider what they would call a managed competition approach, which was precisely what Council Member Keller was suggesting here, as part of the study, that the reality however was, that unlike selling a house, this was a complex system and they had to make sure that the proverbial t's were crossed and i's were dotted, that he was not sure they could get this done immediately, it was going to take some time and they would certainly concur with the intent that outsourcing be a significant alternative to the process. Council Member Sekula-Rodriguez absent.

After a lengthy discussion Mr. Haines stated that he thought the language was represented in Council Member Vasquez's amendment which addressed the point of studying the IT Department, not the systems, it was not amending the budget, it was doing the cost benefits study and they incorporated into that Council Member Keller's interest that they include in that study process prior to February the issue of doing the deal with the RFP. Council Members Galloway, Ellis, Sekula-Rodriguez and Berry absent.

After further discussion Council Member Keller stated that he would like to move Matrix No. 35 further out until they could get receipt of proposed language from the administration that could satisfy the definition of the amendment, and Mayor Brown stated that they would revisit Matrix No. 35 later in the agenda once the information was avail here. Council Member Sekula-Rodriguez and Berry absent.

Matrix No. 39 - Finance and Administration, Planning, HPD and Building Services to prepare zero-base budget for FY04 contained in Exhibit 9-9 was before Council.

Mr. Haines stated that this was an amendment calling for a zero based budget for the Finance & Administration, Planning, Police and Building Services Departments, that this was an amendment that they did not concur with, they went through a zero based budget process a year ago, as a pilot in the Parks Department, that it had marginal, if any, value to it and again their recommendation would be to support the process of performance based budgeting as opposed to zero based budgeting. Council Members Sekula-Rodriguez and Berry absent.

Council Member Vasquez stated that when he came on Council it was a major part of discussion in terms of zero bases in some of the departments and getting to that and as a matter of principle he was going to continue to move forward each budget cycle requesting that different departments go through zero based process so they could find out exactly what could be cut from those departments, and moved adoption of Exhibit 99, seconded by Council Member Quan. Council Member Sekula-Rodriguez absent.

A roll call vote was called on Exhibit 9-9.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2002-0720 FAILED

Matrix No. 40 - Reduce non-training travel by 50% for all departments contained in Exhibit 1-3 was before Council.

Mr. Haines stated that this was an amendment that would reduce non training travel by 50% for all departments, that they did not concur in this recommendation, again they believed that departmental accountability was the overriding issue and had serious and significant controls and justification for travel on the part of all departments, that there had been across the board cuts already and they would recommend against it. Council Member Sekula-Rodriguez absent.

Council Member Wiseman stated that they had been asked to look for cuts and here was an example of cuts that the City could take, was it something that people wanted to take, no, but they were facing a tough budget year and they had to make tough decisions and they had to cut in areas they did not want to cut. Council Member Sekula-Rodriguez absent.

Mayor Brown asked Dr. Scheps if they had not already accomplished a great deal of that in the budget process, that even before preparing the budget they had cut back on travel, and Dr. Scheps stated that he thought the Mayor had made specific cuts in the current year and then they left it to the departments and they created their lower targets, whether they would do travel, as many of them did, that in his department for example, he kept it at the same lower level that he had currently and thought many departments had done the same thing. Council Member Sekula-Rodriguez absent.

After a lengthy discussion a roll call vote was called on Matrix No. 40. Council Members Edwards and Sekula-Rodriguez absent.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2002-0721 FAILED

Matrix No. 41 - Cut all travel budgets to zero contained in Exhibit 11-1 was before Council.

Mr. Haines stated that this was amendment to cut all travel budgets in the City to zero, that they did not concur with that amendment and would again restate some of the arguments they made in the previous item except for one thing, that he thought Council needed to be aware that a significant amount of travel was incurred as it related to Police and Fire activities, whether it was in recruiting efforts or to investigative work or fugitive retrieval, that he simply would point that out to Council. Mayor Brown and Council Member Sekula-Rodriguez absent. Mayor Pro

Tem Quan presiding.

After discussion by Council Members, Mr. Haines stated that a significant portion of the travel in the General Fund was for purposes that were associated with Police and Fire, such as fugitive retrieval, recruiting for officers and other such matters, that this budget had a reduction for travel and training, that the department heads had already taken the initiative, they managed those accounts as efficiently as they could recognizing that they had already been cut 20% to 25% to 30% and some had cut it even more. Council Member Sekula-Rodriguez absent.

After further discussion Council Member Quan moved to call the question, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0722 ADOPTED.

A roll call vote was called on Matrix No. 41.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2002-0723 FAILED

Matrix No. 42 - Eliminate all non-emergency take-home vehicles and related expense contained in Exhibit 1-4 was before Council.

Mr. Haines stated that this was an amendment that read to eliminate all non emergency City take home vehicles, related insurance and fleet maintenance services and he believed it was modified in a distribution that Council received to include fuel, that the administration did not concur with this recommendation, that they did a regular audit of vehicles and take home vehicles, they evaluate those on the basis of need and did cost benefit reviews of those and had just completed an audit, that they believed there was certainly more opportunity to continue to review that so the intent of the amendment they concurred with, but in terms of eliminating all non emergency take home vehicles and those related expenses they did not agree with. Council Members Keller, Alvarado and Sekula-Rodriguez absent.

Council Member Wiseman offered the following amendment to Exhibit 1-4:

“Amend the Budget to eliminate all non-emergency (based on job descriptions) City take home vehicles, related fuel and fleet maintenance services”, seconded by Council Member Ellis. Council Member Sekula-Rodriguez absent.

After a lengthy discussion, Council Member Parker stated that in clarifying Council Member Wiseman motion it was really directed to non job related take home vehicles and asked if they had an idea of the real impact of that and how many vehicles were they talking about and was their a category of take home vehicles that would be considered more of a perk rather than a job related issue, and Mayor Brown stated that he would have Mr. Haines answer, that they had gone through this and had looked very carefully at how much they could save by restricting the number of take home vehicles so the policy they had issued by Executive Order dealt with essential use of the vehicle. Council Members Vasquez and Sekula-Rodriguez absent.

Mr. Haines stated that first of all, those positions were not General Funded positions, they

were for safety officers that served throughout the City, that they did inspections on job sites, and they principally provided oversight and auditing as it related to Workers' Compensation claims and other matters, that those were positions that were called out at different hours of the day, that it made more sense to them that these particular, as it related to HR, that these particular individuals have access to a vehicle on a 24-hour basis, that it was cost effective. they did not have to drive down to Walker, pick up a pool car and go out in the field, they could go directly in to whatever their work sites were that they were inspecting, that it also involved different and odd hours, so as it pertained to that particular illustration attached to the amendment from Council Member Wiseman, they believed those were fully justified, even though they still fit the category, pure definition of non-emergency, and that was what they tried to look at as they evaluated these and were pleased to continue that process. Council Member Sekula-Rodriguez absent.

Council Member Parker asked Council Member Wiseman if she would amend her motion to say "eliminate all non essential take home vehicles" and Council Member Wiseman stated yes. Council Member Sekula-Rodriguez absent.

Council Member Galloway moved to call the question, seconded by Council Member Edwards. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0724 ADOPTED.

Mayor Brown stated there was a friendly amendment to amend Council Member Wiseman's amendment to say "non essential" instead of "non emergency".

A vote was called on Matrix No. 42, as amended to read "eliminate all non essential take home vehicles". All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0725 ADOPTED.

Council Member Wiseman requested that the administration provide them with a report of all the City vehicles so they could insure that they were justified and that they would systematically go through and eliminate those that were not warranted based on job descriptions, excluding Fire and Police. Council Member Sekula-Rodriguez absent.

Matrix No. 43 - Health budget transfers contained in Exhibit 3-2 through 3-4 was before Council.

Mr. Haines stated that it was an amendment, 3-2 through 3-4, dealing with several line item transfers in the Health Department, that those were items that they would not concur with. Council Member Sekula-Rodriguez absent.

Council Member Keller stated that he would like to pull Matrix No. 43 and No. 44 and replace it with Matrix No. 59 at this time. Council Member Sekula-Rodriguez absent.

Matrix No. 59 - Amend the budget to dedicate: (1) \$5 million of the anticipated FEMA ALP reimbursement; (2) the undesignated \$500,000 and \$200,000 for unspecified consultants in the General Government account; and (3) \$50, 000 from the Mayor Pro Tern budget (\$5.75 million total) to eliminate service cuts in the Health, Library and Parks Department contained in Exhibit 10-31 was before Council.

Council Member Robinson stated that he wanted to pull down Matrix No. 31 and No. 53 and modify 59 to take care of two things that he and Council Member Keller had worked out with the administration and reduce No. 59 down to a request for \$1 million to be divided between the Police Department, for DNA testing of rape kits and another DNA machine, and to take care of some specific library hours, and Mr. Haines stated that he had that information, seconded by Council Member Galloway. Council Member Sekula-Rodriguez absent.

Mayor Brown stated that he would take it that they would concur with the Council Member's motion. Council Member Sekula-Rodriguez absent.

Council Member Robinson stated that he wanted to thank Council Member Alvarado for speaking on the issue, that they visited on it and this was when they came up with the idea to ask for the additional dollars that would go with the a Justice Department Grant that the Police Department was now seeking, so these dollars would help reduce that back log. Council Member Sekula-Rodriguez absent.

Mayor Brown requested the City Secretary to call Matrix No. 59 as amended by Council Member Robinson. Council Member Sekula-Rodriguez absent.

Matrix No. 59, as amended was before Council, moved by Council Member Robinson, seconded by Council Member Galloway. Council Member Sekula-Rodriguez absent.

A roll call vote was called on Matrix No. 59 as amended by Council Member Robinson .

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting no
Council Member Tatro aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson aye
Council Member Keller voting aye	MOTION 2002-0726 ADOPTED

Council Member Robinson stated he wanted to thank Mr. Haines and the women in the community, that they would try to catch some bad guys with the DNA equipment and testing and restore some of the additional libraries hours and also thanked his colleagues.

Council Member Parker stated that several items were withdrawn from the Matrix and asked if they could repeat those, and Mayor Brown stated that they were Matrix Numbers 31 and 53 and that they passed Matrix No. 59 and that Council Member Keller had withdrawn Matrix Numbers 43 and 44.

Matrix No. 44 - Library budget transfers contained in Exhibit 3-5 was withdrawn.

Matrix No. 45 - Increase sponsorship rate contained in Exhibit 3-6 was before Council.

Mr. Haines stated that this was an amendment 3-6 to increase the current neighborhood trash sponsorship reimbursement rate from 6 dollars to 12 dollars per household. we do not concur with the amendment. it does represent a significant funding issue, and a cost of approximately 4 million dollars to the general fund. Council Member Sekula-Rodriguez absent.

After discussion, Council Member Keller stated that he would withdraw Matrix No. 45. Council Member Sekula-Rodriguez absent.

Mayor Brown stated that Council Member Keller withdrew Matrix No. 45. Council Member Sekula-Rodriguez absent.

Mayor Brown stated that they would go back to Matrix No. 35 and called on Council Member Keller.

Council Member Keller stated that he had been spending a little more of his time on Matrix No. 35 at the table, that Matrix No. 35 was his amendment to outsource it, that he had worked with members of the administration and Mr. Haines to conclude an amendment and moved the following:

“Amend the budget of information and technology to do an internal study outlined on pages 3, 4 and 5, which have been handed out at the table, of the Strategic Technology Plan which includes a competitive process by RFP's for full outsourcing of training, data center operations, desk top support, custom software development, and ASP hosting services, noting that training, custom software development and data center consolidation significantly decrease existing staff which could decrease the IT budget”, seconded by Council Member Vasquez. Council Member Sekula-Rodriguez absent.

