

City Council Chamber, City Hall, Tuesday, July 09, 2002.

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 09, 2002, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, 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. Council Member Mark Ellis absent on city business.

At 2:03 Mayor Brown stated that they had several Council presentations with the first being Council Member Edwards. Council Members Tatro, Goldberg, Keller, Vasquez, Alvarado, Parker, Quan and Berry absent.

Council Member Edwards stated that the South Central Little League and Neartown Little League had worked together, even though they lived in different parts of the district, very closely to bring about a fellowship and a bonding for young men and women and for their parents and invited the leadership of South Central Little League to the podium and presented them with a certificate that recognized the contributions they had made not only to the game of baseball but to the game of life regarding how they lived in the City and also invited the members and leadership of Neartown Little League and presented them with a certificate from her office, recognizing what they had done in the community for their children and for the City. Council Members Tatro, Keller, Vasquez, Parker, Quan and Berry absent.

Members of both of the little league leadership thanked Council Member Edwards and the City Council for the certificates and asked the parents in the audience to stand and be recognized. Council Members Vasquez, Parker, Quan and Berry absent.

Mayor Brown stated that the next presentation was by Council Member Robinson. Council Members Vasquez, Parker, Quan and Berry absent.

Council Member Robinson stated that today they were joined by the Aldine youth organization, United to Help Youth and invited the youth and their Executive Director and Founder Ms. Silvia Bolling, Program Director, Mr. Don Jones and Executive Assistant, Ms. Anna Vega to the podium and presented them with a proclamation from the Mayor and a certificate from his office. Council Members Vasquez, Parker, Quan and Berry absent.

Ms. Bolling stated that she wanted to thank the Mayor and City Council and especially Council Member Robinson for acknowledging their work. Council Members Vasquez, Parker, Quan and Berry absent.

Mayor Brown stated that the next presentation was by Council Member Quan on behalf of Council Member Parker. Council Members Vasquez, Parker and Berry absent.

Council Member Quan stated that in keeping in the spirit of Neartown Little League and the other groups they talked about today, it was National Recreation and Parks Month and stated they had a proclamation and invited Mr. Roy Wilson, Acting Director, Parks and Recreation to the podium and read the proclamation which proclaimed that Lee P. Brown, Mayor of the City of Houston hereby proclaimed the Month of July 2002 as National Recreation and Parks Month in the City of Houston. Council Members Vasquez, Parker and Berry absent.

Mr. Wilson stated that he wanted to thank them for the honor on behalf of himself and his teammates from the Parks Department, that what they did for a living people enjoyed and what they did for a living brought laughter and excitement and they were really happy to join nationally with other Parks and Recreation Departments in celebrating National Recreation and Parks Month, that their department was recognized nationally as being a model of efficiency so they were happy that the City Council had taken the opportunity to recognize them and presented an

award that Council Member Parker received from the Texas Recreation and Parks Society, the Parks Department sent in the nomination because of her work as Chair of the Neighborhood Protection and Life Committee, that it was a unique award because it was the first time in the history of the Texas Recreation and Parks Society that an award had been presented to a local City Council Member, that usually it was on a statewide level. Council Members Vasquez, Parker and Berry absent.

At 2:23 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Galloway led everyone in the prayer and pledge of allegiance. Council Members Vasquez and Parker absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Ellis absent on city business. Council Members Vasquez and Parker absent.

Council Members Keller and Robinson moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Ellis absent on city business. Council Members Vasquez and Parker absent.

Council Member Quan moved to suspend the rules to hear Representative Ken Yarborough out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Ellis absent on city business. Council Members Vasquez and Parker absent. MOTION 2002-0828 ADOPTED.

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

Representative Ken Yarborough, 1214 W. 43rd., Houston, Texas 77018 (713-263-1516) appeared and stated that Item 41 on Wednesday's Agenda spoke to a little over \$100,000 from the City going for affordable housing and had passed out a handout to the Council Members, that there were a couple of items in there, that one was the ordinance that they were preparing, that as they were all aware affordable housing in the City of Houston had just been upgraded to a maximum of \$115,000 and that was the maximum amount of money that affordable housing was, that they would also see from Mr. McReynolds, who was going to speak, that his house was on Rosslyn Road closest to the proposed street and subdivision where the ordinance was talking about, that he understood that there was some talk about \$1 million being raised in taxable property values within the community and if they looked at the handout and saw what Mr. Reynold's taxes were for the City of Houston for a home and if they looked at the next page they would see that the market value was \$282,400, that basically they were looking at \$226,000 valuation bringing in \$1,077 for City taxes and so if they were building 43 properties over there it seemed a long way, it did not make a million dollars of taxable income for the City of Houston, that somebody was telling tales out of school. Council Members Vasquez and Parker absent.

Council Member Tatro stated that the ordinance was basically a cut and paste ordinance for a developer reimbursement agreement, the City ordinance in general says that they would reimburse for water and sewer as built out in the City property, if they extend City water and sewer lines in the City right of way, which like most developments, this development would do, they would reimburse them, additionally because of the TIRZ money they had another program and that said if their homes were going to be less than 80% of the medium home value in the City of Houston they would also contribute up to \$3,000 per lot for storm drainage, that was a basic template for the City's reimbursement agreement, that these homes would start at \$175,000 and up, they would not qualify for the \$3,000 reimbursement, that it was yet to be seen what his investment in water and sewer would be, and Representative Yarborough stated that if it was a template and was always going to be there, there was no rush for this particular ordinance to be passed on Wednesday, that after the developer had development and met the obligation or qualification then they could always reimburse the developer on the amount of money that was there. Council Members Vasquez and Parker absent.

Mr. Jack McReynolds, 4414 Rosslyn Rd., Houston, Texas 77018 (713-867-5311) appeared and stated that tax value of his home would not matter because the value of his house would go down once it was full of water, that he strongly believed that the proposed development and bridge would cause increased flooding in an area that already had homes flooded by Allison, that the ditch which was the proposed site for the bridge was already at capacity, that he knew because he watched it every hour on the hour during that storm, that it would cause additional flooding because of the structure that impeded the water flow, that the engineering study, which the City received from Pate Engineers, admitted that they looked only at the flow from the bridge and did not consider the tons of concrete that would become part of the development that replaces the open and raw land that can now soak up excess water, that the study was flawed by its own admission, that they had seen the damages which Allison caused in Houston and in the past two weeks they had a terrible reminder from their friends in San Antonio and he believed that the last thing the City Council needed to worry about right now was passing things to increase flooding in the City of Houston. Council Members Galloway, Vasquez and Parker absent.

Mr. Tim Sawyer, 4402 Deer Lodge, Houston, Texas 77018 (713-683-1524) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Vasquez and Parker absent.

Mr. Ray Bush, 1719 Bethlehem, Houston, Texas 77018 (713-682-0789) appeared and stated that this issue had always been about the City of Houston making a thoroughfare out of Rosslyn Road, it had been abundantly clear to them and to the City Council, before they took the time to read the request before them, not only had the process been one sided, it reeked with the stench of the City using a local developer to do its dirty work, an agent, just look at the City developer contract at a time when the City had budget problems the administration was not only going to sell the developer public land at about one half of its value, they were going to throw in another \$100,000 or more of public money at a time when funds were so limited that the Police and the Fire Department cannot effectively do their job, furthermore the City had written the agreement that should the developer default they would have the right to finish the job via a "letter of credit", do not believe for a minute that the developer intended to finish the project, that once the City would take control not only would the thoroughfare be completed but far more of the public money would have to be used to have the project meet the building standards of a thoroughfare bridge, remember the developer's proposal was for a box culvert, it would not meet the requirements that the administration had planned for Rosslyn Road, not unless they used public funds, that City Council Members, especially Council Member Tatro, should not vote in favor of the request, that voting in favor of the scheme was not being good stewards of the public's money, it was taxation without representation and clear political manipulation and misappropriation of public assets at the citizen's expense. Council Members Galloway and Parker absent.

Council Member Quan stated that part of the issue was an abandonment and he knew they had already voted on the other abandonment which now allowed the bridge to come through, that the position of the administration was that by approving these abandonments they would not get to Pinemont, which was something that the residents were very concerned about, and asked Mr. Bush why he did not think it was a good idea to go forward with the two abandonments, and Mr. Bush stated that the southern abandonment, to him, protected their neighborhood, the northern abandonment simply puts the bridge in place and once the bridge was in place he thought they all had to agree that everything was open to fair play, that why was the bridge so important to the project, that land could be developed without the bridge, the bridge was the only thing that threw them in any danger at all, that it would be real simple to come in from Pinemont, which they were developing, that Reverend James Dixon was developing all along Pinemont with some beautiful homes off of Pinemont, that what he understood that anytime an agency really wanted a condemnation or eminent domain, this could be used, right now they were "safe" when the City in 1992 under Mayor Lanier and Helen Huey took it off the major thoroughfare, that was their

concern that all of a sudden with a private developer coming in and it seemed to be the only route that would “be legal and upstanding” to do this, that why was not southern abandonment ever considered, that they went before the Joint Referral with their attorney at someone’s suggestion that they were more or less “receive it for a certain sum”, which was extremely high, he thought the figure ran somewhere around \$250,000, that was the estimate that was given to them for their southern abandonment, that the thing was removed by Planning and Commission and later on the developer withdrew his northern abandonment and that should have put their number one in line to be considered by the City but it never was; that any time the bridge goes in, no matter what, it would hurt them, that they wanted to express their opinions. Council Members Galloway and Parker absent.