Mr. Haines stated that this did track very clearly the Strategic IT Plan and incorporating this, by reference to the amendment, was something they could work with. Council Member Sekula-Rodriguez absent.

A vote was called on Matrix No. 35 as stated in motion by Council Member Keller. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0727 ADOPTED.

Matrix No. 46 - Pay raise for employees equal dollar amount contained in Exhibit 10-8 was withdrawn.

Matrix No. 47 - Index civilian pay contained in Exhibit 10-12 was before Council.

Mr. Haines stated that this was Amendment 10-12 which would index civilian pay to a cost of living adjustment on an annual basis, again, this was not a matter that they could concur in although they did recognize the intent of this amendment as being a priority to compensation for their civilian employees on an annual basis. Council Member Sekula-Rodriguez absent.

After discussion by Council Members, Council Member Robinson moved to approve Amendment 10-12, and that it did not need a second because it was in writing. Council Member Sekula-Rodriguez absent.

After a lengthy discussion, Council Member Berry moved to call the question, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Wiseman, Quan and Sekula-Rodriguez absent. MOTION 2002-0728 ADOPTED.

A roll call vote was called on Exhibit 10-12.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro no	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman absent	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson aye
Council Member Keller voting no	MOTION 2002-0729 FAILED

Matrix No. 48 - Enterprise Fund for Solid Waste contained in Exhibits 4-4 and 10-29 was withdrawn.

Council Member Robinson stated that he wanted to pull Item No. 48 down but wanted to make this point, that the reason he put it up there was in his mind an enterprise account was not necessarily that revenues paid for all expenditures, but it was segregated untouchable funds they could not move around to other areas, and if they were going to do a Waste Hauler Fee and Second Garbage Can fee, those were specifically generated to a specific department and they ought to move to the trust fund model, that he did not think there was support on council and the administration would not support it. Council Members Wiseman, Alvarado and Sekula-Rodriguez absent.

Council Member Edwards stated that she would agree and wanted to pull the item, Exhibit 4-4 down, but thought they needed to look at different ways of how they did business on this particular issue. Council Members Wiseman, Alvarado and Sekula-Rodriguez absent.

Mayor Brown stated that both Council Members pulled down their amendments. Council Members Wiseman, Alvarado and Sekula-Rodriguez absent.

Matrix No. 49 - Eliminate non-transport fee contained in Exhibits 4-8 and 10-11 was before Council.

Mr. Haines stated that Item 49 was a reflection of two amendments and specifically related to the elimination of the ambulance non-transport fee, that they believed that it was prudent to identify that there were costs associated to those services that were rendered and specifically and principally when there was not a transportation requirement on the part of an emergency call, therefore, they did not concur with the amendment, and would recommend that it not be approved.

Upon questions by Council Members, Mr. Haines stated that he was not sure an analysis of other cities was done, but would get an answer for the Council Members, that he did not know what the collection rate was for the non-transport fee, but did know that the revenue item was about \$700,000, that he did not know how many incidents per year, but it was part of the original presentation made to Council and they were talking about roughly \$700,000, that it was possible to further study the non-transport fee in the context of the non-emergency transport pilot program. Council Member Sekula-Rodriguez absent.

After further discussion by Council, Council Member Vasquez moved to call the question, seconded by Council Member Tatro. Council Member Goldberg voting no, balance voting aye. Council Member Sekula-Rodriguez absent. MOTION 2002-0730 ADOPTED.

Council Member Robinson moved to adopt Matrix No. 49, seconded by Council Member Tatro. Council Member Sekula-Rodriguez absent.

A roll call vote was called on Matrix No. 49.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting no	MOTION 2002-0731 ADOPTED

Matrix No. 50 - Eliminate OIG contained in Exhibits 4-10 and 10-15 was withdrawn.

Council Member Edwards stated that she would like to withdraw her amendment, Exhibit 4-10, for this, that she had the opportunity to talk with other folks and had a clear understanding of OIG, that she was just disappointed that she could not have gotten that done during the workshop process, and Council Member Robinson stated that he would withdraw his amendment, Exhibit 10-15, also. Council Member Sekula-Rodriguez absent.

Matrix No. 51 - Transfer Miller Theater to Convention Fund contained in Exhibit 10-4 was withdrawn by Council Member Robinson.

Matrix No. 52 - Cap funding to Cultural Arts Council contained in Exhibit 10-30 was withdrawn by Council Member Robinson.

Matrix No. 53 - Reduce contingency reserves by \$700,000 contained in Exhibit 10-5 and 10-31 was withdrawn by Council Member Robinson.

Matrix No. 54 - Demand privatization of zoo lower GF cost contained in Exhibit 10-7 was before Council.

Mr. Haines stated that this was Amendment 10-7 regarding the privatization proposal for the zoo, that it was not a part of the budget, however, there was an amendment to prohibit privatization of the City zoo unless it resulted in at least \$1 million in reduced costs to the General Fund, and they did not concur with this recommendation. Council Member Sekula-Rodriguez absent.

Upon questions by Council Member Vasquez, Mr. Haines stated that first of all, it was not incorporated into the budget, if there was privatization to be considered, the cost of that privatization would be considered as part of the agreement of the contract language that would be negotiated, that would be the first reason, that the second reason was that it did not address the issue of managing or the cost of managing the zoo facilities, and Mayor Brown stated that he would suggest that the word privatization was not the right title, it was a public private partnership, that the City was very much a part of running the zoo and making sure they had people on the board, et cetera, that he thought the matter before them was such that if they were going to do the privatization when it came before council, it could not be done at the same time as the General Fund budget. Council Member Sekula-Rodriguez absent.

After further discussion a roll call vote was called on Matrix No. 54.

ROLL CALL VOTE:

Mayor Brown voting no
Council Member Tatro voting no
Council Member Galloway voting no
Council Member Goldberg voting no
Council Member Edwards voting no
Council Member Wiseman voting no
Council Member Ellis voting no
Council Member Keller voting no

Council Member Vasquez voting no
Council Member Alvarado voting no
Council Member Parker voting no
Council Member Quan voting no
Council Member Sekula-Rodriguez absent
Council Member Berry voting no
Council Member Robinson voting aye
MOTION 2002-0732 FAILED

Matrix No. 55 - Eliminate all media and public relations staff contained in Exhibit 10-16 was withdrawn by Council Member Robinson.

Matrix No. 56 - Transfer hiring decisions from HR to F and A contained in Exhibit 10-23 was withdrawn by Council Member Robinson.

Matrix No. 58 - Study merger of Health and Human Services Department with Harris County Health Department and Hospital District contained in Exhibit 9-7 was before Council.

Mr. Haines stated that this was Amendment 97, which was to charge a study of the potential merger of the Health & Human Services Department with Harris County Health Department and Hospital District, that they did not agree with this amendment, however, they believed that Council Member Vasquez was prepared to pull that down in favor of asking a Council Committee to look at this issue and study it. Council Member Sekula-Rodriguez absent.

Council Member Vasquez stated that he wanted to pull his amendment, if the administration would agree to have a discussion in Regional Planning over this matter, and Mayor Brown stated they would be glad to do that, that he thought it made good sense to look at it. Council Member Sekula-Rodriguez absent.

Matrix No. 60 - Use excess insurance reimbursement of \$5 MM to pay of commercial paper contained in Exhibit 10-32 was withdrawn by Council Member Robinson.

Matrix No. 62 - Reduce property tax rate by 1 cent contained in Exhibit 11-2 was before Council.

Mr. Haines stated that Item 62 was Amendment 11-2 and was to reduce the property tax rate by one cent, that they did not concur with the amendment, that it would have first an impact of approximate \$10 million in the General Fund budget, and second, it was tax relief, that they believed it tied in or at least ought to be subordinated to the senior exemption that was already approved by Council. Council Member Sekula-Rodriguez absent.

Mayor Brown stated that they recommended a no vote on this one.

Council Member Berry moved to postpone Matrix No. 62 to the end of the Matrix, seconded by Council Member Vasquez. Mayor Brown, Council Member Parker and Alvarado voting no, balance voting aye. Council Member Sekula-Rodriguez absent. MOTION 2002-0733 ADOPTED.

Matrix No. 63 - Increase senior/disabled exemption to \$60,000 contained in Exhibit 11-4 was withdrawn by Council Member Berry. Council Member Sekula-Rodriguez absent.

Matrix No. 64 - Increase attorneys dedicated to deed restriction enforcement within the

Legal Department contained in Exhibit 11-6 was before Council.

Mr. Haines stated that Item 64 was consideration of Amendment 11-6, which was an amendment to assign ten attorneys within the Legal Department to Deed Restriction and Enforcement, that said move shall occasion no new expenditures, as these should be pulled from other functions in the Legal Department and assigned to deed restriction, that their recommendation was not to agree with this and not to concur with the amendment. Council Member Sekula-Rodriguez absent.

After discussion by Council Members, Council Member Edwards moved to call the question, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002--0734 ADOPTED.

A roll call vote was called on Matrix No. 64.

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 no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2002-0735 FAILED

Council Member Galloway moved to suspend the rules to consider Matrix No. 62, Exhibit 11-3 at this time, seconded by Council Member Robinson. Council Member Sekula-Rodriguez absent.

A roll call vote was called on Council Member Galloway's motion.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting no	MOTION 2002-0736 FAILED

Matrix No. 65 - Re-negotiate ACS contract to mandate 25% improvement in collections contained in Exhibit 11-8 was before Council.

Dr. Scheps stated that he would talk about Matrix No. 65, that they did not concur with this only because ACS was in negotiations with the Purchasing Department and the appropriate time for Council to decide whether they had or had not made a good deal was when the contract came back to Council, that he did not think it would be appropriate to go tell the Purchasing Department how to negotiate this and of course 14 other people proposed, so they were in some fashion bound by the proposal that they made, so they just thought the idea of getting a higher level of collections was a terrific idea, they were going to get that anyway, but the appropriate time for Council to figure out whether they had a strong enough contract was when they brought it to Council. Council Member Sekula-Rodriguez absent.

After discussion by Council Members, Council Member Berry stated he would pull his amendment, Exhibit 11-8. Council Member Sekula-Rodriguez absent.

Matrix No. 66 - Institute a complete hiring freeze city-wide contained in Exhibit 11-9 was withdrawn by Council Member Berry.

Matrix No. 67 - Terminate the DARE Program contained in Exhibit 12-1 was before Council.

After discussion by Council Members, a roll call vote was called on Matrix No. 67.

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 absent	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller absent	MOTION 2002-0737 FAILED

Matrix No. 68 - Remove transfer from water/wastewater fund which represents payment for TIRZ funded projects contained in Exhibit 12-2 was before Council.

Mr. Haines stated that No. 68 was amendment 12-2 to remove the transfer from the water/wastewater fund which represented payment for TIRZ funded projects, that they did not concur with that amendment for one very basic principle reason, and that reason was that the TIRZ were paying for water and sewer projects, that it was \$4.1 million and they believed that the property taxes should not have to pay for a water and sewer system it should be paid for out of the Enterprise Fund, they did not concur with the amendment. Council Members Keller, Sekula-Rodriguez and Robinson absent.