Council Member Tatro stated that former administrations never removed Rosslyn from going through, the act tomorrow would be the first act by Council that would actually remove the right of way from the City of Houston and from any developer’s ability to put the road through. Council Member Galloway absent.

Mr. John Tuschman, 7671 Woodway, Houston, Texas 77063 (713-706-4000) appeared and stated that he was present regarding Crescent Park, Item No. 21, that as he understood it, before the City Council was a request to essentially change a \$1.9 million loan to about a \$2.4 million grant, that he was among the group that did some work on it previously and was a long time investor and syndicator of multi family housing in Houston and had been on housing association boards and affordable housing boards for about 15 years and continued to voice his personal opinions regarding Agenda Item No. 21 until his time expired. Council Member Galloway absent.

Mr. Joseph Colangelo, 8311 Cheshire Vale, Houston, Texas 77024 (713-412-1875) appeared and stated that they needed to perform the proper due diligence and asked if they were current on the taxes, were the mortgage payments current, was the property rehab of \$4 million justified, that at \$50,000 per unit did the project have a chance to succeed, that Pleasant Hill Package of 2,500 units was \$38,000 and they never thought it had a chance to succeed, that they looked at that figures and if they wanted to look again they could spend some time, could they really trust Ms. Bingham this time around to give them the right information, that the last time he sat in Council and remembered Council Member Tatro saying “what happens if this deal does not get put together” and Ms. Bingham stated that the City loan was well secured, that Crescent Park Financing stood on its own, how would they evaluate the proposal, that they should look at the current tenant mix and it was probably very close to the low income requirements in the proposal they submitted, were they really adding housing stock, probably not, how was Pleasant Hill CDC doing, they had hundreds of thousands of losses just a few months ago, what was going on, that if it was 95% leased, substantially rehabbed in the past few years, why spend an additional \$4 million on Crescent Park to upgrade things that probably were not needed, that the more rehab the easier it was to get HUD to do the deal, that HUD was becoming the lender of last resort when no one else would touch it, that even if they forgave \$2 million, which they were talking about doing, it still was not going to make sense, a foreclosure would come, the question was when, in the opinion of many people, that the property was probably not even worth the appraisal price of \$16 million, and continued to voice his personal opinions regarding Agenda Item No. 21 until his time expired. Council Member Galloway absent.

Upon questions by Council Members, Mr. Colangelo stated that he did not know if the mortgage or taxes were current, that he was saying they needed to do due diligence, that his problem with this project was the \$50,000 per unit, that there had never been a property in town that was a Class C property that sold for anywhere near that and did not see how it could work, that he was not a member of the Citizens Concerned for Fiscal Responsibility, that he was not a member of any group and had never heard of that group. Council Members Galloway and Robinson absent.

Mr. Tom Scott, 5305 Fieldwood, Houston, Texas 77056 (713-953-3344) appeared and

stated that a year ago the City Council voted \$1.850 million to acquire the property and today they were being asked to fund another half million to finance \$4 million worth of renovations, the property had been owned by Pleasant Hill for a year and was operating and occupied and there were only a handful of units that were not occupied and were not occupied because there was water damage, that the project did need to be rehabbed, that he had walked every unit, that inspectors and HUD had walked every unit, that all of the due diligence was done, that 48 hours after Council would vote the deal approved, the deal would close, the accusations were made once before by the same opponents that the homework was not done on the \$90 million deal, that 4 of the 5 deals in that portfolio subsequently closed in less than 6 weeks after the City Council turned down the \$90 million, that he was getting tired of people talking about the deal in broad statements with mis-facts, the homework had been done, the appraisals, inspections and third party reports had been done, that everything had been finished and was ready to close, that they should look at the capabilities and the responsibility of Pleasant Hill and Reverend Harvey Clements, there was not another CDC, non profit housing provider in affordable housing in the City that had done more for the City than Reverend Clements and continued to voice his personal opinions until his time expired. Council Member Galloway absent.

Upon questions by Council Members, Mr. Scott stated that he was a real estate developer, primarily dedicated to affordable housing and had developed over 3,500 units, all but 700 of them were affordable housing, that he was also Chairman of the Housing Authority of the City of Houston, that he was a banker for 20 years before that, also in real estate and affordable housing, so he understood how to make loans, that as to the opposition to the project, if they looked at the standard plain Jane way to buy existing apartments, renovate them and put them aside for affordable housing, the HUD Program combined with the Home Fund Program was the most efficient program available, that this money was reviewed and granted by HUD, that he thought it was a good deal for the City and would stake his reputation on it, that the taxes since Pleasant Hill had owned it were zero because Pleasant Hill does not pay taxes, that at closing there was maybe \$200,000 of taxes that were incurred while it was under private hands, there was a credit at closing for those taxes and were to be refinanced under the bond deal, now set aside for this deal, to be paid when this deal was refinanced, that the provisions were there to pay the taxes, they had not been paid because they did not ask the City for the funds at the time and were not due at the time, that the deal was closed last June and taxes did not come due until February and original projections that the deal would close before the end of last year; that the project had been through an incredibly thorough underwriting analysis by HUD and Davis Penn and others and passed muster all the way across the board, that he could not give them the exact date that the cosmetic rehab was done, but would say it was 10 to 12 years ago, the project they took over was in dire need of repair, the roofs were leaking and there were life safety issues beginning to mount on some of the railings and some of the balconies that needed to be addressed, the physical plant, the boiler being replaced, the air conditioning systems were being replaced, was there a renovation, yes there was a paint and shine cleanup about 10 years ago but it did not address the physical plant and that was what they addressed, at affordable housing they were not trying to gussie up the place, they were trying to provide real quality decent housing at an affordable price, that the accusations on fees had always been wild and usually incorrect and in fact he could not think on where they were correct, that the fees on this transaction were stated and up front, that his firm made one and one half percent in a fee, of that if they looked at the way the deal was running he had already deferred over half of that fee just to close the deal, that was what the gap was provided by the financing team, that was his money, the rest of the money were loan fees charged by HUD, the HUD underwriter and were standard every day market fees, that Davis Penn charged a 2% fee and for affordable housing and HUD underwriting that was the standard going rate, rate sheet quote and that was what they earned, that it was a 40 year loan with the construction, if they wanted to compare it apples to apples, that most loans were 1% for the construction and 1% to 1.5% for the permanent, it was a combination loan, that if the Council voted this down he did not know if the City would lose anything, as was appraised right now, it was more than appraised last year, everything was refreshed, all the studies were redone, the current appraisal was \$16.750 million and that said that the current loan and current outstandings by Southwest Bank of Texas were covered, what

it did not address was that it was an as is appraisal and did not address the need for the improvements and that was what the new transaction was addressing, that what the City would not get was any renovated housing, that he would speculate that at this time the City would not lose money, if there was a loss, and for them to understand that the current financing was about the current value, he could not predict what Southwest Bank of Texas would do, but if the City were to lose money it would not be unreasonable for HUD to come back and say, when they came to you, you gave them a \$1.850 million of HUD funds and at the time HUD told them they were going to provide the takeout so based on that the City gave them the \$1.850 million, they came before Council under a HUD approved refinance and were turned down, and now they have come back with a HUD approved privately financed deal and it was turned down, so why did they let their \$1.850 million go at risk. Mayor Brown, Council Members Galloway, Quan and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Parker stated that she wanted a moment of personal privilege, that she was late for Council because she attended two funerals back to back and was unable to get back in time for the presentations and wanted to thank the Texas Recreation and Parks Society for honoring her for Parks Advocacy as a local elected official and also wanted to thank the City of Houston Parks Department for submitting her nomination for the Texas Recreation and Parks Society so that she could be considered for the award. Mayor Brown, Council Members Galloway, Quan and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Larry Shaefer, 1218 Kinley Ln., Houston, Texas 77018 (713-956-5546) appeared and stated that he was present to talk about a problem in Neighborhood Protection, specifically a complaint on Inspector Emmett Walker of the Community Services Inspection Division and Monticella Flannigan, the acting Assistant Director of Public Works and Engineering, that he had a problem with Mr. Walker since November 1, 2001 repeatedly trespassing on his property at 1218 Kinley, November 1, 2001, November 14, 2001, March 2, 2002, March 5, 2002 and then July 5, 2002, in spite of the property being posted "no trespassing", that he had a meeting on July 2, 2002 with Mr. Walker, Ms. Flannigan and Mr. Walker's supervisor and asked him to cease trespassing and to comply with City ordinances, that he showed up again two days later taking pictures, trespassing, was invited in and instructed to leave the property, that he called Ms. Flannigan again that same day and had gotten no response, in fact he had gotten no response at all from her in any way, that Section 10.321 of the ordinance specifically covered trespassing by City employees and specifically speaks to the denial of admission of employees and requires such employees to only enter the property under authority of a warrant, which they applied for in November 2001 and was denied because there was no probable cause, that they had a hearing on the matter and it was dismissed, the hearings officer in fact "felt it was a waste of taxpayers money and a waste of defendant's time and money", that this inspector seemed to think that he could use certain Council positions and was spouting ordinances that did just not exist, such as composting standards, there were none in the ordinances, nuisances, unsightly conditions, those were not in the ordinances, and control of insects on the property, which was not in the ordinance, that he was asking the Mayor to send a letter to the department telling them to stop trespassing by City employees, that it was against the law, surely City employees could obey the law, that he had to obey the law and he expected them to do so, they needed some supervision in that department desperately, the supervisor that was the acting assistant needed to start acting as a director of that department, that he understood it had been transferred to Planning and had high hopes that they could comply, that he wanted to thank Council Member Tatro's office for helping him by getting them to even answer the telephone and return telephone calls, which they did not do, and also to Ms. Russell's department who found the ordinances for him, as she always did. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Tatro, Mr. Shaefer stated that he believed there was a complaint of visual blight from the neighborhood organization, which was not in the code either, and the neighborhood inspectors seemed to feel they were obligated to come onto the property and take pictures without permission, again and again, that at the hearing the complaints