Upon questions by Council Members, Mr. Haines stated that the property tax comes into the General Fund, it then goes from the General Fund to the TIRZs based on their tax increment amounts and that was about \$17 million, and of that \$17 million all they were simply saying was that the water and sewer enterprise owned \$4 million worth of water sewer lines and that would come back to the General Fund, that was what they were saying, that reimbursement was probably not the right term, it was an obligation that came as a result of the establishment of the TIRZ that they had to pay out of the ad valorem tax that otherwise would have accrued to the General Fund, that had to go into the TIRZ so they could issue their bonds, that they could run their programs for water and sewer, for streets and streetscape work and so on, that was a \$17 million dollar give to those TIRZs, that all they were saying here was that while a significant percentage of that was General Fund related, there was about \$4 million in there that was appropriately identified as under the ownership of the enterprise, that it was all in the General Fund. Council Members Edwards, Wiseman and Sekula-Rodriguez absent.

Council Member Vasquez moved to call the question, seconded by Council Member Galloway. Council Member Tatro voting no, balance voting aye. Council Members Edwards, Wiseman and Sekula-Rodriguez absent. MOTION 2002-0738 ADOPTED.

A roll call vote was called on Matrix No. 68.

ROLL CALL VOTE:

Mayor Brown voting no
Council Member Tatro voting aye
Council Member Galloway voting no
Council Member Goldberg voting no
Council Member Edwards voting no
Council Member Wiseman absent
Council Member Ellis voting no
Council Member Keller voting no

Council Member Vasquez voting aye
Council Member Alvarado voting no
Council Member Parker voting no
Council Member Quan voting no
Council Member Sekula-Rodriguez absent
Council Member Berry voting no
Council Member Robinson voting no
MOTION 2002-0739 FAILED

Matrix No. 69 - Prevent HFD shifts changes during FY03 contained in Exhibit 12-4 was before Council.

Mayor Brown stated that the shift change was not a part of the budget and was ruling that that Exhibit 12-4 was out of order and could not be considered. Council Members Wiseman and Sekula-Rodriguez absent.

Matrix No. 70 - Fully staff all booster trucks in FY03 contained in Exhibit 12-5 was before Council.

Mr. Haines stated that No. 12-5 was an amendment to mandate the full staffing of booster trucks for Fiscal Year 03, that this was an amendment they did not concur in, that the function of a booster truck was much different than the mandate as it related to four men on a truck, that there was a budget impact on that amendment of \$3 million. Council Member Sekula-Rodriguez absent.

Council Member Tatro stated that he passed out an amendment, that they had made a slight error including an apparatus, that this would be basically just a change and offered the following amendment:

Amend Exhibit #12-5 to read "For FY 03, the City's Fire Department Booster Trucks and Command Vans will be fully staffed, as has existed in FY 02, and Fire Fighters assigned to Booster Trucks and Command Vans will not additionally be assigned to another Emergency Apparatus"

Upon questions by Council Member Alvarado, Mr. Hollingsworth stated that for the purposes of understanding, the booster truck was a small unit that was used for suppression of field or grass fires, it was not heavy equipment, that those units received a small number of calls, that the number of grass fires were not nearly the number of suppression fires they saw, thus, the response of those units was a small number, that they did not have that number here, but they would like to provide it for them, but there was a small number of fires that they responded to. Council Member Sekula-Rodriguez absent.

Council Member Vasquez moved to call the question, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0740 ADOPTED.

A roll call vote was called on Matrix No. 70.

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 aye	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Rodriguez absent
Council Member Wiseman aye	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2002-0741 FAILED

Matrix No. 71 - Remove \$1.2 MM from management improvement savings contained in Exhibit 12-6 was before Council.

Mr. Haines stated that this was Amendment 12-6 which was to remove the \$1.2 million credit under management initiative savings because it was contained in the budget and restated the amount, that while personally he would like to see that, they did not concur with the amendment, that the administration, as the Mayor had expressed, had committed to finding these savings elsewhere if the IP Project was either delayed or did not move forward. Council Members Sekula-Rodriguez and Robinson absent.

After discussion by Council, Council Member Robinson moved to call the question, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0742 ADOPTED.

A roll call vote was called on Matrix No. 71.

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 no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2002-0743 FAILED

Matrix No. 62 - Reduce property tax rate by 1 cent contained in Exhibit 11-2 was again before Council.

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

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 no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Rodriguez absent
Council Member Wiseman aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2002-0744 FAILED

Council Member Vasquez stated that he knew that originally they said that any amendments that were put at the table be considered at the very end and they were at that point

and he had distributed an amendment earlier and offered the following amendment:

“Any current or future water/wastewater rate studies will include and propose summer/winter sewer rate averaging. The purpose of this will be to more accurately account for the water used during summer periods which is not discharged to the sanitary sewer system”

Mayor Brown asked if everyone had received a copy, and stated that they agreed with it. Council Member Sekula-Rodriguez absent.

A vote was called on Council Member Vasquez motion to amend Item 89E. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0745 ADOPTED.

Mayor Brown stated that before they could vote on the budget, they would need some time to calculate the numbers, and Mr. Hall stated that they could pass it, and Mayor Brown requested the City Secretary to call the budget item.

89e. ORDINANCE related to the Fiscal Affairs of the City; approving the Annual Budgets of the City of Houston, Texas, for Fiscal Year 2003 for the General, Enterprise, Special Revenue, Internal Service, Revolving, Debt Service and Tax Increment Reinvestment Zone Funds; providing for future adjustment to the beginning fund balances; amending the Code of Ordinances and the Fire Code relative to various fees; amending the Code of Ordinances relative to the creation and reorganization of certain departments; making various amendments to the proposed budgets; re-designating a cash reserve in the fund balance; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – **(This was Item 51A on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBERS ROBINSON and TATRO)** - was presented. Council Member Tatro voting no, balance voting aye. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0528 ADOPTED.

Mayor Brown stated that since they passed the budget he wanted to express his appreciation to all the Members of Council for all of their hard work and again to Council Member Parker for leading the Fiscal Affairs Committee budget hearings, that he thought as he said earlier, they did have a budget which served the City well with the resources that they had.

Council Members Edwards, Robinson, Vasquez, Galloway and Keller all expressed their appreciation to their colleagues and wanted to acknowledge Dr. Scheps, Mr. Haines, Mr. Spellman and all the people who responded to their questions to allow them to get to this point and this had probably been the most fun in terms of the process of getting to a point where they agreed to disagree, and they wanted to express their thanks and appreciation to Council Member Parker.

Council Member Parker stated that she appreciated all the kind remarks, and wanted to say that it would have been a lot more difficult budget process this year except that Council Members had worked very hard to try to maximize their use of the workshops and to put everything on the table so they could all have a level playing field as they moved forward and there was not a lot of effort to sneak up on everybody.

Mayor Brown stated that he wanted to point out again that the budget they passed incorporated all of the amendments adopted by Council, so the budget they passed was as amended by Council today and the reconciliation based upon that.

Mayor Brown stated that they still had the consent agenda.

CONSENT AGENDA NUMBERS 3 through 81

MISCELLANEOUS - NUMBERS 3 through 6

3. RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Houston Emergency Center - **DISTRICT H – VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0746 ADOPTED.
5. RECOMMENDATION from Chief of Police for Leave of Absence for Police Officer **MARK A. MORRIS** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0747 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$62,335.81 - Enterprise Water & Sewer Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0748 ADOPTED.

DAMAGES - NUMBER 7

7. RECOMMENDATION from City Attorney for settlement of lawsuit styled **KYONG HUI ROSS** v. City of Houston and Sonya Elaine Dean; in the County Civil Court at Law No. Four (4) of Harris County, Texas; Cause No. 743,644 - \$17,000.00 - Property and Casualty Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0749 ADOPTED.

ACCEPT WORK - NUMBERS 10 through 18

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,923,442.24 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of Fairbanks-North Houston Road from Hempstead Road to Northwest Freeway, GFS N-0585-01-3 (N-0585-01) - 06.60% under the original contract amount - **DISTRICT A - TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0750 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$429,254.77 and acceptance of work contract with **DCE CONSTRUCTION, INC** for Construction of 1998 Thoroughfare Sidewalk Program, GFS N-0610A-70-3 (N-0610A-70) - 02.42% over the original contract amount - **DISTRICTS A - TATRO; B - GALLOWAY and H - VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0751 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,021,627.35 and acceptance of work on contract with **CRAIG, SHEFFIELD & AUSTIN, INC** for Construction of Park Ten Wastewater Treatment Plant Renewal / Replacement, GFS R-0265-12-3 (4789) - 00.02% over the

original contract amount - **DISTRICT A - TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0752 ADOPTED.

17. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,124,611.66 and acceptance of work on contract with **ALSAY, INC** for Rehabilitation of Existing Water Wells - FY2001, GFS S-0200-11-3 (10562-01) - 01.61% over the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0753 ADOPTED.
18. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,104,080.68 and acceptance of work on contract with **TEJAS CONSTRUCTION COMPANY** for Construction of 5.0 MG Water Storage Tanks at the Bellaire Braes and Sims Bayou Pumping Stations, GFS S-0610-18-3 (10521-18) - 01.86% under the original contract amount - **DISTRICTS D - EDWARDS and F - ELLIS** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0754 ADOPTED.

PROPERTY - NUMBERS 19 through 21

19. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Durward P. Hulce and Melinda Parmer, the property owners, for encroachment agreement for a 76.2-foot building encroachment into the 38-foot-wide alley, located at 339 West 23rd Street, adjacent to Lot 30, Block 45, Houston Heights Addition, Parcel ENY2-03 - **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0755 ADOPTED.
20. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Bob Terry of Clark-Geogram, Inc., on behalf of ETS Properties, Ltd., [Tealna Management, LLC, general partner (Ted Sutphin, president)] and George Ribar, for abandonment and sale of Kersten Drive, from Warwana Road south 160 feet to its terminus, and a 10-foot-wide utility easement in exchange for the conveyance to the City of a 10-foot wide utility easement, all located in Brittmoore Village Addition, Parcels SY1-079A, SY1-079B, SY1-083 and VY2-001 - **STAFF APPRAISERS DISTRICT A - TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0756 ADOPTED.
21. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY0-009, located at 1310 North Wayside Drive, owned by Kenneth F. Y. Gore, for **MARKET STREET PAVING PROJECT from North Wayside Drive to Loop 610**, CIP N-0611A-34-2 - \$93,750.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0757 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 22 through 27

22. ORDINANCE appropriating \$197,095.50 out of C & E Construction Fund for Wortham

Center Curtain Wall Remedial Waterproofing for Convention & Entertainment Facilities Department – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0529 ADOPTED.

- 22a. **BLAST, INCORPORATED** for Wortham Center Curtain Wall Remedial Waterproofing for Convention & Entertainment Facilities Department - \$187,710.00 and contingencies for a total amount not to exceed \$197,095.50 – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0758 ADOPTED.
23. **Q-MATIC CORPORATION** for Customer Traffic Management System for Health and Human Services Department - \$33,659.00 - Public Health Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0759 ADOPTED.
24. **HELI-TECH, INC** for Helicopter Component Overhaul & Exchange for Police Department \$509,200.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0760 ADOPTED.
25. **ROLLS-ROYCE GEAR SYSTEMS** for Helicopter Replacement Parts for Police Department \$765,000.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0761 ADOPTED.
26. **AMEND MOTION #99-1504, 8/24/99, TO EXTEND** expiration date for 12 months from August 24, 2002 to August 23, 2003, for Paint, Airfield Marking for Various Departments, awarded to **LAFARGE ROAD MARKING, INC (formerly CenterLine Industries, Inc)** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0762 ADOPTED.
27. **ACTION CLEANING EQUIPMENT CO., INC (Bid No. 2)** - \$75,514.59 and **RAMTEG, INC** \$63,176.40 for Cleaner, Shop Floor and Parts for Various Departments - General and Enterprise Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0763 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 32 through 81

32. ORDINANCE consenting to the addition of 19.2649 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0530 ADOPTED.
33. ORDINANCE amending Ordinance No. 2001-1111, which consented to the creation of Montgomery County Municipal Utility District No. 90; consenting to the creation of **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0531 ADOPTED.
34. ORDINANCE establishing the north and south sides of the 1000 block of Highland Avenue

within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0532 ADOPTED.

37. ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY HERITAGE SOCIETY** for the Relocation to Higher Ground of the Old Place and the Pillot House within Sam Houston Park - \$77,250.00 - Disaster Recovery Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0533 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City and **IRON MOUNTAIN INFORMATION MANAGEMENT, INC** for Disaster Recovery Plan for the Health and Human Services Department - \$71,600.00 - General Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0534 ADOPTED.
41. ORDINANCE amending Ordinance 99-1100 to increase the maximum contract amount for a Water Treatment Services Contract for the Building Services Department under contract with **PREVENTIVE/PREDICTIVE MAINTENANCE SERVICES, INC** - \$9,624.57 - General Fund had been pulled from the Agenda by the Administration and was not considered. Council Member Sekula-Rodriguez absent.
42. ORDINANCE appropriating \$55,384.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation contract between the City of Houston and **A. K. INTERESTS - HUNTERWOOD, L.P.** for construction of Water and Sanitary Sewer Lines to serve the Hunterwood Apartments, CIP S-0802-03-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0535 ADOPTED.
43. ORDINANCE appropriating \$233,942.69 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Homeless and Housing Consolidated Fund, and approving and authorizing Developer Participation contract between the City of Houston and **UNIVERSITY DEVELOPMENT CORPORATION** for construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Northborough Village Subdivision, Section 1, CIP S-0800-48-03 and R-0800-54-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0536 ADOPTED.
44. ORDINANCE appropriating \$184,889.67 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing Developer Participation contract between the City of Houston and **RICO DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Chasewood Meadows Subdivision, CIP S-0800-47-03 and R-0800-53-03 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0537 ADOPTED.
45. ORDINANCE appropriating \$26,100.00 out of Public Library Consolidated Construction Fund and approving and authorizing architectural services contract with **MOISTURE CONTROL TECHNOLOGIES, INC** for Professional Roof Consulting Services in connection with the Stanaker Branch Library, GFS E-0038-16-2; providing funding for project management and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund **DISTRICT I - ALVARADO** – was

presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent.
ORDINANCE 2002-0538 ADOPTED.

46. ORDINANCE approving and authorizing professional engineering services contract between the City of Houston and **E. E. CARROLL ENTERPRISES, INC d/b/a CARROLL CONSULTANTS** for Design of the Smith Branch Public Library Parking Lot Expansion, GFS E-0078-01-2 - \$62,141.00 CDBG Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0539 ADOPTED.
48. ORDINANCE appropriating \$412,300.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **UNITED ENGINEERS, INC** for the Design of Scott #3 Lift Station Pump Replacement and Letrim Relief (CIP R-2011-34-2 (WW4853); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0540 ADOPTED.
49. ORDINANCE appropriating \$240,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Mesa Road Paving Project from North Green River to E. Little York Road under professional engineering services contract with **JNS CONSULTING ENGINEERS, INC** (Approved by Ordinance No. 98-1126) (CIP N-0680-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0541 ADOPTED.
56. ORDINANCE awarding construction contract to **CARRERA CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICES INDUSTRIES, INC** for construction of Parks to Standard Program Schnur Park, GFS F-0498-01-3; providing funding for professional architectural services relating to construction of facilities financed by Community Development Block Grant - \$442,068.80 CDBG Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0542 ADOPTED.
57. ORDINANCE appropriating \$2,953,395.00 out of Street & Bridge Consolidated Construction Fund, and \$772,753.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION COMPANY, INC** for Neighborhood Street Reconstruction Project No. 435, GFS N-0367-01-3 (N-0367-01); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0543 ADOPTED.
58. ORDINANCE appropriating \$4,574,308.00 out of Street & Bridge Consolidated Construction Fund, and \$632,320.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **PEDKO PAVING, INC** for Neighborhood Street Reconstruction Project No. 441, GFS N-0374-01-3 (SB9042); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and H -**

VASQUEZ – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0544 ADOPTED.

59. ORDINANCE appropriating \$3,183,798.00 out of Street & Bridge Consolidated Construction Fund, and \$677,481.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LTD** for Pinemont Paving from Hollister to Hempstead, GFS N-0491-02-3 (SB9053); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0545 ADOPTED.
61. ORDINANCE appropriating \$31,372.00 out of Water & Sewer System Consolidated Construction fund and approving and authorizing reimbursement agreement with **HOUSTON PIPELINE COMPANY** for the Relocation of a Cathodic Test Station in connection with the High Star Lift Station Project. CIP R-0267-A8-3 (4728-8) - **DISTRICT F - ELLIS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0546 ADOPTED.
62. ORDINANCE appropriating \$788,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JALCO, INC** and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** for High Star Lift Station Replacement, GFS R-0267-A8-3 (WW4728-8); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - ELLIS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0547 ADOPTED.
65. ORDINANCE appropriating \$2,842,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L. P.** for Neighborhood Sewer System Improvements in Junction City and Pinewood Village, GFS R-2011-18-3 (WW4809-01); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0548 ADOPTED.
66. ORDINANCE appropriating \$1,666,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS-STERLING CONSTRUCTION, L. P.** for Neighborhood Sanitary Sewer Systems Improvements; Tilfer/Fairway, Cullen Boulevard, Woodhead and Yellowstone Boulevard Relief Projects, GFS R-2011-19-3 (WW4808); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0549 ADOPTED.
67. ORDINANCE appropriating \$2,304,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **KINSEL INDUSTRIES, INC** for Neighborhood Sewer Rehabilitation in Sims Bayou Service Area, Package II, GFS R-2011-26-3 (WW4764-2); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye.

Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0550 ADOPTED.

68. ORDINANCE appropriating \$2,265,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L. P.** for Rehabilitation of Sanitary Sewers in the FWSD No. 23 Service Area, GFS R-2011-29-3 (WW4761-2); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0551 ADOPTED.
69. ORDINANCE appropriating \$4,454,200.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Neighborhood Sanitary Sewer Rehabilitation in Southwest Service Area (South Post Oak Trunk Area Sewer Rehabilitation), GFS R-2011-30-3 (WW4762); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0552 ADOPTED.
73. ORDINANCE appropriating \$1,463,353.88 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TROY CONSTRUCTION, L.L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method GFS R-0266-P1-3 (WW4235-15); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0553 ADOPTED.
74. ORDINANCE appropriating \$2,496,716.40 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods GFS R-0266-P6-3 (WW4257-31); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0554 ADOPTED.
75. ORDINANCE appropriating \$890,597.89 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method GFS R-0266-R4-3 (WW4277-10); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0555 ADOPTED.
78. ORDINANCE appropriating \$4,369,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** for Biosolid Improvements at Beltway, Chocolate Bayou, Greenridge, Intercontinental Airport and Northgate WWTPS, GFS R-0265-23-3 (4289-6); providing funding for engineering testing services, Civic Art and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS and F - ELLIS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0556 ADOPTED.

81. ORDINANCE appropriating \$200,000.00 out of Water & Sewer System Consolidated Construction Fund 755, \$105,000.00 R-0019-RE-1 and \$95,000.00 S-0019-RE-1 and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees for and in connection with Capital Improvement Projects identified in the body of this ordinance; renaming Fund Account S-0517-RE-1 as S-0019-RE-1 – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0557 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

4. RECOMMENDATION from Finance & Administration Department to create an exception to Motion #2000-1369 to allow compensation to intermediaries for the purpose of procuring goods and services through electronic procurement providers – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Goldberg. Council Member Sekula-Rodriguez absent.

Council Member Goldberg stated that the question he had on Item No. 4 was basically that they were going to allow an intermediary, and they were trying to avoid an intermediary collecting a commission, could they base their fee on a contingency or commission since they were changing the ordinance, and Mr. Hall stated that this an exception to an ordinance that was passed by Council and in an effort to try to essentially assure that we did not have commission/broker kind of deal for them they could not accomplish this process without allowing for the fee for the service that was being provided which was why they were suggesting it be changed, and Council Member Goldberg stated that he understood that but could the fee be based on a contingency or a commission, in other words, the “E” sevice provider would say if they did not accept their bid they would not pay anything, otherwise they would pay him 50 percent, and Mayor Brown stated that it was tagged and they would get an answer for him. Council Member Sekula-Rodriguez absent.

ACCEPT WORK

8. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$665,877.99 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Parks to Standard Program - Bid Package No. 7 Homer Ford Tennis Center and Lee LeClear Tennis Center, GFS F-0363-7A-3 and F-0363-7B-3 - 02.76% over the original contract amount **DISTRICTS D - EDWARDS and F – ELLIS** – was presented, and tagged by Council Member Edwards. Council Members Tatro and Sekula-Rodriguez absent.
9. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$823,822.24 and acceptance of work on contract with **PROJECT DEVELOPMENT GROUP, INC** for Fire Station Nos. 1 and 27 Artesian, GFS I-0010-01-5 - 09.99% over the original contract amount - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Ellis, seconded by Council Member Parker. All voting aye. Nays none. Council Members Tatro and Sekula-Rodriguez absent. MOTION 2002-0764 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for

approval of final contract amount of \$150,030.33 and acceptance of work contract with **EL DORADO PAVING CO., INC** for Construction of 1998 Thoroughfare Sidewalk Program, GFS N-0610A-60-3 (N-0610A-60) - 10.97% under the original contract amount - **DISTRICTS C - GOLDBERG; F - ELLIS and G - KELLER** – was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0765 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$692,913.67 and acceptance of work contract with **RAGO, INC** for Construction of 1998 Thoroughfare Sidewalk Program, GFS N-0610A-81-3 (N-0610A-81) 09.56% under the original contract amount - **DISTRICTS D - EDWARDS; E - WISEMAN and I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0766 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$649,537.63 and acceptance of work contract with **CAAN CONSTRUCTION SERVICES, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0610A-S4-3 (Group No. 1) - 00.07% over the original contract amount - **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN; G - KELLER; H - VASQUEZ and I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0767 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$250,005.79 and acceptance of work on contract with **INFRASTRUCTURE SERVICES, INCORPORATED** for Construction of Mockingbird Lane Paving Project, GFS N-0699-01-3 (N-0699-01) - 16.44% under the original contract amount - **DISTRICT G - KELLER** – was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0768 ADOPTED.

RESOLUTIONS AND ORDINANCES

28. RESOLUTION relating to the appointment of Directors to the Board of Directors of the **HOUSTON HOUSING FINANCE CORPORATION** – was presented. Council Member Goldberg voting no, balance voting aye. Council Member Sekula-Rodriguez absent. RESOLUTION 2002-0021 ADOPTED.
29. RESOLUTION approving and adopting a revised Investment Policy for the City of Houston – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. RESOLUTION 2002-0022 ADOPTED.
30. ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES** by adding a new Section 28-25 prohibiting the parking of vehicles in the public right-of-way by Valet Parking Operators in the Central Business District – was presented. Council Member Sekula-Rodriguez absent.

Council Member Alvarado stated that she wanted to thank the administration, particularly Mr. Haines and his staff, and also HPD and wanted to acknowledge George Biggs, from her staff, who worked over the last couple of months to bring this, that she thought it was going to bring great relief to many of the people who came downtown who also helped the restaurants and other establishments. Council Member Sekula-Rodriguez absent.