against him were dismissed, that he waited to come to Council until after the matter was over because he did not want anybody to feel he was complaining prior to a hearing, that the inspector went into the neighbors yard to take pictures as well. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Council Member Parker asked Mr. Bibler under what circumstances could a Neighborhood Protection Inspector go into someone's backyard, and Mr. Bibler stated that if the area was fenced off and the owner did not give them permission then they should get a warrant, that he did not know why they would be poking around in someone's backyard unless they had a complaint and they should be able to turn that complaint into a warrant if it was legitimate. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Council Member Parker asked Mr. Shaefer when it started, and Mr. Shaefer stated that it started on November 1, 2001 and continued on and the reason they did not act on it was that he could not find where the Neighborhood Protection people ever even gave them notice, that they claimed they did, but there was no certified receipt or registration or no information whatsoever, that they had no pictures, no inspection reports, no information, just a notice to show up in 30 days and defend himself, that he had two meetings with Ms. Flannigan which were completely unproductive. Mayor Brown, Council Members Galloway and Vasquez absent. Mayor Pro Tem Quan presiding.

Upon further question by Council Members, Mr. Shaefer stated that he lived on the property, that people were coming onto his property and it could be a very dangerous situation, that he was a peaceful guy but it could be a dangerous situation; that through the open records act they were still fighting with the City Attorney about who the real complainant was, the City did not seem to want to tell them, but the civic club finally came forth and said that their problem was that it did not look like they wanted it to look and the hearings examiner was nice enough to point out that it was not in the rules, that how it looked was just not part of life, but they had done some things, they put a little reed fence up and the big argument about the compost pile was resolved, that there were no rodents or rats or insects and they all agreed on that, it was really an insignificant problem. Mayor Brown, Council Members Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Ms. Angela Scranage, 2139 Gillette, Houston, Texas 77006 (713-524-3409) appeared and stated that she lived in Sutton Square and were a community of about 300 townhomes that overlapped District D, which was the district that she was in and thought they were also partly overlapping District I, they were sort of community that was sandwiched between Montrose and the Fourth Ward with the front of their community being on West Gray and Gillette area, that she was present to address City Council as a resident who was extremely concerned with the lack of visible HPD patrol's in her neighborhood and what was at first slow and now seemed to be non existent response times when residents do call HPD central dispatch, that she would like to convey not only her personal concern, but as president of their home owners association, she would like to pass along the concerns and frustrations that many of their residents express to her on a daily basis through their website that she administered, that they send her email, phone calls, stop her in the neighborhood while walking, that she knew not everyone was called out to be urban pioneers, but those of them who moved to the new development in the Fourth Ward with the realistic understanding of what it was and what it had been, also had certain expectations of what it could be become, they invested heavily through the purchase of their homes in the City's revitalization plan because they wanted to live there, in a vibrant midtown, downtown community that was convenient to where they worked and night life as well, but many of them were finding that more and more difficult largely in part of what they believed to be a severe under allocation of HPD patrolmen in their neighborhood, not a week had gone by since she moved in where she did not hear yet another story of a garage or a patio being robbed, or a car being broken into, that there was a new entry on their website security log every few days and everyday when she went out to walk her dog or walk the neighborhood she saw fresh piles of broken glass that were indicative that yet another car had been broken into, that those of

them without gates around their front doors were prime targets for panhandlers at all hours of the day and night and to go outside their homes just to enjoy some simple grilling or puttering with the flowers, that is if they were not stolen the night before, was to do so at the risk of being harassed by either drunk or drugged stragglers on their way to nowhere in particular, that those residents who were home during the day report to her that their neighborhood was routinely patrolled during the day by scouts who would weave in and out of the driveways check gates and doors while people were not home, that they often brought shopping carts with them for those impulse purchases, that these particular folks were not the most dangerous of criminals but they were very persistent and actually succeeded at one or two she knew of to move out in the past couple of months, people who rented from friends of hers who owned property there, that the one thing she really wanted to drive home was that in addition to the petty problems they were also having more and more residents report problems with drug dealers right on the intersection of Genessee and Cook and were totally oblivious and unconcerned that residents were on their balconies watching them, that was their largest concern, they wanted that garbage out of there, they would just generally like to see a greater HPD patrol presence in the community. Mayor Brown, Council Members Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Parker stated that East Montrose was going as a group to the PIP meeting this week and they had compiled a list of every known burglary and vandalism and would be presenting it, that she would like to put her together with them, they seemed to be getting a good response from HPD but there was clearly going to have to be a coordinated effort and she would like to work with the District Council Member on that, and Ms. Scranage stated that their neighborhood watch committee and the homeowners association had contacted the fellow who heads up the PIP and she had talked to him personally and he said he would come out and talk to their community, but he made it clear to her that they operated out of the Westheimer Store Front and were not the ones who dictated the number of HPD patrolmen. Mayor Brown, Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that unfortunately the problem was getting really bad and she would like to have a meeting set up with her and see if they could get more active police, but it had to be more than just more active police, that she would like to sit and talk with her about how they could help get that done, that Ms. Rivera from her office was present and would meet with her and they could come out and meet with them. Mayor Brown, Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that her concerns had been sent to Captain York with the Central Command and Chief Dennis Richards was present and would meet with her and hopefully among them all they would address the issue. Mayor Brown, Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Ms. Takishy Settles, 11861 Dashwood, No. 14, Houston, Texas 77072 (713-398-7175) appeared and stated that she was present to speak on behalf of the students at Education America Houston Campus, that since they started the program they had been lied to about refurbished laptops that they received from the schools, that a couple of the students had been complaining about harassment from the director of the school, that students had been getting harassed and had filed complaints on the school and they also had questions about one class being charged \$19,894.00 for an Associate Degree, while their class was charged \$22,850.00 for a diploma, that she figured if they needed a diploma they could go back to high school, that the director of the school had charges filed on him as of yesterday for assaulting students and she was one of those students who was assaulted by the Director of Education America Houston Campus and also right now they were in the process of merging diploma students with degree students, how could they merge diploma students with degree students when they were teaching two different programs as they were told, that another thing was that on 4:15 p.m. on June 12, 2002, she spoke with Ms. Donna Carlan from the Texas Higher Education Board and

as she was told she said "the school is on probation for granting degrees to students that did not receive the TAAS Test", that when they were asked about getting their Associate Degree the thing they came up with was that they could not offer them right now because they were trying something, they did not actually tell them the truth, that some other students were complaining about their names being forced on student loan checks and they withdrew from the school and also some of the students were being forced to withdraw from the school because of the pressure that the faculty and the staff had been putting on the students who did file a verbal and formal complaints about the school to the Texas Workforce Commission and as of yesterday they spoke with Mr. Fred Hammock in Austin about this matter and they did mail them the paperwork to send back to them, that students had been lied to about numerous things at the school, that their class started out with 40 students and they had 3 students left. Mayor Brown, Council Members Tatro, Galloway, Alvarado, Parker and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Vasquez, Ms. Settles stated that Education America was basically a technical school, they offered a Medical Assistant Program, Computer Network, CIS and BIS Programs, that would like for the City to look into what was going on, that they filed a complaint with the Texas Workforce Commission.

Council Member Vasquez stated that she should file with the Police Department or the District Attorney at the County because the City government did not have any authority over this particular entity as far as he knew, and Mayor Pro Tem Quan stated that maybe the Better Business Bureau or something of that nature, and Mayor Pro Tem Quan stated that Mr. Cantu, of the Mayor's Citizens Assistance Office would meet with her also, and Council Member Edwards stated that she would suggest that Ms. Settles make an official complaint with the District Attorney's office if this was what was going on. Mayor Brown, Council Members Galloway, Alvarado, Parker and Berry absent. Mayor Pro Tem Quan presiding.

Ms. Karen Kay Kristopher, 5161 San Felipe Ste. 32, Houston, Texas 77056 (713-866-4016) appeared and stated that they had a billboard in the back of the Council Chamber and it was the first billboard going up in the City for the Houston Area Association for Decency and it was quite exciting, that she wanted to thank the placing authorities in Houston, the Vice Squad and all authorities who had helped recently in some of the situations with pornography, that she was very thankful and so were the people and the families of Houston and continued to voice her personal opinions regarding child pornography and assaults on women until her time expired. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Members, Ms. Kristopher stated that it was a difficult issue, that yesterday she called the vice squad and they were working so hard trying to do so much and Captain Cutler was a very fine person and Sergeant Cox worked particularly with the pornography in the City and she thought that if the communication were easier sometimes it might be helpful, that her organization was a 501C3 and was called the Houston Area Association for Decency, that it was not a new agency, that the thought, energy and activity began in 1996, that they were interested in the subject of battling pornography and defending the family in general, but thought the most critical area was child pornography and what was happening with their children, that certainly as they looked at protecting their children and better communication with their children, that their first billboard went up on I59 right after downtown and right before the Hwy 288 exchange and looked like the one displayed in the back of the Council Chamber, that they had six planned in the next few months and then they had another six planned, it was a billboard campaign designed to raise awareness and get people to contact their organization and perhaps get involved. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Tom Grishman, 7600 Creekbend, Houston, Texas 77071 (713-777-5539) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members

Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Ms. Maris Del Soccaro Zamora, 3306 Orlando, Houston, Texas 77093 (713-699-8944) appeared and had a translator read a letter to the Mayor and City Council regarding her physical condition and the pain that she was in due to a tumor and requested that the Mayor communicate with Ben Taub Hospital so that they may expedite the process and schedule her surgery as soon as possible. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Sekula-Gibbs, Ms. Zamora stated that her doctor gave her the paperwork to go to Ben Taub Hospital and the Ben Taub doctors were the ones who decided about the surgery, that she had not been back to see her doctor at Casa De Amigos, and Council Member Sekula-Gibbs stated that she could make a phone call and talk to her doctor and see if she could find out what the situation was and maybe expedite the entrance into the system, that sometimes the waiting list had to stand firm, but sometimes it could be maneuvered and would do her best to investigate and make sure Ms. Zamora had not been dropped through the cracks and asked that Ms. Zamora meet with her after the Council meeting and go to her office and see if they could get some information to help. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that Mr. Benito Juarez from the Mayor's office was present and would meet with her and work with the Harris County Hospital District on behalf of the Mayor to see if they could expedite her treatment as well. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Johnnie McFarland, 14303 Ardwell Dr., Houston, Texas, Sugarland, Texas 77478 (281-568-2101) appeared and stated that he was a sergeant assigned to the Houston Police Department Emergency Communications Division and was also a union representative for the Houston Police Patrolmen's Union Fraternal Order of Police Lodge 109, that he was present to set the record straight on what had occurred in dispatch since they were told they were merging with the 911 network, that he was not present to point fingers or to assess blame, but was present to prevent the reoccurrence of events that had transpired against the telecommunicators, that on Friday, July 12, 2002, approximately 200 telecommunicators were going to receive a check for 40 hours of pay after they had worked 80 hours, the telecommunicators were being switched from the HPD payroll cycle to the municipal payroll cycle, the switch, which the employees were not aware of or advised of until 9 days before payday had created a great hardship on the affected employees financial affairs, that most of the employees had worked overtime and were expecting that overtime pay to be on their checks, that most of the employees had their bills paid through electronic draft and now they would have to explain to their creditors why their payments were overdue, that it had been very disheartening that the telecommunicators did not receive a timely notification about the paycheck reduction and it was extremely disappointing that an apology had not been given and was also very discouraging that moments after a press conference was held about this issue a representative from the Mayor's office told the media that the issue had been resolved and that the employees had been told in advance that 40 hours would be docked from their checks, nothing could be further from the truth, as of this date and time the only resolution was that the hard working and dedicated telecommunicators were going to have to survive on an unexpected and undeserved and unannounced reduction in pay, that on behalf of the telecommunicators he asked that if there were any discretionary or emergency funds that could be allocated to assist these employees please do whatever was in their power to do to help them, there may be those that would say that the City could not afford to pay them, but the City definitely could not afford to lose them, their financial affairs were in the City's hands but their families and futures were in God's, that he especially wanted to thank the staffs of Council Members Edwards and Robinson for their assistance and support. Mayor Brown, Council Members Galloway, Goldberg, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that he wanted to apologize and would go on record that there was an error or mistake, that they were now trying to get the funds certified by the Controller so they could get those payments made, they anticipate it would be done within two days, that in the transfer of the system a mistake was made. Mayor Brown, Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Keller moved to suspend the rules to hear from Chief Dennis Richards at this time, seconded by Council Member Parker. All voting aye. Nays none. Council Member Ellis absent on city business. Mayor Brown, Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. MOTION 2002-0829 ADOPTED.

Mayor Pro Tem Quan requested that Chief Richards tell them the latest on the situation, and Chief Richards stated that he had been dealing with the issue for several days, that it had been very irritating and had been as upset as the folks in the audience, that the transition they were going to make to the HEC, HPD was on a different pay cycle from the municipal pay cycle and by transferring them to municipal pay cycle was going to cause a change and transition in their checks, which meant that the check they would ordinarily receive from HPD on Friday, July 12, 2002, was going to be for 40 hours, for one week, the applicable deductions for that pay cycle were going to be taken out of that check, that they would have all of the deductions taken out for one weeks worth of pay, the following Friday they would be issued another check, a full two weeks check, on July 19, 2002 and that would not have any deductions on it, but that would not help them out for this week, that just a few moments ago he got a call from their Budget and Finance Office, they had been working with Dr. Scheps and he had ordered that since they had been on HEC's payroll since July 1, 2002 and they had worked that week they were due that money so he had ordered that they be paid for 80 hours on the check for July 12, 2002, and then again on July 19, 2002 they would receive the remainder of the 40 hour wages, that any overtime they had made would be included on the check of July 12, 2002, that they started work on July 1, 2002 as municipal employees. Mayor Brown, Council Members Galloway, Keller, Vasquez, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

After further discussion by Council Members, Ms. Stein stated that she had just talked to Dr. Scheps and they would get a 40 hour check with the full deductions but they would get a supplemental check in addition to that which would be another 40 hours with no deductions, plus any over time, and it would be as soon as the Controller released the checks and everyone would be made whole with the paycheck on Friday, July 12, 2002, and Sergeant McFarland stated that they would meet with Chief Richards after the meeting. Mayor Brown, Council Members Galloway, Edwards, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Lee Mercer, 4928 Winnetka, Houston, Texas 77021 (713-741-9656) appeared and voiced his personal opinions regarding a budget for his HPD debriefing until his time expired. Mayor Brown, Council Members Galloway, Edwards, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (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. Mayor Brown, Council Members Galloway, Edwards, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Janice Blue, 1708 Rosewood, Houston, Texas 77004 (713-522-6899) appeared and stated that they were collecting signatures on a petition regarding cruelty to animals in circuses and traveling shows and voiced her personal opinions regarding the animals until her time expired. Mayor Brown, Council Members Galloway, Edwards, Wiseman, Vasquez, Alvarado,

Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Members, Ms. Blue stated that there were several cities in the United States that had banned circuses, that she was not present to speak about zoos, but three years ago at the El Paso Zoo they filmed a training session with an elephant named Cissy that was beaten by four or five people with baseball bats for two hours. Mayor Brown, Council Members Galloway, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. NO QUORUM PRESENT

Mr. Paul Wallace, 3624 Hadley, Houston, Texas 77004 (713-629-5634) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Galloway, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. NO QUORUM PRESENT

President Joseph Charles, 8034 Antoine, No. 107, Houston, Texas 77088 (713-878-2355) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Galloway, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. 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. Mayor Brown, Council Members Galloway, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. NO QUORUM PRESENT

At 4:20 p.m. the City Council recessed until 9:00 a.m., Wednesday, July 10, 2002. Council Member Ellis out on city business. Mayor Brown, Council Members Galloway, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. NO QUORUM PRESENT

City Council Chamber, City Hall, Wednesday, July 10, 2002

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, July 10, 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. Paul Bibler, Senior Counsel, City Attorney's Office; Ms. Martha Stein, Agenda Director present.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 Mayor Brown reconvened the meeting of the City Council and stated that the first order of business was a public hearing. Council Members Goldberg, Ellis, Alvarado and Robinson absent.