A vote was called on Item No. 30. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0558 ADOPTED.

31. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portions of the Front Street and the Frio Street rights of way containing an aggregate of 30,056 square feet (0.69 acre) of land, both being east of Block 5 of the former town of Harrisburg, Harris County, Texas; vacating and abandoning said tracts of land to the Harms Family Trust, the abutting owner, in consideration of owner's payment of \$30,056.00 and other consideration to the City - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0559 ADOPTED.
35. ORDINANCE approving and authorizing Ground Lease Agreement between the City of Houston and **UNITED PARCEL SERVICE, INC** at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0560 ADOPTED.
39. ORDINANCE issuing permit to **HEARST NEWSPAPER PARTNERSHIP, L.P.** for using, occupying, operating, maintaining and repairing a Pedestrian Tunnel abutting Block 58, S.S.B.B. and within Milam Street, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0561 ADOPTED.
40. ORDINANCE amending Ordinance Number 99-0562 to increase the maximum contract amount for an agreement between the City and **KPMG, LLP** for Auditing Services Citywide - \$635,447.50 General Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0562 ADOPTED.
47. ORDINANCE appropriating \$214,820.00 out of Public Library Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **ASHKAR ENGINEERING CORPORATION** for Professional Services related to the Restoration of the Park Place Regional Branch Library, GFS E-0127-01-2; providing funding for project management and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Keller. Council Member Sekula-Rodriguez absent.
60. ORDINANCE appropriating \$717,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ENVIRONMENTAL ENGINEERS AND CONSTRUCTORS II, LTD** for Walden Place, Longwoods & Heather Ridge Lift Stations, GFS R-0267-61-3 (4765-10); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and G - KELLER** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0563 ADOPTED.
63. ORDINANCE appropriating \$2,332,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONSTRUCTION, LTD** for Improvements at Various Wastewater Facilities - 69th Street Wastewater Treatment Plant, GFS R-0268-41-3 (WW4807-1); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction

Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0564 ADOPTED.

64. ORDINANCE appropriating \$2,331,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **E. P. BRADY, INC** for East Lake Houston Unserved Areas Package II, GFS R-0801-08-3 (WW4744-02); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0565 ADOPTED.
70. ORDINANCE appropriating \$5,658,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CROUCH/KST ENTERPRISES, LTD** for Switchgear Replacement at the East Water Purification Plant, GFS S-0056-35-3 (WA10594-5); providing funding for construction management and inspection services, funding for engineering testing and Civic Art Program, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0566 ADOPTED.
71. ORDINANCE appropriating \$3,477,931.00 out of Street & Bridge Consolidated Construction Fund, and \$2,118,866.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** for San Felipe Widening from Buffalo Bayou to Briargrove, GFS N0565-02-3 (N-0565); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund, and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0567 ADOPTED.
72. ORDINANCE appropriating \$667,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** and approving and authorizing professional services contract for engineering testing services with **HERCULES ENGINEERING & TESTING SERVICES, INC** for Northwest Wastewater Treatment Plant Odor Control Improvements, GFS R-0265-21-3; providing funding for Construction Management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO and B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0568 ADOPTED.
76. ORDINANCE appropriating \$3,230,048.44 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-R9-3 (WW4257-32); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0569 ADOPTED.
77. ORDINANCE appropriating \$3,132,769.57 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-S2-3 (WW4257-34); providing funding for engineering testing services and

contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented, and tagged by Council Member Goldberg. Council Member Sekula-Rodriguez absent.

79. ORDINANCE appropriating \$4,191,147.00 out of Street & Bridge Consolidated Construction Fund for Rehabilitation of Concrete Pavement related to In-House and contract Capital Improvement Projects, CIP N-0655-01-3; declaring the Department of Public Works and Engineering's intent to reimburse the General Fund for expenditures related to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0570 ADOPTED.
80. ORDINANCE appropriating \$725,000.00 out of Street & Bridge Consolidated Construction Fund 437, \$675,000.00 N-0663-RE-1 and \$50,000.00 N-0663-25-1; approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees for and in connection with the Capital Improvement Projects identified in the body of this ordinance and for Fund N0663-25-1 for the payment of appraisal fees for various Street Projects - **DISTRICTS A - TATRO and G – KELLER** – was presented, and tagged by Council Member Tatro. Council Member Sekula-Rodriguez absent.

NON CONSENT AGENDA - NUMBERS 82 through 84

PROPERTY

82. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jesse Herrera, Reliant Energy HL&P, a division of Reliant Energy Incorporated (David McClanahan, president), for the sale to Reliant Energy HL&P of a 10-foot wide easement across a portion of the City's 1.0148-acre, fee-owned tract, located at 201 McKee Street, South Side Buffalo Bayou, John Austin Two League Grant, Abstract 1, and a right of entry for Reliant Energy HL&P, Parcel SY2-034 - **APPRAISERS DISTRICT D – EDWARDS** – was presented.

Council Member Edwards stated that she wanted to name Mr. George Wyche and Mr. Charles Rencher as appraisers and moved approval of the recommendation, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0769 ADOPTED.

83. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John J. Rodriguez of Esor Consulting Engineers, Inc., on behalf of Crisofi Limited, Inc (Cristo Papasakelariou, president) and Alkitsa Investments Limited, Inc (Cristo Papasakelariou, president) for abandonment and sale of two 5-foot wide easements and two 5-foot wide aerial easements, out of Lots 7-10 and the west 10 feet of Lot 11, and a 10-foot wide utility easement along the west property line of Lot 11 in exchange for the conveyance to the City of a 10-foot wide utility easement along the west property line of Lot 7, all located in Westheimer Estates, Harvey Sanderson Survey, Parcels SY2-061A, SY2-061B, SY2-061C, SY2-064A, SY2-064B and VY2-022 - **APPRAISERS - DISTRICT C - GOLDBERG**

Council Member Goldberg moved to postpone Item No. 83 for one week, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0770 ADOPTED.

84. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen W. Rogers of M2L Associates, Inc., on behalf of Kemp Springs Investments, LTD. [Jester Houston GP, L.L.C. (Frank M. K. Liu, sole member), general partner] for abandonment and sale of the Y intersection portions of Emnora Lane at Hollister Road, out of Tracts 2 and 3, in exchange for the conveyance to the City of land for a 60-foot wide right of way out of Tract 4 to form a T-intersection connecting Emnora Lane to Hollister Road, all located in the A. T. Miles Survey, A-556, Parcels SY2-065A, SY2-065B and AY2-169 - **DISTRICT A - TATRO**

Council Member Tatro stated that he wanted to name Mr. Partrick O'Connor and Mr. William Kvinta as appraisers and moved approval of the recommendation, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sekula-Rodriguez absent. MOTION 2002-0771 ADOPTED.

MATTERS HELD - NUMBERS 85 through 89E

85. ORDINANCE amending **CHAPTERS 8 and 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the location and operation of Automobile Storage Lots, Automobile Wrecking and Salvage Yards and Lots used for open storage by Junk Dealers, Scrap Metal Processors and Second Hand Dealers near Churches, Schools or Residences; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 16 on Agenda of May 29, 2002, POSTPONED BY MOTION #2002-606)** – was presented.

Council Member Ellis moved to postpone Item No. 85 for four weeks, seconded by Council Member Tatro. All voting aye. Nays none. Mayor Brown and Council Member Sekula-Rodriguez absent. MOTION 2002-0772 ADOPTED.

86. ORDINANCE approving and authorizing the City of Houston to submit an application for the Shelter Plus Care Program in the amount of \$765,720.00 to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** under the authority of Title IV, Subtitle F, of the Stewart B. McKinney Homeless Assistance Act; to accept the aforementioned grant funds, if awarded – **(This was Item 29 on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBER VASQUEZ)** – was presented.

Council Member Vasquez stated that he had several discussions with Ms. Bingham and agreed to send the item back and moved to refer Item No. 85 back to the administration, seconded by Council Member Keller. All voting aye. Nays none. Mayor Brown and Council Member Sekula-Rodriguez absent. MOTION 2002-0773 ADOPTED.

87. ORDINANCE approving and authorizing contract between the City and **M2L ASSOCIATES, INC** for Design services related to Streetscape Improvements to connect the Third Ward Community to the Main Street Corridor - **DISTRICTS D - EDWARDS and I – ALVARADO** – **(This was Item 30 on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBERS EDWARDS and ALVARADO)** – was presented. All voting aye. Nays none. Mayor Brown and Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0571 ADOPTED.

88. ORDINANCE appropriating \$638,400.00 out of Airports Improvement Fund and approving and authorizing amendment No. 2 to contract between the City of Houston and **PIERCE, GOODWIN, ALEXANDER AND LINVILLE, INC** for Professional Architectural/Engineering Services in connection with the Consolidated Car Rental Facility at George Bush

Intercontinental Airport/Houston, Project No. 444, CIP A-0026.15 DISTRICT B – GALLOWAY - **(This was Item 37 on Agenda of June 12, 2002, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. Mayor Brown and Council Member Sekula-Rodriguez absent. ORDINANCE 2002-0572 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Tatro stated that this past Sunday night, Father's Day, Mr. Gary Norman, Public Works Department, Water and Sewer Department, was present at a water break out in the 249 and Bingle area, and did a yeoman's job to expedite getting the service up and running with the water break, that unfortunately they forgot to bleed the line, and when they pressurized the line, it broke again, but his good deed did not go unnoticed, that he wanted to give kudos to the overtime that was put in and the expediting of that problem because there were some restaurants involved and he just did a good job over that weekend. Council Member Sekula-Rodriguez absent.

Council Member Vasquez stated that they did pass the budget, but it was still important to have a Fire Meet and Confer contract, so he wanted to encourage the administration and whoever was involved, both sides actually to get together and see what could be done to get a Meet and Confer contract. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Vasquez stated that he wanted to encourage the administration also to come forward with the Parks contracts that they were waiting on, that they just passed for the bond package in terms of the construction managers and project managers on the park projects, that he knew he had several projects in there and would like for those to come forward and if there was anything that needed to be done, if it had to go to committee or whatever, he would like to see that move forward as quickly as possible. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Vasquez stated to Mr. Haines that he would like to get a copy of the Five Year Financial Plan. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Vasquez stated that he wanted to congratulate Council Member Sekula-Rodriguez on her marriage this weekend. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Quan stated that he wanted to thank everyone for all of their work on the budget process, that he agreed with Council Member Parker, that in his three years it had been the best process they had, that it had been an open process and to thank the Mayor for taking everybody's comments and at least giving it credence, putting it on the agenda, opening it up for discussion and to all the new Council Members, he was impressed with the amendments that they proposed, they had been very diligent, that he knew it was a very difficult process, especially after the first six months in office, that it was somewhat overwhelming and again to the administration, to Mr. Haines and Dr. Scheps for all of their hard work, that he knew there were a lot of meetings, and also finally to the department heads who really worked on the budget and the public for coming down and participating, that a lot of things that they initially thought of taking out came back in the budget because citizens participated and spoke their mind, that he wanted to thank everybody for their participation on the budget. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Quan stated that he also joined with Council Member Vasquez in wishing Council Member Sekula-Rodriguez and Robert a very happy marriage. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Parker stated that again, thanks to all of her colleagues on Council and to the administration for all the hard and very diligent work on the budget. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Parker stated that since her alma matter did not make it very far in the College World Series, that she was now a die hard Texas fan and they were behind them. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Alvarado stated that she just wanted to give a around of thanks to the administration and the Mayor and Council Member Parker for her professionalism and leadership in keeping everybody on track and providing snacks that kept everybody awake. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Alvarado stated that she wanted to thank Chief Bradford for his quick response regarding the crime lab, that she understood he had been over there and was going to provide a full report, but she was pleased to hear that he was moving those issues along, that aside from the repairs in the roof, the issue dealing with the back log in the thousands of rape kits and DNA evidence that had yet to be analyzed, she wanted to thank Chief Bradford for that. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Berry stated that he wanted to root on his law school alma matter, the University of Texas in the championship game tomorrow and also commend Rice who had a great showing. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Berry stated that he wanted to thank the Public Works Department Director, Mr. Vanden Bosch, Mr. Gary Oradat and all the Public Works Department employees, that he and Council Member Keller took a tour last week and rode along with the new pothole machine, that he was very impressed with this piece of equipment, that they demonstrated it and it was roughly four times as efficient as a human crew would be, that he was very impressed with that technology and hoped that they would continue to pursue that, that they would be looking at the cold patch and the hot patch in the next couple of weeks and they were looking forward to improving their pothole situation. Council Members Galloway and Sekula-Rodriguez absent.