HEARINGS

1. **PUBLIC HEARING** - Pursuant to 43 Texas Administrative Code 25.603(d), the City Council will conduct a local public hearing to consider the adoption under 545.0651 of the Texas Transportation Code of a proposed restriction on the operation of certain trucks/trailers on a portion of State Highway 225 within the City of Houston between the point at which the corporate limits of the cities of Houston and Pasadena abut on the east and centerline of the pedestrian overpass that crosses State Highway 225 in the vicinity of Roosevelt and Reese Streets on the west. For further information, see the draft ordinance

that has been posted with this Agenda. Persons who desire to make public comments may contact the City Secretary's Office at 713-247-1840 in order to sign up to speak at the hearing. Alternatively, written comments may be delivered to the City Secretary's Office before commencement of the hearing - **9:00 A.M.**

Sergeant C. J. Klausner appeared and stated that he was present to voice his opinion on the restricted left lane program and how successful the program had been, that it was a thank you to the City Council for enacting the legislation in September 2000, they currently had an 8 mile stretch from the East Freeway and the results were just magnificent since that program had gone into affect, that crash rates were down 68%, fatality rates were at zero, that was a staggering comment to make since that was the heaviest stretch of truck traffic in the City and in comparison to unfortunate fatality accidents involving trucks and cars going up at a staggering pace, that compared to last year, they were 23 deaths over the year before, this program was not to put blame on the trucking industry nor was it to put blame on passenger car drivers, that this program was initiated with City Council's support to see if there was a reduction in the mixture of cars and trucks, it was a program that had worked well in other states and they were the first City in the State of Texas and were a pacesetter, to try such a program in the State, that he was out there everyday enforcing the new ordinance, his 40 officers that he supervised were out there each and every day, that 80% of the public, in a survey, came back and indicated that this program was outstanding, that most of the people that were solicited indicated they wished it would be applied to all of the freeways in the City of Houston and as he had indicated to many of them who had personally called him on the phone, they were taking it in baby steps, they wanted to make sure that they could enforce the ordinance rather than just pass a blanket ordinance and if there was an enforcement it would really not be as successful, that from a law enforcement point of view he would be delighted to see this go to adjacent freeways in their City. Council Member Ellis absent.

Upon questions by Council Members, Sergeant Klausner stated that the statistics were really the lives and heartache they saved, that 68% reduction in crashes, those were crashes involving not only commercial vehicles but crashes involving cars as well, that was a 9 month program from September 25, 2000 to May 31, 2001, the fatality rates on that 8 mile stretch stood at zero, that when the program was first being introduced a number of members met with the trucking industry to discuss the program, that it was somewhat restricted, it was going to keep the left lane void of the large 18 wheeler trucks so at first they were not delighted with the program, that he attends 50 to 60 safety truck meetings each year making presentations to the drivers and he would tell them that he did not hear anybody at this point complaining because as he articulates to those men and women who were trying to do an outstanding job, and most of those truck drivers do an outstanding job, he hears no negative responses at this time because they know all too well that their loved ones, including themselves, are on that stretch of roadway and if this program was reducing crashes and saving lives, they could not intellectually debate the success of the program, that he hoped it would expand to other areas, that the Mayor had been very gracious in supporting and so had Chief Bradford and his command staff, that the implementation of this program onto the North Freeway, I-45, from Crosstimbers out to Greens Road and back, as well as on Highway 225, that Highway 225 being an interesting freeway in that it involved multiple mayors all having to come together, that it was about a mile stretch that they would enforce, that they were certainly very bullish on the North Freeway and he would tell them that his desire was to get the North Freeway operational, that the law enforcement communities would be working together, that Pasadena and La Porte had an active truck enforcement unit, of course they would not be entering their territory, obviously they could not take enforcement activity, that the majority of his officers would be deployed to the East Freeway, the North Freeway and freeways as such where certainly there were miles upon miles of restricted lanes, that he came before the TTI Committee regarding a truck weighing station and he and Council Member Robinson had discussed it just last week, that Council Member Robinson was going to assist the Truck Enforcement Unit in getting a weight station operational at Canino Road and I-45, presently TXDOT was gracious to blacktop that area about a year ago for them, that blacktop would not support weighing trucks and Council Member Robinson had

indicated he was going to assure that Canino and I-45 was going to have concrete poured, that TXDOT would do the site planning, as quickly as they get that operational they would start weighing trucks at that site, that they understood that Houston had a \$7 billion investment in their roadways and it was going to be his mission to insure that the trucks did not abuse it, that it was more important that they have a weight site, that as to the construction on the freeways, if there was construction going on when other lanes were shut down, he, at that time, would shut down their project, it would not be fair if two or three other lanes were closed. Council Member Ellis absent.

After further discussion, Council Member Quan moved to close the hearing, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Ellis absent. MOTION 2002-0830 ADOPTED.

At 9:33 a.m. Mayor Brown stated they would continue with the agenda.

Council Member Quan stated that as a point of personal privilege he wanted to recognize those present from the Houston Asian Junior Chamber of Commerce Youth Leadership Project, that there were 21 students visiting City Hall and seeing how local government worked and asked that they stand and be recognized. Council Member Ellis absent.

Mayor Brown stated that he wanted to welcome them to City Hall and were delighted they were present and hoped that they would consider public service as their career as they grow older. Council Member Ellis absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBERS 2 and 3

2. RECOMMENDATION from the Fire Chief for Extension of Injured Leave for Fire Fighter **JERRY M. POWERS** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0831 ADOPTED.
3. RECOMMENDATION from Director Department of Aviation for expenditure for specialized training to be conducted by **TEXAS A&M UNIVERSITY** for Aircraft Rescue and Fire Fighting at George Bush Intercontinental and William P. Hobby Airports - \$75,000.00 - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0832 ADOPTED.

ACCEPT WORK - NUMBERS 4 and 8

4. RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$2,362,388.79 and acceptance of work on contract with **ROOFTOP SERVICE COMPANY, INC** for Terminal C Reroofing at George Bush Intercontinental Airport/Houston, Project 490G, CIP A-0131 and A0356 - 07.16% less than the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0833 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,264,171.08 and acceptance of work on contract with **TEJAS CONSTRUCTION COMPANY** for Construction of Water Storage Tanks at

the Southwest, District 159 and West Road Pumping Stations, GFS S-0610-20-3 (10521-20) - 03.58% under the original contract amount - **DISTRICTS A - TATRO; B - GALLOWAY and C - GOLDBERG** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0834 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 14

9. **AMEND MOTION NOS. 98-1754, 11/4/98, 99-1322, 7/21/99 and 01-0519, 5/16/01, TO EXTEND** expiration date for 4 months from July 20, 2002 to November 20, 2002 for Medical Diagnostic Test Kits, Parts I and II for the Health and Human Services Department, awarded to **bio MERIEUX (formerly ORGANON TEKNIKA CORPORATION), ABBOTT LABORATORIES, INC, BECKMAN COULTER, INC, BECTON DICKINSON MICROBIOLOGY SYSTEMS, CAMBRIDGE BIOTECH, GEN-PROBE and BIO RAD LABORATORIES, INC (formerly SANOFI DIAGNOSTICS PASTUER, INC)** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0835 ADOPTED.
10. **DECLARE MEDI-PETH MEDICAL LAB, INC** in default and hold them non-responsible for two years - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0836 ADOPTED.
12. **BAYOU CITY FORD TRUCK SALES, INC** for Confined-Space Entry Team Trucks for Department of Public Works & Engineering - 225,666.00 - Storm Water Utility Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0837 ADOPTED.
14. **SOUTHWEST STAINLESS, L.P. dba HUGHES SUPPLY** for Meter Vaults, Panel Style, for Department of Public Works & Engineering - \$33,500.00 - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0838 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 31

18. ORDINANCE consenting to the addition of 1.733 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 136**, for inclusion in its district - was presented. All voting aye. Nay none. ORDINANCE 2002-0639 ADOPTED.
19. ORDINANCE establishing the North and South Sides of the 700 block of Highland Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nay none. ORDINANCE 2002-0640 ADOPTED.
25. ORDINANCE approving and authorizing an intergovernmental agreement between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL** for Regional Law Enforcement Training Classes - \$26,251.00 - Revenue - was presented. All voting aye. Nay none. ORDINANCE 2002-0641 ADOPTED.
26. ORDINANCE approving and authorizing sponsorship agreement between the City of Houston and **SUTTON SQUARE COMMUNITY ASSOCIATION, INC** for Garbage Collection Service for the respective Civic Association - 12 months - \$11,376.00 - **DISTRICT A - TATRO** - was presented. All voting aye. Nay none. ORDINANCE 2002-0642 ADOPTED.

27. ORDINANCE appropriating \$96,546.61 out of Water & Sewer System Consolidated Construction Fund and authorizing a Developer Participation Contract between the City of Houston and the **PARTNERSHIP, GSX INTERNATIONAL, INC/MORGAN KENDAL HOMES, INC** for construction of Water and Sanitary Sewer Lines in the White Oak Terrance II Subdivision, CIP S-0800-69-03 and R-0800-69-03 - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nay none. ORDINANCE 2002-0643 ADOPTED.
30. ORDINANCE amending Ordinance 2002-623 to correct the name of the engineering testing laboratory contractor from **GEOTECH ENGINEERING & ENVIRONMENTAL SERVICES, INC** to **GEOTEST ENGINEERING, INC**; containing provisions relating to the subject - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nay none. ORDINANCE 2002-0644 ADOPTED.
31. ORDINANCE appropriating \$3,141,253.28 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TOM ALLEN CONSTRUCTION CO.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-S1-3 (WW 4257-33); 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. Nay none. ORDINANCE 2002-0645 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

5. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$283,684.82 and acceptance of work on contract with **LITTLE TIKES COMMERCIAL PLAY SYSTEMS, INC c/o ALL PLAY, INC** for Renovation of Five Playgrounds Spurlock, Garden Villas, Fonde, Sagemont and Boone Rd. Parks, GFS F-0468-01-3 - 04.30% over the original contract amount - **DISTRICTS E - WISEMAN; F - ELLIS and I - ALVARADO** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0839 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,647,811.72 and acceptance of work on contract with **DURWOOD GREEN CONSTRUCTION, CO.** for Construction of Asphalt Overlay Project in Northline Park Phase II (Package II), GFS N-1037-09-3 (OL2009) - 04.99% the original contract amount **DISTRICTS B - GALLOWAY and H - VASQUEZ** - was presented, moved by Council Member Keller, seconded by Council Member Tatro. All voting aye. Nay none. Council Member Ellis absent. MOTION 2002-0840 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$838,815.22 and acceptance of work on contract with **SCI CONSTRUCTORS, INC** for Construction of Neighborhoods to Standard - Tier VI Brookhaven Overlay Project, GFS Q-1143-01-3 (243-98) - 00.47% under the original contract amount **DISTRICT D - EDWARDS** - was presented, moved by Council Member Quan, seconded by Council Member Tatro, and tagged by Council Member Edwards. Council Member Ellis absent.

PURCHASING AND TABULATION OF BIDS

11. **ADA RESOURCES, INC** - \$4,900,000.00 and **KING FUELS, INC** - \$4,000,000.00 for Fuel, Diesel Low Emission for Finance & Administration Department - Central Service Revolving Fund - was presented, moved by Council Member Quan, seconded by Council Member Tatro, and tagged by Council Member Wiseman. Council Member Ellis absent.
13. **HOUSTON G&G DEMOLISHING SERVICE, INC** - \$45,685.00 and contingencies for a total amount not to exceed \$47,969.25 and **FERNANDEZ AND SON** - \$35,680.00 and contingencies for a total amount not to exceed \$37,464.00 for Demolition Services for Department of Public Works & Engineering - Dangerous Building Consolidated Fund - was presented, moved by Council Member Quan, seconded by Council Member Parker, and tagged by Council Member Goldberg. Council Member Ellis absent.

RESOLUTIONS AND ORDINANCES

15. RESOLUTION authorizing the City of Houston, Texas, to intervene in the Reliant Energy, Incorporated 2002 fuel reconciliation and related matters to be considered by the Public Utility Commission of Texas relating to transmission and distribution charges to and the Retail Electric Rates of Reliant Energy Retail Services, LLC, and to take other appropriate actions relating to the foregoing subject and proceedings and making certain findings relating thereto - was presented. All voting aye. Nays none. Council Members Ellis and Sekula-Gibbs absent. RESOLUTION 2002-0024 ADOPTED.
- 15a. ORDINANCE approving and authorizing contract between the City of Houston and **EPSTEIN, BECKER & GREEN, WICKLIFF & HALL, P. C.** for Legal Representation of the City in the Reliant Energy, Incorporated 2002 fuel reconciliation case and related matters pending before the Public Utility Commission of Texas - Not to exceed \$900,000.00 - General Fund - was presented. All voting aye. Nays none. Council Members Ellis, Keller and Sekula-Gibbs absent. ORDINANCE 2002-0646 ADOPTED.
16. ORDINANCE amending **CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to certain Alcohol Premises in the Shepherd Plaza Shopping Center; containing other provisions relating to the foregoing subject; providing for severability - was presented, and tagged by Council Members Wiseman, Parker and Galloway. Council Members Ellis and Keller absent.
17. ORDINANCE amending the **CODE OF ORDINANCE OF THE CITY OF HOUSTON, TEXAS** by amending Section 44-4 to provide for a Tax Exemption for the Tax Year 2002 and for each year thereafter on residence homesteads owned by person 65 years of age or older or by certain persons with disabilities; containing other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0647 ADOPTED.
20. ORDINANCE appropriating \$297,996.00 out of Low Income Housing Fund (Fund 872); approving and authorizing an agreement between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to provide a performance-based loan of \$297,996.00 in connection with the Rehabilitation of nine historic rental units restricted for occupancy by eligible low-income residents; making various findings and provisions relating to the subject - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0648 ADOPTED.
21. ORDINANCE approving and authorizing an amended and restated loan agreement between the City of Houston and **PH CRESCENT PARK, LLC** to Restructure an existing \$1,850,000.00 loan as a Performance-Based Loan with a twenty year term and to increase the loan by an additional \$516,367.00 of Federal "Home" Funds, in connection with a 436-

Unit Apartment Project located at 2310 Crescent Park Drive to provide housing for low-income persons - **DISTRICT G - KELLER** - was presented, and tagged by Council Members Wiseman, Tatro and Sekula-Gibbs. Council Members Ellis and Keller absent.

22. ORDINANCE approving and authorizing a contract between City of Houston and **CUSTOM LOGIC DESIGN, INC** for the emergency alerting system software and services for Houston Fire Department - \$1,032,746.00 - General and Equipment Acquisition Funds - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0649 ADOPTED.
23. ORDINANCE approving and authorizing the submittal of an application to the Texas Department of Health for public health preparedness and response to Bioterrorism Grant (The "Grant"); declaring the city's eligibility for such grant; authorizing the director of the Health and Human Services Department to act as the city's representative in the application process; authorizing the director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant; authorizing thirteen (13) new staff positions - \$3,295,450.00 - Grant Fund - was presented, and tagged by Council Members Goldberg, Vasquez and Sekula-Gibbs. Council Members Ellis and Keller absent.

Council Member Quan stated that he thought of tagging the item as well and understood that the funds were available but would like a more detailed briefing as to their plans on terrorism. Council Members Ellis and Keller absent.

Council Member Sekula-Gibbs stated that she would also like to learn more about it and asked that they add her tag to the item. Council Members Ellis and Keller absent.

Council Member Goldberg stated that he also had a question on the item and stated that he also wanted to tag the item so he could get the answer and asked if the 13 new positions were going to be permanent or temporary and Mayor Brown stated that they were grant positions and thus were not part of the General Fund, that when the grant went out the positions would be eliminated. Council Members Ellis and Keller absent.

Council Member Goldberg asked how that would work for the employees and staff members and Mayor Brown asked Mr. Bibler to answer that question and Mr. Bibler stated that it was addressed in their layoff ordinance, that employees who were assigned to grant funded positions were specifically advised of that when they were hired and understood that they could be laid off separately from layoff or general business of the City. Council Members Ellis and Keller absent.

Council Member Robinson stated that he did not tag the item but had similar questions about what was going on and on a couple of different occasions in the past he had asked that they have some kind of briefing and he send a memo out, that he would like to see if they could have some consideration of a committee, that he thought it was such an important issue they ought to have a Council committee on it to keep some ongoing presence and discussion on the issue and hoped they could get that, not only a committee but maybe a Mayor's report to give them an update and Mayor Brown stated he would make sure they would do that. Council Members Ellis and Keller absent.

24. ORDINANCE approving and authorizing the submission of an application for grant assistance to the National Institute of Justice (NIJ) for funding of a Crime Analysis Geographic Information System; declaring the city's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$457,692.00 - Grant

Fund - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0650 ADOPTED.

28. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Roark No. 2 Lift Station Rehabilitation, GFS R-0267-A3-3 (WW4728-3) - **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0651 ADOPTED.
29. ORDINANCE appropriating \$110,000.00 out of Park Consolidated Construction Fund as an additional appropriation for professional consulting services contract with **ENVIRONMENTAL CONSULTING SERVICES, INC** (approved by Ordinance No. 01-0814), GFS F-0509-00-05; providing funding for project management and contingencies relating to construction of facilities financed by the Park Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0652 ADOPTED.
32. ORDINANCE appropriating \$3,226,040.86 out of Water & Sewer System Consolidated Construction Fund awarding contract to **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-S3-3 (WW 4257-35); 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 Members Ellis and Keller absent. ORDINANCE 2002-0653 ADOPTED.
33. ORDINANCE appropriating \$328,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ENVIRONMENTAL ENGINEERS AND CONTRACTORS II, LTD.**, for Dairy Ashford No. 5 Lift Station Rehabilitation, GFS R-0267-73-3 (4276-33); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0654 ADOPTED.
34. ORDINANCE appropriating \$100,000.00 out of Fire Consolidated Construction Fund, and authorizing and approving purchase of real property and the payment of the costs of such purchases and/or condemnations of such real property associated costs for appraisal fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees for and in connection with and finding a public necessity for the Fire Station #20 and Fire Station #26 Expansion Projects, CIP C-0142 - **DISTRICT I - ALVARADO** - was presented. Council Member Ellis absent.

Council Member Quan stated that he would like a more detailed briefing on the item, especially for expert witness fees, that when they had a potential condemnation of property to expand the Fire Department he was not familiar that they had been doing it in the past and asked if someone could provide information on that and Mr. Bibler stated that those were the appraisers that they used for the hearings and court cases, and Council Member Quan stated that he was satisfied with that.

A vote was called on Item No. 34. All voting aye. Nays none. Council Members Ellis and Keller absent. ORDINANCE 2002-0655 ADOPTED.

NON CONSENT AGENDA - NUMBERS 35 and 36

MISCELLANEOUS

35. **SET A PUBLIC HEARING DATE** to consider the creation of a Reinvestment Zone for **LANDRY'S MANAGEMENT L.P. - DISTRICT I - ALVARADO SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - JULY 17, 2002** - was presented. Council Member Ellis absent.

Council Member Quan moved to set the hearing to consider the creation of a Reinvestment Zone for Landry's Management L.P. for July 17, 2002, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent. MOTION 2002-0841 ADOPTED.

PROPERTY

36. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ron Nielsen of R. G. Miller Engineers, Inc., on behalf of Memorial Hermann Healthcare System (Dan S. Wilford, president), for abandonment and sale of Ohsfeldt Street, from West 26th Street to West 27th Street, in exchange for the conveyance to the City of a 10-foot wide water line easement, all located in the Henry Reinerman Survey, A-644, Parcels SY2-058 and KY2-080 - **APPRAISERS - DISTRICT H - VASQUEZ** - was presented. Council Member Ellis absent.

Council Member Vasquez named Mr. William Kavinti and Mr. Charles Rohde as appraisers and moved approval of the recommendation, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent. MOTION 2002-0842 ADOPTED.

MATTERS HELD - NUMBERS 37 through 41

37. RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its Air Cargo Revenue Bonds (Perot Development Houston LP Project) Series 2002 - (**This was Item 16 on Agenda of July 2, 2002, TAGGED BY COUNCIL MEMBER ELLIS**) - was presented. Council Member Ellis absent.

Council Member Keller moved to refer Item No. 37 back to the administration, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent. MOTION 2002-0843 ADOPTED.

38. ORDINANCE authorizing the issuance of City of Houston, Texas, Airport System Subordinate Lien Revenue Bonds, Series 2002A (AMT), Series 2002B (Non-AMT), Series 2002C (AMT) and Series 2002D (AMT); authorizing the Mayor and City Controller to approve the amount, the Interest Rate, Price, Bond Insurance provider, Reserve Fund Surety provider and terms thereof and certain other procedures and provisions relating thereto, providing for the payment thereof; awarding the sale of the Bonds; authorizing the refunding and defeasance of certain refunded notes; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of Bond Insurance and Reserve Fund Surety Policy; authorizing and engaging an Escrow Verification Agent and an Escrow Agent; authorizing a Co-bond Counsel Agreement and a Special Disclosure Co-counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement - (**This was Item 17 on Agenda of July 2, 2002, TAGGED BY COUNCIL MEMBER ROBINSON**) - was presented. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2002-0656 ADOPTED.

39. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portions of Del Norte Drive, Diamond Street, and Rosslyn Road Street rights of way containing an aggregate of 43,237 square feet of land, more or less and a sanitary sewer easement containing 2,000 square feet of land, more or less, being out of the Deroloc Addition, Sam McClelland Survey, A-544, Harris County, Texas,

vacating and abandoning said tracts of land to **CANDLELIGHT DEVELOPMENT JOINT VENTURE**, the abutting owner, in consideration of owner's dedication of a street right of way easement containing 4,735 square feet of land, more or less, a utility easement containing 3,237 square feet of land, more or less, two sanitary sewer easements containing an aggregate of 3,452 square feet of land, more or less, payment of \$10,990.00, and the construction of a bridge across a 70-foot-wide drainage ditch, and other consideration to the City - **DISTRICT A - TATRO - (This was Item 20 on Agenda of July 2, 2002, TAGGED BY COUNCIL MEMBERS QUAN and SEKULA-GIBBS)** - was presented.

A roll call vote was called on Item No. 39.

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 no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis absent	Council Member Robinson voting no
Council Member Keller voting aye	ORDINANCE 2002-0657 ADOPTED

40. ORDINANCE approving and authorizing first amendment to an Auto Racing Agreement between the City and the **TEXACO GRAND PRIX OF HOUSTON LLC - DISTRICT I - ALVARADO** - **(This was Item 21 on Agenda of July 2, 2002, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. Council Member Ellis absent.

Council Member Goldberg stated that he had tagged the item and consequently met with some people and stated that he wanted to thank Ms. Ullrich from C&E and Mr. Pete Radowick and Mr. Stephen Lewis from the Legal Department and from the Texas Grand Prix, Mr. Jim Melvin and Mr. Chris Woolwine, that apparently when they entered into a six year contract to do the Texaco Grand Prix they did not anticipate their street reconstruction project which made it difficult to have a Grand Prix and basically they were going to amend the contract to let Texaco out of the six year obligation, that it was good and bad and disappointed that it could not be avoided but in six months all the parties had agreed to come back and sign a new contract and what that contract would be they did not know as of yet because there were no commitments or conditions, but he did want to thank those people for meeting and explaining it, that the only other question he had was the fact that in the Fire Department Budget and in the Police Department Budget they allocated money for the Grand Prix because they covered some of those services and wondered what had happened to that money, and Mr. Haines state that the item simply deferred back to the General Fund but would get Council Member Goldberg the specifics on it. Council Members Ellis and Robinson absent.

A vote was called on Item No. 40. All voting aye. Nays none. Council Member Ellis and Robinson absent. ORDINANCE 2002-0658 ADOPTED.

41. ORDINANCE appropriating \$101,132.05 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **CANDLELIGHT DEVELOPMENT JOINT VENTURE** for Construction of Water and Sanitary Sewer Lines in Candlelight Place Subdivision, Section 3, CIP S-0800-70-03 and R-0800-70-03 - **DISTRICT A - TATRO - (This was Item 28 on Agenda of July 2, 2002, TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented.

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

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 no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis absent	Council Member Robinson voting no
Council Member Keller voting aye	ORDINANCE 2002-0659 ADOPTED

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that as they knew the NAACP was holding their national convention in Houston and wanted to congratulate Mr. Larry Paine and Ms. Georgia Noon for doing a wonderful job in organizing that convention, that he thought there was a great number of interesting topics going on and encouraged his colleagues to go out and participate in some of the workshops and programs that they had. Council Member Ellis absent.

Council Member Quan stated that the Washington Avenue neighborhood was going to have a neighborhood cleanup starting at 8:00 a.m., Saturday, and if anyone had any free time he would like for them to join them, that the Washington area was an area they were looking to revitalize and bring it back as a main corridor for commercial business to the City. Council Member Ellis absent.

Council Member Quan stated that they had a program coming to Houston with the Shoulin Monks from China, that the group was recognized worldwide, that many of them grew up watching the show Kung Fu and it was from that temple in China that the monks came from, that they would be performing in Houston and would be having a press conference on the steps of City Hall as a preview of their program in Houston. Council Member Ellis absent.

Council Member Sekula-Gibbs stated that there was an article in the Houston Chronicle expressing their sentiments against passage of Item 21 followed by today's piece submitted by Ms. Margie Bingham, Director of Housing and Community Development, who had spoken in favor of the item, that Ms. Bingham was at the Housing Affairs Committee meeting and at that time she had an opportunity to express her feelings about why the plan was a good plan, that she wanted to say that no individual would lose their home if these houses or apartments were allowed to go to receivership and Southwest Bank would just sell the property to another buyer, that she was commenting that she thought the Housing Department as well as the Houston Housing Finance Corporation needed to be very careful about what they send to the City Council for approval because they were not going to approve bad deals and that was what it looked like to her, a bad deal.

Council Member Sekula-Gibbs stated that a new study was presented at the World AIDS Conference and to bring attention to the fact that AIDS rates were increasing again, particularly in homosexual males and if the City did not recognize that and put more money into the Health Department's prevention program they were going to see a mushrooming crisis in that area.