Council Member Goldberg stated that he just wanted to wish everyone a Happy Juneteenth. Council Member Sekula-Rodriguez absent.

Council Member Wiseman stated that Council Member Goldberg awhile back brought in a sign, a bandit sign that he had picked up, that last Friday she and her staff went out and picked up quite a few and a staff member went out earlier this week to get some more, that if they remembered, they had a constituent who came to Council complaining about these signs and the threats he was receiving from this individual, that he was about to come back again because he felt that the department was not responding appropriately and really being aggressive with attacking this issue, so she just finally said they would get out there and pull those signs off themselves and they did and they had pictures to prove it, that they should do every thing they could to have their crews on a regular scheduled basis go out and take care of the bandit signs. Council Member Sekula-Rodriguez absent.

Council Member Galloway stated that Mr. James Baker, whom they honored in February and who was the President of the Settegast Civic Club, passed away day before yesterday and she asked for a moment of silence for Mr. Baker and his family. Council Member Sekula-Rodriguez absent.

Council Member Galloway stated that she wanted to congratulate Mayor Brown for being

honored at the 70th Annual U.S. Conference of Mayors that was held last week in Madison, Wisconsin, and also wanted to recognize the Mayor for the Honorable Mention in the Largest City Category for the After-School Program as well as his dedication to the City, that she wanted them to know as well that Houston also won the Best Practice Certificate for its involvement in the National Lead Safe for Kids Sake Campaign. Council Members Alvarado and Sekula-Rodriguez absent.

Council Member Robinson stated that he just wanted to repeat thanks to Council Member Parker and to everybody and the administration, that he thought they did a fairly descent job on getting the budget done, that he hoped they would use all the studies that they were given to look at some of those long term issues so that they could start getting ready for next year's budget in terms of continued evaluation of their expenditures in looking at the revenue side. Council Members Alvarado and Sekula-Rodriguez absent.

Council Member Robinson stated that he thought they had to really seriously look at how many things they could lift off of the General Fund and put them onto other areas in terms of revenue streams, especially in hotel occupancy, because it gave them more money without having to go out and increase tax rates. Council Members Alvarado and Sekula-Rodriguez absent.

Council Member Robinson stated that he wanted to thank Council Member Alvarado, that he thought they did something really good today with that DNA funding for those rape kits and the commitment from the administration to get some money in the CIP for the crime lab. Council Member Sekula-Rodriguez absent.

Council Member Edwards stated that she wanted to say to the Library and the Health Department that she thought the Council had made a concerted effort to restore those facilities, but she would especially say to Clayton Library, in conjunction with Juneteenth, that as an African American when she went there to try to research her genealogy there were a lot of things lacking and she would like to see them make an effort to include more apparatus to help African Americans in their searches and also to the Health Department, she would like Dr. Kendricks to really work with them and she sure she would, in having a very aggressive HIV Program on the ground. Council Member Sekula-Rodriguez absent.

Council Member Edwards stated that she wanted to thank Mr. Haines for for driving Sunnyside with her the other day, that hey had a very aggressive program and they wanted to move on with it. Council Member Sekula-Rodriguez absent.

Council Member Edwards stated that they had a property in District D that she intended to make the poster child for abandoned and neglected properties, that they had a very hard working, working class community that worked hard to maintain their properties and there was a filth hole, that's all she could call it because it had bees, rats and tires and it had been abandoned since 1992, that she would like to thank them for working with her on it. Council Member Sekula-Rodriguez absent.

Mayor Brown stated that he wanted to wish everyone a Happy Juneteenth. Council Member Sekula-Rodriguez absent.

There being no further business before Council, the City Council adjourned at 4:54 p.m. upon MOTION by Council Member Tatro, seconded by Council Member Robinson. All voting aye. Nays none. Mayor Brown absent on city business. Council Member Sekula-Rodriguez absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS

No.	TOPIC	MEMBER	REF	DISCUSSION OR RESPONSE
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THE ADMINISTRATION CONCURS WITH THE FOLLOWING AMENDMENTS

1	Senior/Disabled Exemption Exemption	Wiseman Edwards Alvarado Robinson Ellis	1-2 4-1 7-11 10-1 13-1	CONCUR with increasing exemption to \$40,000 in FY03, to increase by 10% in each of the five subsequent fiscal years, assuming that at least \$11.7 million in new revenue sources are approved as part of FY03 budget adoption
2	Health Department Service Restoration	Sekula-Rodriguez Edwards Alvarado Vasquez	2-1 4-2 7-9 9-2	CONCUR with restoration of clinic sessions to FY02 levels (\$1.5 million budget impact) assuming at least \$11.7 million in new revenue sources are approved as part of the FY03 budget adoption
3	Increase funding in Parks by \$500,000 for operations and maintenance	Vasquez	9-4	CONCUR if additional recurring funding can be Identified
4	Kingwood Fire Engine	Wiseman Edwards Robinson	1-1 4-9 10-14	CONCUR
5	Clayton Library Service Restoration	Parker Berry Vasquez	6-4 2 11-2 9-1	CONCUR
6	Use of Excess Insurance Reimbursement for Rainy Day Fund	Parker Robinson	6-1 10-2	CONCUR
7	Eliminate water/sewer transfer to General Fund	Wiseman Robinson Berry	1-5 10-18 11-7	CONCUR - The 3% transfer was to be considered in conjunction with the drainage fee and is not in the budget
8	Pilot program on non-emergency transport	Sekula-Rodriguez	2-2	CONCUR
9	Index all fees to inflation	Robinson	10-13	CONCUR - Council action on specifics will be requested in the first quarter of FY 03

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS - page 2

CONCUR (continued)

10	Mayor Pro Tem's budget reduction	Keller Goldberg Edwards Quan Robinson	3-1 5-1 4-7 8-1 10-6	CONCUR with reduction, do not concur with use of funds for City Council legal services
11	Pay Raise for employees	Edwards*	4-3	CONCUR WITH INTENT - recommended raise is 3 1/2% for grade 28 and below and 2% pay for performance for grade 29 and above
12	Property tax revenue in excess of projections to Rainy Day Fund	Edwards Robinson	4-6 10-3	CONCUR WITH INTENT TO INCREASE RAINY DAY FUND - see item 6
13	Fund a deed restriction tracking system	Edwards Alvarado	4-5 7-1	CONCUR - assuming volunteer labor available for data entry
14	Study feasibility of city-wide day labor program	Edwards Alvarado	4-11 7-10	CONCUR
15	Study visitability ordinance	Edwards Robinson	4-12 10-21	CONCUR
16	Building inspectors to work nights and weekends	Alvarado	7-2	CONCUR
17	Insure building and deed violations	Alvarado	7-3	CONCUR
18	Increase fines for various types of offenses	Alvarado	7-4 thru 7-7	CONCUR
19	Increase patrol in vicinity of bus station	Alvarado	7-8	CONCUR
20	Require reverse auction	Quan Robinson Ellis	8-2 10-26 13-2	CONCUR WITH INTENT - agenda item within one week; first reverse auction by end of July
21	Develop comprehensive flood management plan by March 2003	Robinson	10-20	CONCUR
22	Evaluate the outsourcing of special events	Robinson	10-22	CONCUR - report by Jan 1, 2003

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS - page 3

CONCUR (continued)

23	Evaluate cost/benefit of associate prosecutors	Vasquez	9-6	CONCUR - report by Feb. 1, 2003
24	Dedicate and track funds for pothole and street repair	Berry	11-5	CONCUR as long as dedication retains City Council budgetary flexibility
25	Reduce water/wastewater transfer to General Fund to 4%	Tatro	12-3	CONCUR - transfer is 4% plus NPDES funding of \$5 MM from ALP "scrap"
26	Increased funding to Talento Bilingue de Houston and Ensemble Theater	Vasquez	9-5	CONCUR WITH INTENT - Administration supports most recent CACCH proposal

THE ADMINISTRATION AGREES TO STUDY THE FOLLOWING AMENDMENTS

27	Simplify WBE/MBE certification process	Ellis	13-3	AGREE TO STUDY - report by Sep 1, 2002
28	Use monitoring companies to collect alarm fees	Robinson	10-10	AGREE TO STUDY - report by Jan 1, 2003
29	Voter referendum on tax rte and fire district	Robinson	10-17	AGREE TO STUDY - report by August 2002
30	Use drainage fee savings as funding source for various items	Robinson	10-19	AGREE TO STUDY - report by August 2002
31	Eliminate dumpster Fee	Robinson	10-9	AGREE TO STUDY - report by August 2002
32	Mandate joint publications from funded agencies	Robinson	10-24	AGREE TO STUDY - report by Jan 1, 2003
33	Consolidate all purchasing, payroll, auditing, accounting.	Robinson	10-25	AGREE TO STUDY - report by Jan 1, 2003
34	Reduce duplicative services in various departments	Keller	3-7	AGREE TO STUDY - report by Jan 1, 2003

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS - page 4

CONCUR (continued)

35	Outsource all IT functions	Keller Vasquez	3-8 9-8	AGREE TO STUDY - report by Feb 1, 2003
36	Prohibit employees from training contractors	Robinson	10-27	AGREE TO STUDY - report by Jan 1, 2003
37	Prohibit sick days from affecting EPE	Robinson	10-28	AGREE TO STUDY - report by Jan 1, 2003
38	Earmark funds in the CIP for crime lab repairs	Robinson	10-34	AGREE TO STUDY

THE ADMINISTRATION DISAGREES WITH THE FOLLOWING AMENDMENTS

39	Finance and Administration, Planning, HPD, and Building Services to prepare zero-based budget for FY04	Vasquez	9-9	DO NOT CONCUR
40	Reduce non-training travel by 50% for all departments	Wiseman	10-10	DO NOT CONCUR - Administration prefers to allow department managers to determine resource allocation within target amount
41	Cut all Travel budgets to Zero	Berry	10-17	DO NOT CONCUR - Administration prefers to allow department managers to determine resource allocation within target amount
42	Eliminate all non-emergency take-home vehicles and related expenses	Wiseman	10-19	DO NOT CONCUR - Administration prefers to allow department managers to determine resource allocation within target amount
43	Health budget transfers	Keller	10-9	DO NOT CONCUR - Administration prefers to allow department managers to determine resource allocation within target amount
44	Library budget transfers	Keller	10-24	DO NOT CONCUR - Administration prefers to allow department managers to determine resource allocation within target amount
45	Increase sponsorship rate	Keller	10-25	DO NOT CONCUR - Funding issue-cost \$4mm

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS - page 5

CONCUR (continued)

46	Pay Raise for employees equal dollar amount	Robinson	10-8	DO NOT CONCUR
47	Index civilian pay	Robinson	10-12	DO NOT CONCUR
48	Enterprise Fund for Solid Waste	Edwards Robinson	4-4 10-29	DO NOT CONCUR - funds are not sufficient to create an enterprise fund
49	Eliminate non-transport Fee	Edwards Robinson	4-8 10-11	DO NOT CONCUR
50	Eliminate OIG	Edwards Robinson	4-10 10-15	DO NOT CONCUR
51	Transfer Miller Theater to Convention Fund	Robinson*	10-4	DO NOT CONCUR
52	Cap funding to Cultural Arts Council	Robinson*	10-30	DO NOT CONCUR
53	Reduce contingency reserves by \$700,000	Robinson	10-5 10-31	DO NOT CONCUR
54	Demand privatization of zoo lowers GF cost	Robinson	10-7	DO NOT CONCUR
55	Eliminate all media and public relations staff	Robinson	10-16	DO NOT CONCUR
56	Transfer hiring decisions from HR to F and A	Robinson*	10-23	DO NOT CONCUR
57	Restore Funday in the Park program	Vasquez	9-3	DO NOT CONCUR - fiscal impact \$500,000
58	Study merger of Health and Human Services Department with Harris County Health Department and Hosp. Dist.	Vasquez	9-7	DO NOT CONCUR - merger has been studied and attempts have been unsuccessful
59	Use \$5 MM of excess insurance reimbursement to restore service cuts	Robinson	10-31	DO NOT CONCUR - recurring funding should be used for recurring expenditures to avoid future Problems see item 6

MATRIX OF CITY COUNCIL BUDGET AMENDMENTS - page 6

CONCUR (continued)

60	Use excess insurance Reimbursement over \$5 MM to pay off commercial paper	Robinson	10-32	DO NOT CONCUR - see item 6
61	Limit dry cleaner inspection fee increase to 100%	Robinson	10-33	DO NOT CONCUR
62	Reduce property tax rate by 1 cent	Berry	11-2 3	DO NOT CONCUR - \$10 million funding impact
63	Increase senior/disabled exemption to \$60,000	Berry	11-4	DO NOT CONCUR - \$10 million funding impact see Item 1 for Administration recommendation
64	Increase attorney's dedicated to deed restriction enforcement within the Legal Department	Berry	11-6	DO NOT CONCUR
65	Renegotiate ACS contract to mandate 25% improvement in collections	Berry	11-8	DO NOT CONCUR
66	Institute a complete hiring freeze city-wide	Berry	11-9	DO NOT CONCUR - savings related to span of control audit have been built into budget
67	Terminate the DARE Program	Tatro	12-1	DO NOT CONCUR
68	Remove transfer from water/wastewater fund which represents payment for TIRZ funded projects	Tatro	12-2	DO NOT CONCUR
69	Prevent HFD shift changes during FY03	Tatro	12-4	DO NOT CONCUR
70	Fully staff all booster trucks in FY03	Tatro	12-5	DO NOT CONCUR
71	Remove \$1.2 MM from management improvement Savings	Tatro	12-6	DO NOT CONCUR - Administration commits to find these savings elsewhere if IP telephony is delayed.

* Councilmember wishes to retract amendment

Exhibits 1-1 through 1-5 were submitted by Council Member Weisman.

- 1-1 Amend the budget of the Fire Department to fund the replacement of the current Quint apparatus, located at Station 101, with a new apparatus with an equivalent equipment capacity of a Ladder Truck and Pumper, formally referred to as Class A Pumper, with a minimum 500-550 gallon water tank capacity. This replacement apparatus will be staffed by Houston Fire Department with four men to a truck, twenty-four hours, seven days a week and Booster 101 is not to be reassigned but instead continue to be fully staffed twenty-four hours, seven days a week.
- 1-2 Amend the budget to increase the Senior Citizens and Disabled Property Tax Exemption to \$50,000 from the current \$34,006.
- 1-3 Amend the budget to reduce non-training related travel for all departments by a minimum of 50%.
- 1-4 Amend the budget to eliminate all non-emergency (based on job descriptions) city take-home vehicles, related insurance and fleet maintenance services.
- 1-5 Amend the budget to eliminate the 3% water and sewer transfer to the General Fund.

Exhibits 2-1 through 2-2 were submitted by Council Member Sekula-Rodriguez.

- 2-1 To amend the FY 2003 department budget to restore funding sufficient to continue the Health Department's FY 2002 estimated service level of clinical hours/week, staffing and supplies. This amendment is conditional on the Health Department's commitment to provide all possible support to non-profit primary health care centers, including facilities that are or could be qualified as Federally Qualified Health Centers (FQHC's).
- 2-2 To amend the FY 2003 departmental budget to provide sufficient funding to begin implementation of the non-emergency medical transport pilot program submitted by Dr. Persse and to study other ways to alleviate the overuse of the city's ambulance system by non-emergency patients.

Exhibits 3-1 through 3-8 were submitted by Council Member Keller.

- 3-1 Amend the budget to reduce the Mayor Pro Tem budget by \$50,000 and transfer the funds to help fund Community & Personal Health Services within the Health & Human Services Department budget.
- 3-2 Amend the budget to transfer funds from account #3615 Computer Eq/Software Maint. Service by \$130,000 in the Health & Human Services Department to help fund Community & Personal Health Services within the Health & Human Service Department budget.
- 3-3 Amend the budget of Health & Human Services Department to eliminate account #3335 Management Consulting Services and transfer funds of

\$40,000 to help fund Community & Personal Health Services within the Health & Human Service Department budget.

- 3-4 Amend the budget of Health & Human Services Department to reduce account #3910-Travel and #3950-Travel: Non-Training, by 50% and transfer funds to help fund Community & Personal Health Services within the Health & Human Service Department budget.
- 3-5 Amend the budget of Library Department to reduce account #3910-Travel and # 3950-Travel: Non-training, by 50% and transfer the funds to help fund Administration Services within the Library Department budget.
- 3-6 Amend the budget of Solid Waste to Increase the current Neighborhood Trash Sponsorship Reimbursement rate from \$6.00 to \$12.00 per household.
- 3-7 Amend the budget to mandate Finance & Administration study and implement a reduction of all duplicative services in various city departments concerning the areas of purchasing, payroll, auditing, accounting and human resources.
- 3-8 Amend the budget to out source, through competitive bidding, the City of Houston information system for better control, technology and cost effectiveness.

Exhibits 4-1 through 4-12 were submitted by Council Member Edwards.

- 4-1 Increase property tax exemptions for senior citizens and people with disabilities from the current \$34,006 to \$50,000
- 4-2 Fully restore hours at City's health clinics without cutting funding levels for any other programs already identified in the proposed Health Department budget.
- 4-3 Grant a 3% pay raise only to those civilian employees at grade 29 and below.
- 4-4 If the council passes a second garbage can fee then that money should be put into a dedicated Solid Waste Enterprise Fund.
- 4-5 Fund a deed restriction tracking system that the Planning Department could utilize in their permitting decisions and that the Legal Department could use to facilitate enforcement
- 4-6 Mandate that property tax revenue collections that exceed the level projected in the adopted budget be immediately placed in the Rainy Day Fund.
- 4-7 Amend the budget to reduce the Mayor Pro Tem's budget by \$50,000 - the amount judged to be in excess of what is needed for operating expenses for that office. Transfer that money to fund restoring hours of operation at Health Department clinics.
- 4-8 Eliminate the Ambulance non-transport fee

- 4-9 Purchase a pumper truck for the Kingwood Fire Station to bring the equipment in line with those at other stations.
- 4-10 Eliminate the Office of Inspector General.
- 4-11 Fund a project to assess the operational and economic feasibility of a city-wide day labor site funding program.
- 4-12 Fund a project to assess the operational and economic feasibility of a "visitability" ordinance to mandate related specifications in all housing construction funding contracts

Exhibit 5-1 was submitted by Council Member Goldberg.

- 5-1 Amend the budget to reduce the Mayor Pro Tem's budget by \$50,000 and the funds to the City Council to provide legal services and assistance to City Council Members.

Exhibits 6-1 through 6-2 were submitted by Council Member Parker.

- 6-1 That at the conclusion of the reimbursement process for Tropical Storm Allison, any excess funds remaining in Fund 98D (The Disaster Recovery Fund) should be deposited in the City's Rainy Day Fund.
- 6-2 That the hours of operation at the Clayton branch library provided for in the FY03 budget be restored to the level in the FY02 budget.

Exhibits 7-1 through 7-11 were submitted by Council Member Alvarado/

- 7-1 Provide funding for a deed restriction tracking system that would be operated by the Planning Department in deciding whether or not to issue a building permit.
- 7-2 Provide funding to allow for building inspectors and Neighborhood Protection inspectors to work on nights and weekends.
- 7-3 Increase scope of Neighborhood Protection inspectors to include deed restriction violations.
- 7-4 Double fines for illegal building and violation of deed restrictions.
- 7-5 Increase violation for falsifying deed restrictions during permitting process.
- 7-6 Increase fine for possession of radar detector by commercial truck operators.
- 7-7 Increase fine for violations of environmental sections of the Health Code.
- 7-8 Increase HPD's patrol budget to allocate funds for increased patrols in the general vicinity of the Greyhound Bus Station
- 7-9 Restore Health Department funding to levels that will require no cuts in hours of service.

- 7-10 Fund a project to asses the operational and economic need for day l3bor sites on a city wide basis.
- 7-11 Increase the property tax exemptions for senior citizens and people with disabilities from the current \$34,006 to \$50,000.

Exhibits 8-1 through 8-2 were submitted by Council Member Quan.

- 8-1 Reduce the budget of the Mayor Pro Tem (ADV2 1316) by \$50,000, and dedicate from those funds \$20,000 towards maintaining the hours of the Clayton Branch Genealogy Library and \$30,000 towards purchasing equipment for the Health Department, as part of the reengineering of their health clinic services (see list below).
- 8-2 In an effort to reduce costs from goods and services purchased through our Strategic Purchasing Division, require that 25% of all goods arid services be advertised for bid through a reverse auction process.

Health Department: Health Clinic Equipment Acquisition

Item Description	Qty	Unit Cost	Item Total
Tablet Counter (Pharmacy Equip)	1	\$6,000	\$ 6,000
Otoscope/Opthaimoscope	21	\$ 379	\$ 7,959
Physicians's Beam Scale w/ Height Rod	14	\$ 199	\$ 2,786
Doctor's Stool	28	\$ 105	\$ 2,940
Filac Electronic Thermometer	14	\$ 194	\$ 2,716
Examination Table	6	\$ 750	\$ 4,500
Wall Desk, Full size, self Close	11	\$ 251	\$ 2,761
		Total	\$29,662

Exhibits 9-1 through 9-9 were submitted by Council Member Vasquez.

- 9-1 The hours of the Clayton Library will be restored to those of FY02. This may be accomplished through additional funding, the utilization of qualified, supervised volunteers or any other means the administration deems appropriate.
- 9-2 All Health Department clinic services will be restored to FY02 levels through the utilization of new and or increased existing fee revenue in excess of the \$11.7 million amount required to balance the budget.
- 9-3 The Parks and Recreation Department's "Funday in the Park" program will be renewed for FY03 with \$500,000 in funding.
- 9-4 The Parks and Recreation Department's budget will be increased by \$500,000 for recreation operations and maintenance.
- 9-5 The Convention and Entertainment Department shall include in the next contract negotiated with the Cultural Arts Council of Houston/Harris County increased annual funding of \$100,000 for Talento Bilingue de Houston (TBH) and the Ensemble Theater.
- 9-6 The administration will initiate in FY03 a cost/benefit study for the

utilization of “associate” prosecutors at Municipal Courts. An associate prosecutor would be similar to an associate judge and would be utilized during peak need periods, thus allowing for a potential reduction in permanent prosecutor staffing. The study will be completed no later than February 1, 2003, thus being available for the FY04 budget cycle.

- 9-7 The Health and Human Services Department will initiate an internal study on the costs, benefits and drawbacks possible from merging with the Harris County Health Department and Harris County Hospital District. Previous studies prepared regarding merging services will be utilized to the greatest extent possible. The Health and Human Services Department will seek the cooperation of the Harris County Health Department and the Harris County Hospital District in preparing this study. The study will be completed no later than February 1, 2003, thus being available for the FY04 budget cycle.
- 9-8 The administration will undertake an internal cost/benefit study of the full privatization of the new IT Department. The study will be completed no later than February 1, 2003, thus being available for the FY04 budget cycle.
- 9-9 The following departments will prepare zero-based General Fund budgets for the FY04 budget cycle: Police, Finance and Administration, Planning and Development and Building Services.

Exhibits 10-1 through 10-34 were submitted by Council Member Robinson.

- 10-1 Amend the budget to increase the Senior Citizen and Disabled Property Tax Exemption to \$50,000 from the current \$34,006.
- 10-2 Amend the budget to deposit into the Rainy Day Fund \$5 million of the anticipated \$15 million FEMA ALP reimbursement. Interest from the \$5 million must be added to the General Fund to help pay off the interest and principal on the Certificates of Obligation borrowed in FY'02 for street overlays. The balance of the reimbursed funds must be used to offset the increase in the Senior Citizen and Disabled Property Tax Exemption to \$50,000 and to eliminate service cuts in the Health, Library and Parks Departments.
- 10-3 Amend the budget to mandate that all property tax revenue above the adopted budget projection be deposited in the Rainy Day Fund as it is actually received.
- 10-4 Amend the budget to transfer Miller Theater from for the Parks Department to the Convention and Entertainment Department. (Eliminate \$1 million in General Fund expenses).
- 10-5 Amend the budget to reduce the General Government account by \$700,000 - the undesignated \$500,000 and the \$200,000 for unspecified consultants.
- 10-6 Amend the budget to reduce the Mayor Pro Tern budget by \$50,000.
- 10-7 Amend the budget to prohibit the privatization of the City Zoo unless it results in at least \$1 million in reduced cost to the General Fund.

- 10-8 Amend the budget to use all the funds dedicated to a civilian employees pay raise to provide all civilian civil service employees in pay grades 29 and lower an equal dollar amount pay raise.
- 10-9 Amend the budget to eliminate the garbage dumpster fee increase.
- 10-10 Amend the budget to implement collection of false police and fire alarm fees from alarm monitoring companies (Eliminates \$700,000 in expenses.)
- 10-11 Amend the budget to eliminate the Ambulance non-transport fee.
- 10-12 Amend the budget to index civilian civil service employees base salary to inflation (CPI).
- 10-13 Amend the budget to index future fee increases to inflation (CPI).
- 10-14 Amend the budget to purchase a pumper truck for the Kingwood Fire Station. (Equipment Acquisition Fund.)
- 10-15 Amend the budget to eliminate the Office of Inspector General
- 10-16 Amend the budget to eliminate all General Fund media relations and public relations positions.
- 10-17 Amend the budget to provide funding for November voter referendums on:
dedicated 3¢ property tax rates increase for flood control and drainage projects;

\$500 million in General Obligation (GO) bond authority dedicated solely to flood control and drainage projects; and

Creation of a Fire and EMS District.
- 10-18 Amend the budget to eliminate the 3% water & sewer transfer to the General Fund if Council approves a drainage fee. (If this transfer were to continue after passage of a drainage fee it would be double dipping.)
- 10-19 Amend the budget to dedicate the \$15 million in General Fund savings if Council adopts a drainage fee to:

Fund the increase in the Senior Citizens and Disabled Property tax exemption;

Eliminate service cuts in the Health, library and Parks Departments;

and

Fund the civilian pay raise for civilian employees in pay grade 29 and below.
- 10-20 Amend the budget to require development of a comprehensive flood plain

development policy and management plan by the Public Works and Engineering Department for submission to City Council for approval by no later than March 2003.

- 10-21 Amend the budget to mandate evaluation of the development of a "visibility" ordinance by the Housing & Community Development Department in consultation with the Greater Houston Builders Association, Houston Association of Realtors, Mayor's Office for People with Disabilities and other stakeholders and interested parties for council's consideration before June 2003.
- 10-22 Amend the budget to evaluate outsourcing the Parks Department Special Events Division. The result of the study and a recommendation should be presented to Council by January 2003
- 10-23 Amend the budget to transfer approval of Departmental hiring decisions from the Director of Human Resources to the Director of Finance and Administration.
- 10-24 Amend the budget to mandate that any expenditure of funds under the city's contracts with the Greater Houston Partnership and Clear Lake Area Economic Development Foundation for the printing of publications be done as a part of the joint publication effort of the Hotel and Restaurant Associations, Convention and Visitors Bureau and Convention and Entertainment Department.
- 10-25 Amend the budget to consolidate all purchasing, payroll, auditing, accounting and human resources functions and eliminating such functions on a department by department basis.
- 10-26 Amend the budget to mandate that at least 25% of all city purchases be procured by reverse auctions as permitted by state law,
- 10-27 Amend the budget to prohibit using city employees to train private contractors hired by the city.
- 10-28 Amend the budget to prohibit using an employee's use of sick days, FMLA and vacation time to downgrade their Employee Performance Evaluation rating.
- 10-29 Amend the budget to create a dedicated Solid Waste Utility Fund funded by all revenue generated by a 2nd Garbage Can Fee, Non-residential Solid Waste Hauler Franchise Fee and all other revenue directly generated by the Solid Waste Department.
- 10-30 Amend the budget to cap hotel occupancy taxes to the Cultural Arts Council at 19% but no more than \$8.7 million dollars with 1.5%. but no less than \$100,000 dedicated to the Ensemble Theater.
- 10-31 Amend the budget to dedicate: (1) \$5 million of the anticipated FEMA ALP reimbursement; (2) the undesignated \$500,000 and \$200,000 for unspecified consultants in the General Government account; and (3) \$50,000 from the Mayor Pro Tern budget (\$5.75 million total) to eliminate service cuts in the Health, Library and Parks Department.

- 10-32 Amend the budget to dedicate all FEMA ALP reimbursement in excess of \$5 million to paying off as many of the Certificates of Obligation as possible that were issued in FY'02 for paying for street overlays.
- 10-33 Amend the budget to limit the Department of Health and Human Services proposed Dry Cleaners fee increases to 100%.
- 10-34 Finally I am requesting that the administration earmark funds in the upcoming CIP to make the needed repairs to the current crime lab location or have the Building Services Department identify a location in another city building to relocate the lab.

Exhibits 11-1 through 11-9 were submitted by Council Member Berry.

- 11-1 Cut all travel budgets to zero. This would save \$3.5 million from the General Fund, and another \$2.2 million from the Enterprise, Special Funds, and Revolving Funds. (see attachment, "Travel Savings", 8 pages). Any travel expenses can then be approved by city council vote.
- 11-2 Fully fund Clayton Library to Fiscal 2001 levels.
- 11-3 Reduce ad valorem taxes by one cent. This would send a strong message that we recognize taxpayers are struggling with increased valuations, and it would cost the city only a few million dollars in revenues.
- 11-4 Increase ad valorem tax exemption to \$60,000 from \$34,006 per household for all low-income senior citizens and disabled citizens. Taxpayer must attest to income, including social security, medical compensation, pension, and income, of less than \$30,000 annually for the past year in order to qualify for the exemption.
- 11-5 Dedicated funding for potholes and street and sidewalk repairs. This should be a top concern from both the operational and funding perspectives. It does not require new expenditure of funds, but allows us to track annual expenditures for this function.
- 11-6 Assign TEN (10) attorneys within the legal department to deed restriction enforcement. Said move shall occasion no new expenditures, as these should be pulled from other functions in the legal department and assigned to deed restrictions.
- 11-7 Apply all water and sewer fund excess funds toward defeasance of bonds, in order to prevent future rate increases. Declare that funds collected in the ALP fund will never be used for anything other than water and sewer projects or water/sewer bond defeasance.
- 11-8 Renegotiate the ACS contract to improve ambulance revenue collections by TWENTY-FIVE PERCENT (25%) before re-signing the contract renewal. If the goal is not reached, terminate the contract at its expiration and engage another contractor.
- 11-9 Institute a complete hiring freeze city-wide. Positions which open due to retirement, resignation, or termination should be filled by re-deploying

current personnel where needed (including across department lines), and left vacant where they are deemed unnecessary by the position control committee.

Exhibits 12-1 through 12-6 were submitted by Council Member Tatro.

- 12-1 End the D.A.R.E. Program and return all officers to regular duty.
- 12-2 Remove the transfer of \$4.1 million from the Water/Sewer Enterprise fund to General Fund Revenues - (Miscellaneous/Other Revenues - line item - Other Operating Transfers). This transfer is being proposed by the administration as for "water and wastewater reimbursement to the General Fund for infrastructure purchased through the TIRZ financing mechanism".
- 12-3 Water & Sewer Enterprise System and the Stormwater Utility Fund - Reduce transfer from Water/Sewer to Storm Water Utility Fund 227/20 from 5% back to 4% that has been in effect since 1995.
- 12-4 During FY03 there will be no Houston Fire Department shift change, from FY02, in City Fire Stations for Classified Fire Fighters and EMS Personnel.
- 12-5 For FY03, the City's Fire Department Booster Trucks will be fully staffed, as has existed in FY02, and Fire Fighters assigned to Booster Trucks will not additionally be assigned to another Emergency Apparatus.
- 12-6 Remove \$1.2 million credit, (of the \$3.9 million) taken in line item 399 - Management Initiative Savings, under the General Government account # 100/99. Amount would then be restated as (\$2,700,000).

Exhibits 13-1 through 13-3 were submitted by Council Member Ellis.

- 13-1 Senior Citizen and Disabled Individual Homestead Exemption:

Increase in Senior Citizen and Disabled Individual Homestead Exemption to \$40,000 in FY 2003 with 10% increases per annum over the next five years for a total exemption of \$64,420 in FY 2008
- 13-2 Reverse Auction Procurement Procedure:

Require that the Strategic Purchasing Division of the Finance & Administration Department use the reverse auction procedure for FY 2003 as defined by Sec 2155.062(d), Government Code, for purchasing as set forth in "Texas Senate Bill 221 Referring To Reverse Auctioning".

Said amendment shall require that the general fund and each of the three enterprise funds apply the reverse auction procedure for 50% of the total purchases of products and services in FY 2003.

13-3 MVBVE Reciprocal Certification:

In an effort to reduce costs in the Affirmative Action Division and to aid qualified MWBE's desiring to do business with the City of Houston, any company which has been certified by the Houston Minority Business Council or the Houston Women's Business Council shall automatically be certified as a MBE or WBE with the City of Houston, respectively, and shall automatically be determined to be an established business enterprise for all SIC/NAIS codes listed for the company with those organizations.

The Affirmative Action Division shall only determine the size of the company as required by Section 15-87. Approval of this amendment could result in a 50% reduction in the budget of the Certification and Outreach Section of the Affirmative Action Division.