Council Member Parker stated that today her issue was SNAP, the Spay and Neuter Assistance Program, that SNAP offered low cost spay and neuter services to Houstonians and had a mobile outreach van which was a national model for how to do those kind of services, that their statistics showed that they had spayed and or neutered almost 20,000 dogs and cats each year over the last five years and they had a 22% decrease in the number of animals destroyed in the City of Houston shelters, that one of SNAP's largest corporate underwriters was Enron Corporation and when Enron collapsed they lost their home and they needed some office space,

that the City of Houston had partnered with SNAP, that they provided the vaccines and while they were going out and doing the spay and neuter services they also vaccinated for rabies and other diseases, that they worked closely with them and she would hate to see SNAP go under, that what they were requesting was some office space and not requesting other funding but they did need office space since they lost their office space and thought they really needed to continue the valuable service and would like the administration to work with her to try to find a location in some City facility if that was possible to house their administrative office and Mayor Brown stated that he would be glad to work with her. Council Member Vasquez absent.

Council Member Alvarado stated that last week they lost a great Houstonian and asked her colleagues to join her in a moment of silence for Ms. Olga Soliz who was laid to rest yesterday, that she was quite a remarkable lady, that in 1979 she was the first Latina to run for City Council and in 1982 she was one of the first Latina's to run for the Texas House of Representatives, that she had friends on both sides of the isles and was friends with Democrats although she was very active in the Republican Party and was on the board of Planned Parenthood and helped start the Hispanic Forum and would be greatly missed not only in the Hispanic Community but also in the City. Council Member Vasquez absent.

Council Member Berry stated that he wanted to congratulate Ms. Rachel Graves, their local Chronicle reporter had been promoted to Senior General Assignments Reporter. Council Member Vasquez absent.

Council Member Wiseman stated that she wanted to thank the Parks Department, primarily Mr. Roy Wilson, Acting Director and Mr. Mark Ross for very quickly coming together to meet with her and representatives from in the community, Super Neighborhood Council No. 80 and representatives from the Dolphins and Cowboys Football League, they had come together to discuss the Black Hawk Park Master Plan and they had a great interest in finding a permanent home for their football league, that while it was a regional park it was one excellent way of serving the community and the region, that throughout that area there were not enough fields for them to practice and play in so she wanted to thank the representatives for getting together to discuss it and helpfully move forward with it. Council Member Vasquez absent.

Mayor Brown stated that he wanted to congratulate Council Member Galloway who would be honored today at noon by the NAACP for her work with the labor movement. Council Member Vasquez absent.

Council Member Galloway stated that this week and last week they had some tragedies in Houston and one was in her district, the Bennett Family, where three generations were brutally attacked and murdered, as well as they lost Mr. Floyd Stringfellow, a noted educator and principal of a school in her district and Mr. Lee who owned a convenience store who also passed away and asked for them to take a moment of silence for the victims and their families and thought that they as a City needed to start looking out for one another and try to educate the public on the ways to control anger and to prevent those types of crimes in the community. Council Member Vasquez absent.

Council Member Galloway stated that she wanted to comment that grant monies from HUD were not gifts and they were trying to have more affordable apartments and housing for medium to low income persons and thought that it behooved them to continue to be creative thinkers in ways to accomplish those tasks and there were many areas in her district where they needed affordable housing. Council Member Vasquez absent.

Council Member Robinson stated that he wanted to acknowledge some interns in his office, Ms. Virgie Hall and Ms. Lateffa Davis, who were going to be seniors in the fall at Madison High School and asked that they stand and be recognized, and a third intern, Mr. Walter Davis would be a sophomore at Madison.

Council Member Robinson stated that he had an opportunity to go out to Andover Southview Fairlawn Civic Association and they asked that he say hello and thank you to Council Member Alvarado for the help she had given them on their national night out, that he wanted to work with Council Member Alvarado on a couple of issues she was working on relative to some neighborhood protection issues.

Council Member Robinson stated that the civic club met at Harbough Ripley and there was a dance group practicing and Ballet Fiesta Mexicana was going to have an open house on July 11, 2002 at 6225 Northdale from 7:00 p.m. to 9:00 p.m., that they were headed up by Mr. Antonio Mendez.

Council Member Robinson stated that about two years ago they had discussion during that budget process and if they remembered he thought Council Member Vasquez and Council Member Quan were part of the effort with Council Member Parker and they talked about an almost supplemental budget, that they had revenues beyond what they had originally projected and if there were some issues serious enough that they would take a look and go back in if the projection was reasonable and see if they could allocate some of those funds to those issues that Council thought was important enough, and with Council Member Sekula-Gibbs comments that the HIV issue was back on the rise that was his thought and hoped that the administration would give some consideration that as they moved out during the next couple of months and started to get their revenue forecast and if they looked like they were going to do beyond budgeted revenues if they would give some consideration to that issue, and also knew that there was still the Meet and Confer discussion and that as some point they would start talking about what kind of money they would think there would be and maybe they could put some of that toward a Meet and Confer agreement and folks would at least know what the pot of money was. Council Member Berry absent.

Council Member Edwards stated that she would like to thank Mr. Roy Wilson and Mr. Brian Hill from the Parks and Recreation Department for two things, for the work being done this season with the little league fields throughout the district and also in particular with the work to be done on the MacGregor Park Recreation Center, that the community was very excited about it.

Council Member Edwards stated that regarding the NAACP she appreciated the work that Council Member Quan had done and welcomed the folks to the City, that her only concern was that hopefully, if they had another area, the City Council could be more involved so they could get the benefit of the workshops and get their staff involved.

Council Member Edwards stated that as to the HIV situation, she would like to put rest her colleague's sounding concern, they were very much aware of what was going on regarding the HIV situation globally as well as in Houston and more in particularly in the five areas they had targeted as a zone for the African American situation as well as the Houston area, that they were still working very diligently on that and would like to have her colleague join them in the work if she could, they had dedicated a project manager for the HIV Task Force action to be put on the ground and had a dedicated budget for it and it included media and outreach and the whole process and action, not just talking about it, but getting people out on the streets working hand in hand and doing peer counseling, that it affected all of the districts, that she encouraged all of the Council Members to get excited and get involved.

Council Member Edwards stated that as to Pleasant Hill, the CDC that they passed today without any discussion was very similar to the Pleasant Hill situation, that when she brought up the issue about the City Council of last year passing it she could only assume that the same City Council sitting at the table last year had enough sense to ask somebody if they were going to give them the loan how were they going to pay it back, that she assumed that discussion was held, that she had pulled the minutes from that meeting and there were no "no" votes, that if that discussion did not occur, since the item was tagged, she would like to know what the discussion was and how was the loan supposed to be repaid, that she had talked to Council Member Keller

since it was in his district and he seemed to think it was good for his district and she was personally going to take his lead on it and support the effort.

Council Member Vasquez stated that last Spring he thought Council had authorized a negotiation of an interest rate swap with the water and sewer system and yet the latest MOFAR said it was to be announced and asked for Mr. Haines to give him a report on what was going on with it, and Mr. Haines stated that he would be happy to give him an update but did know that it was in the works and they had met on the matter and would expect to see something coming back to the working group, the Mayor and the City Controller pretty soon.

Council Member Vasquez stated that school would start for HISD in August and they knew it was very important for them to be clear about getting the message out for child immunizations for the fall and stated that he wanted to visit with the Health Department and the Director of the Health Department to find out what was going on with school immunizations and prepare for the Fall season when kids would need to be immunized for school, that he hoped that if necessary, based on whatever program they came up with, that if there was a need for extra allocation of dollars that they fully fund whatever the immunization program is that they come up with, and Mayor Brown stated that one of the great needs for immunization was the registry and that was being done by the children's hospital, that they would have the Health Director meet with him on that.

Council Member Tatro stated that he wanted to thank his colleagues for supporting Rosslyn Road, they knew who they were, and wanted to thank Nancy Collins for Rosslyn Road also.

Council Member Tatro stated that he wanted to spend most of his time talking about information he passed out and received last week and continued to review the handout to Council Members regarding the SimDesk Sam Houston Project until his time expired. Council Members Galloway, Vasquez, Berry and Robinson absent.

Mayor Brown stated that he had an assignment for Mr. Haines, that Council Member Robinson had, what he believed, was a good idea, if they find throughout the year that they did have revenues that exceeded the expenditures they had outlined in the budget he would like for Mr. Haines to consider earmarking those revenues for the firefighters Meet and Confer program, HIV/AIDS issues, immunizations and other Council priorities, he thought it was a good idea and thanked Council Member Robinson for his idea, that he wanted to remind Council that they would not be able to do that if they rolled back the tax rate. Council Members Galloway, Vasquez and Berry absent.

There being no further business before Council, the City Council adjourned at 10:32 a.m. upon MOTION by Council Member Quan, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Galloway, Vasquez and Berry absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary