

City Council Chamber, City Hall, Tuesday, August 13, 2002.

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 13, 2002, with Mayor Lee P. Brown presiding and with Council Members Mark Goldberg, Addie Wiseman, Mark Ellis, Bert Keller, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, 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 Members Bruce Tatro, Carol M. Galloway, Ada Edwards and Gabriel Vasquez out of the city on city business.

At 2:02 p.m. Mayor Brown stated they had several Council presentations and he wanted to kick it off and invited Mr. Bob McNair to the podium and stated that he wanted to welcome Mr. McNair to City Hall, that because of his efforts over the last few years in bringing football back to Houston there was a lot of excitement taking place in the City right now that was probably unprecedented, in fact nearly 30,000 people showed up for a scrimmage with the Cowboys a few weeks ago and the Texans won their second game over the weekend in New Orleans, that indeed it was a great expansion team which excited all of them and read a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed the week of August 31st through September 8th, 2002 as Houston Texans Week in Houston, Texas. Council Members Goldberg and Ellis absent.

Mr. McNair stated that he wanted to thank the Mayor and City Council, that it had been a long trip for all of them and as they started out on the trip every time they had occasion to present themselves to the NFL the Mayor was right there with them and he appreciated that and every time they needed to do something to work together to get the beautiful Reliant Stadium built they were there to help them to, that it was going to be a tremendous resource for the whole area and could not wait for them to see it, if they had not seen it, that now the season was upon them and they were starting play and had a great organization, general manager and coaches, and the players, they were really proud of them, and had emphasized all along that it was their responsibility to perform in such a way that the community wanted to be associated with the Texans and feel a part of it and that was what they had tried to do every step along the way, that the week which they had designated was the week that did that, in that they would reach out into the community and go from the east side of the County down to Kemah and Galveston Bay, and up on the northside to the Woodlands and the west side and Katy and downtown events so that they reach out to the community and really try to make it a joyful occasion for all of them, that was what it was about an opportunity for all of them to come together with a common goal and have a lot of fun and enjoy it and create a lot of excitement in the community.

Mayor Brown stated that the next presentation would be by Council Member Wiseman.

Council Member Wiseman stated that as all of them knew this summer she initiated a Summer Page Program for District E to take the opportunity to introduce City Council to the children in a way that they had not had an opportunity to see and take part in before, that all summer long, every Tuesday afternoon, they had children coming in to visit with them, have lunch with them, tour City Council offices, the Mayor's office, the City Controller's office and then take part in the City Council sessions, it had been a tremendous experience for them, one that she was sure they would never forget, and would like to thank her colleagues for allowing that opportunity for sharing in that first time experience that the children had, that she wanted to thank the Mayor for agreeing to participate in the program and for agreeing in having the children take part in the session, that she also wanted to thank the City Controller for her participation and efforts, that Ms. Madeline Apel and Mr. Johnny Collins had done a wonderful job of educating the children on that aspect of the City government, that she wanted to thank, from her staff, Mr. Robert Sheridan, who took the lead on this side as far as making sure they had a successful

program and there was another individual who worked very hard in the community to make sure they had kids participating and invited Ms. Meg Oswald to the podium and read a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed, Tuesday, August 13, 2002, as Meg Oswald Day in Houston, Texas. Council Members Alvarado, Parker and Berry absent.

Mayor Brown stated that the next presentation was by Council Member Robinson.

Council Member Robinson stated that he wanted to introduce Ms. Melissa Thibodaux of Flying Geese Productions and read a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed, Tuesday, August 13, 2002, as Flying Geese Production Day in Houston, Texas and invited Ms. Thibodaux to the podium to entertain them with a rendition of Harriet Tubman and the Underground Railroad.

Mayor Brown stated that the next presentation was by Council Member Goldberg.

Council Member Goldberg stated that he wanted to present some awards for a science fair, that the science fair was recognized by the Mothers for Clean Air and the Executive Director was Ms. Jane Laping and asked her to stand and be recognized, that one of the concentrations of the science fair was a problem that the City of Houston had and that was clean air, that he wanted to recognize three students who had outstanding projects for the science fair and invited them to the podium for a presentation, Mr. Daniel Vervalen, who had a project for global warming and received a Global Warming Award relating to Air Quality, Mr. Manmoman Singh, whose category was Houston Smog Two Award, relating to quality of air, and was from Clearbrook High School and Ms. Bailey Harris, whose project was titled "It's a Hard Nox Life" and was also a reward relating to air quality, and stated that he wanted to congratulate the students.

At 2:25 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Robinson invited Reverend Gordon Johnson of Smith Chapel AME to lead everyone in prayer and Council Member Robinson led everyone in the pledge of allegiance.

Mayor Brown requested the City Secretary to call the roll. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business.

Council Members Keller and Robinson moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business.

Mayor Brown requested the City Secretary to call the list of speakers.

Mr. Randy Hicks, 7702 Rhobell, Houston, Texas 77016 (832-367-0219) appeared and stated that he was present regarding employment with the Houston Fire Department, that it was at a standstill because of a bad conduct discharge from the military, but the recruiting division at the Houston Fire Department had processed him twice and he passed all the tests and they could not find anything in the policy book to disqualify him from the process, but every time he reached the end they disqualified him because of his discharge. Council Member Robinson absent.

Mayor Brown stated that the issue was that he was disqualified as an applicant to the Fire Department because of a dishonorable discharge, and Mr. Hicks stated that it was a bad conduct discharge, not dishonorable and they could not find anything in the book to disqualify him, and Mayor Brown stated that he would find someone to work with him on the issue. Council Member Robinson absent.

Upon questions by Council Member Goldberg, Mr. Hicks stated that in the process he got as far as the polygraph test, that he was told he was not going through the process in a timely manner, that at the time they did not know of the discharge, that he received a letter which stated that he was disqualified because he was not going through in a timely manner but they never said anything about his discharge, and Mayor Brown stated that Chief Simms would meet with him right now.

Mr. Bayron Gill, 13830 Keyworth, Houston, Texas 77014 (281-872-3482) had reserved time to speak, but was not present when his name was called.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) appeared and stated that he was present again regarding the problem he had with inspectors and at the time he was trying to get plans taken care of, that he thought Melvin Embry and Gary Bridges were racist and prejudice and they said he would be unable to present plans to the City of Houston because he did not have an architectural seal, that he had plans from the Family Dollar Corporation that were prepared by an architectural firm that were without an architectural seal and continued to voice his experience regarding the architectural seal and his architectural plans until his time expired.

Mayor Brown stated that Mr. Johnson had met with people from the inspector's office on more than one occasion and the plans he submitted were for a restaurant and asked if there was more to the building than just a restaurant, and Mr. Johnson stated that it was a whole strip center, that one Gary Bridges felt that he was no longer on the project he reissued the same permit he said was no good and told them they did not need plans at all, just sketch up what needed to be done out there and just have some plans on site when the inspectors came, that he did those same plans and they were all approved when they went out there to look at it and the people out there had no problem, and Mayor Brown asked if anyone had ever told him he had to have plans for the entire building and not just the restaurant component, and Mr. Johnson stated no, and Mayor Brown stated that he would have Mr. Greg Simpson meet with him and he would report back to them. Council Member Robinson absent.

Assistant Pastor Vincent Quarles, 9814 Phil Halstead, Houston, Texas 77086 (281-272-9884) appeared and stated that he was present in regards to a wooded area that circled around their church which had been used as a crime wall, that they had about four break ins and was an ongoing process that they had been trying to get resolved for the last two years, that all they were asking was that the wooded area be cut down where they could see through and would prevent any other crimes, that they were tampering with their cars and they had four break ins, that they had a mid week service where the sisters and the children gathered and so they wanted the area to possibly be cut down, that he had spoken with Ms. Flannigan's representative, Mr. Greg Simpson, who had been very helpful, but they had letters and the secretary of the church had called on several occasions and they had not had anything done, so he was present to see if he could seek some help, that he was also on the Mayor's and Council Member Quan campaign committee, that he walked the streets during the heat of the day to make sure they were elected, so he was reaching out and extending a helping hand. Council Members Berry and Robinson absent.

Mayor Brown stated that he was told the property that he was talking about was not on an improved City street and not owned by the City and that the owners had been advised of their responsibility, that he was going to have Mr. Cantu meet with him and he would be his contact to make sure they got the problem taken care of.

Upon questions by Council Member Ellis, Pastor Quarles stated that his church was called

Love Outreach Temple and was located at 6803 Caruthers, that they investigated and at first it was said that the property was owned by the railroad and one of the secretary's called and they said that the City did own it, but from his understanding there was someone else who owned the property and they had not been taking care of the property, that he knew there was a proposal for a street to be laid through the property but all they were asking was to have some of the weeds and the bushes to be able to see through and have a visual site of some of the thieves, that the property was about 30 feet wide and almost the length of a football field that ran through the left side of the church and wrapped around to about the center part of the back of their church, that it was a public safety issue and needed to be cleared up, that they found some of their materials and things stolen from their church in the wooded area and also seen some of the thieves hiding in the wooded area waiting to make their break, and Council Member Ellis stated that in the very least it would seem that HPD could beef up their patrol in the area and also investigate the area, that there may be some condition where the City could go and cut it and impose a lien on the property owner for not keeping up his property. Council Members Berry and Robinson absent.

Council Member Goldberg stated that they had a similar in their district, that it was a field and there was prostitution and drug dealing and they finally got Neighborhood Protection to mow it down and practically clear the field and it was amazing how fast that went away, but he knew it was a complicated process because it took a number of months. Council Members Berry and Robinson absent.

Council Member Goldberg moved to suspend the rules to hear from Mr. Greg Simpson, Neighborhood Protection, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. Council Members Berry and Robinson absent. MOTION 2002-0945 ADOPTED.

Pastor Quarles asked what it meant that the property was referred for abatement, and Council Member Parker stated that it was a good thing and meant they were going to do something. Council Members Berry and Robinson absent.

Mayor Brown asked Mr. Simpson to explain the process and answer the questions that had been asked. Council Members Berry and Robinson absent.

Upon questions by Council Members, Mr. Simpson stated that in this case specifically the notices had been sent to the owners and they believed that those notices had expired and they were in the process of referring it for abatement, that there were a multitude of property owners along the stretch because it was a proposed street and they were having to double check and make sure of each of those property owners, if they had not complied, that those files were referred, that when they have not complied the next step was referral for abatement to the contractor according to a sector scheme they were using now, that this one fell into Sector One that they were working on beginning August 22, 2002, so those should be referred August 22, 2002 and then the contractor had 30 days to cut after that, that right now they were working other sectors across the City that they had set up that rotated around the City, that in cases they got normally where there was a weeded lot they were worked and then referred for that sector so they could cut in that sector all at the same time so the contractor could do a bulk of work in that area, that in cases where it was around a church or around a school they had procedures where they could forward those immediately so they could get abated, that the quickest they could get a referral for abatement depended on the specifics and he did not have the general time frame at this point but would look into it and get back with them, that once the cutting was done the contractor gives an invoice to the City and the City pays the contractor and the City then files a lien against the property owner, and Mayor Brown stated that they would keep working on it until they took care of the problem. Council Members Berry and Robinson absent.

Ms. Gwendolyn Crawford, 3114 Gray, Houston, Texas 77004 (713-659-1309) appeared and voiced her personal opinions regarding the reparation resolution and stated that she had a copy of a letter to hand out to the Council Members. Council Members Berry and Robinson absent.

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

Mr. William Ennols Beal, 4748 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

Mr. Charles X. White, 4302 Reed Road, Houston, Texas 77051 (713-734-3599) appeared and stated that he was present to introduce himself to the Council Members that he was not familiar with, that he had sent probably all of them emails, but today one of the main things that he was present about was to invite them to a workshop, that the workshop was an emergency and disaster citizen's readiness workshop on September 7, 2002, 9:00 a.m. at Sterling High School, that the workshop was unique in several aspects and in particular just to show them some of the institutions that were working with them with the project, the Red Cross, Houston Fire Department, Houston Police Department, Houston Health Department, the Gulf Coast Regional Blood Center, Texas Medical Center, U. T. Health Science Center, Texas Southern, Houston Community College, Rice University and the University of Houston were just some of the people who were working with them on the project, that they wanted to invite the Council Members and some of their constituents to attend the workshop because the way things were now, particularly based on September 11th and Allison, the citizens were not connected to the training that police, fire and everyone else receives, that if every one in City and Country services were trained and retrained to perform in emergency and disaster situations, but the citizens were not organized to connect with the training then they still had chaos, they had two or three different conditions they had to address at the same time, the emergency itself, whether it be manmade or a natural disaster and then the chaos in the community, so they had put the project together and hopefully it would spread to all the other districts so they definitely would like for them to attend or send some constituents from their area, that he would like to make it known that Mayor Brown had been involved with helping the process since Allison, they were working on it before Allison and before 9/11 and in fact their first leadership meeting was the day Allison hit and they did not get a chance to do that, but they finally got around to it, but it was their workshop that they had planned over a year and hopefully they could join them in preparing citizens at the neighborhood or civic club level and this was just an open invitation for them to participate, that he would like to say that they would return with a couple of issues about neighborhood protection that they thought would be helpful in that process. Council Members Keller, Berry and Robinson absent.

Upon questions by Council Member Sekula-Gibbs, Mr. White stated that the Office of Emergency Management was going to make a presentation and Lieutenant Edwards from the Southeast Command Station stated that they should use this as a springboard training to make it an annual training event in May, that most of all the industry did their emergency and disaster training in May, so that was one of the suggestions they adopted, that the Red Cross was going to provide some training that dealt with CPR and readiness, the Fire and Police Department would do the same, they had someone from the HAM Operators Association who was going to help them organize all of the HAM operators that were existing in those areas as well as invite additional HAM operators to participate because they found that communications was the first thing to go, they also talked about having designated transportation sites in cases of flood that would involve METRO because right now if there was a disaster or flood in a particular area and

no staging site for the people in the community that had boats to bring them out then they were still stuck in a possible chaotic situation, so at the neighborhood level they wanted to be able to connect with the City services and the City had in their Emergency and Disaster Plan, block and street captains, so what they wanted to do was to fill it up with live bodies from every neighborhood across the City, that they would have a mock disaster in May, that Assistant Chief Reyes had been very helpful and suggestive and also Mr. McDowell with the Office of Emergency Management, but Mr. Ritz from the Texas Medical Center, who was on the National Home Land Security Board had said that he had seen nothing across the Country that matched what they did in Houston, that also the Mayor stated that in his 40 years he had not seen anything quite like organized from the bottom up with the citizens taking responsibility for some of the coordination to connect with City services, that September 7th was a Saturday and there would also be a 10 or 15 minute presentation and commemoration to the September 11, 2001 incident, that was very tragic in America's history, but this was a springboard, that maybe they could meet in every district as the training went on leading up to May. Council Members Keller, Berry and Robinson absent.

Mayor Brown stated that they were very much involved about what Mr. White was doing, that he had come to him with what he felt was an excellent idea of working through the super neighborhoods to, first of all, do a survey of the whole City, that they had done one part of the City at this time, and determine if there was anyone in the residence that was disabled, in case of a disaster and needed help immediately, if so they would log that, and secondly to determine if there were people who were willing to be of assistance in an emergency and then keep a record of that, and then train people in the neighborhoods through the Super Neighborhood Council's to be able to respond to their particular area in the event of any kind of disaster, so Mr. White's idea was an excellent one and was now in the process, as he said earlier, to provide the training program, so not just the Mayor's office, but he Planning Department, the Fire and Police Department and the Health Department would be participating. Council Members Berry and Robinson absent.

Mr. White stated that they had identified 470 people that need assistance and could not get out of their homes during the time of a disaster and did identify over 450 people who said that they would volunteer in their neighborhoods, that the City would hold that information and Mayor Brown stated that the Planning Department was working on that and encouraged everyone to participate and wanted to cover the whole City, that he thought it was something unique in America where they were going door to door and surveying every house in the City to see who needed help and who could help. Council Members Berry and Robinson absent.

Mr. Robert Horton, P. O. Box 21635, Houston, Texas 77226 (713-697-0958) appeared and voiced his personal opinions until his time expired. Council Members Berry and Robinson absent.

Mr. Carl Cato, 7710 Boggess Rd., Houston, Texas 77016 (713-491-3591) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

Dr. Motapa, 6425 Woodard, Houston, Texas 77021 (713-645-9598) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

Mr. Joseph Omo Omuari, 15 Charleston, No. 1107, Houston, Texas 77025 (713-665-1929) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

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. Council Members Berry and Robinson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Council Members Berry and Robinson absent.

At 2:59 p.m. the City Council recessed until 9:00 a.m., Wednesday, August 14, 2002. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. Council Members Berry and Robinson absent.

City Council Chamber, City Hall, Wednesday, August 14, 2002.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, August 14, 2002, with Mayor Lee P. Brown presiding and with Council Members Mark Goldberg, Addie Wiseman, Mark Ellis, Bert Keller, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, M.D., Michael Berry and Carroll Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director present. Council Members Bruce Tatro, Carol M. Galloway, Ada Edwards and Gabriel Vasquez out of the city on city business.

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

At 9:08 a.m. Mayor Brown reconvened the meeting of the City Council. Council Members Goldberg and Keller absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 35

MISCELLANEOUS - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$32,910.89 Enterprise Water & Sewer Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. Council Members Goldberg and Keller absent. MOTION 2002-0946 ADOPTED.

ACCEPT WORK - NUMBERS 7 and 11

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,958,645.25 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION CO.** for construction of Asphalt Overlay Project in Third Ward (Completion) - Neighborhoods to Standard, Tier VI, GFS N-1037-06-3 (OL2006) - 01.96% under the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0947 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,745,010.08 and acceptance of work on contract

with **PEPPER-LAWSON CONSTRUCTION, L.P.** for construction of Miscellaneous Improvements at East Water Purification Plant, GFS-S-0056-WP-3 (10211-23) - 02.30% under the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0948 ADOPTED.

PROPERTY - NUMBERS 13 through 19

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from William S. Brown of Carter & Burgess, Inc, on behalf of CVS Corporation (Thomas Ryan, chief executive officer), for sale of a 23,940 square foot access easement out of the 2.3913-acre Robinson Westchase Branch Library site, located at 3223 Wilcrest Drive, being part of Block 6, Unrestricted Reserve F, Westchase Subdivision, Section 12, Parcel SY2-071 - **STAFF APPRAISERS - DISTRICT G - KELLER** had been pulled from the Agenda by the Administration, and was not considered.
14. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY0-017, located at 8428 Market Street, owned by 8428 Market, a Texas Limited partnership, James Stark, Partner, for the **MARKET STREET PAVING PROJECT** from North Wayside Drive to Loop 610, CIP N0611A-34-2 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0949 ADOPTED.
17. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A97-335, located at 7511 Ley Road, owned by Texas Specialty Homes, L.P., a Texas limited partnership [Pauline Investments, Inc., (Scott Wizig, President) General Partner] for **LEY ROAD PAVING PROJECT** from Homestead Road to North Wayside Drive, CIP N0587B-00-1 **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0950 ADOPTED.
18. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY1-121, located in the 11000 block of FM 529 (Spencer Road), owned by Margaret Ballard Brukner and Evelyn Ballard Grimes, for the **SPENCER ROAD WATERLINE PROJECT** from Brittmoore to Jersey Village Pump Station, CIP S-0900-71-2 – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0951 ADOPTED.
19. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel D98-005, located in the 10500 to 11000 blocks of South Sam Houston Parkway (eastbound), owned by Knollwood Investment, Ltd., O. Holcombe Crosswell, President, for the **SAGEMONT SLUDGE TRANSFER FACILITY SANITARY SEWER EASEMENTS PROJECT** from Kirkville Drive to Sagemont Drive, CIP R-0181-04-3 - \$50,000.00 - Enterprise Fund **DISTRICT E - WISEMAN** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0952 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 20 through 22

20. **NATIONAL GASKET** for Gasket Materials for Department of Public Works & Engineering \$118,063.40 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0953 ADOPTED.
21. **BROOKSIDE EQUIPMENT SALES, INC** - \$175,838.00 and **RUSH EQUIPMENT CENTER, HOUSTON** - \$323,968.00 for Equipment, John Deere Tractor Replacement Parts and Service Contract for Various Departments - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0954 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 24 through 35

24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 10-foot-wide water line easements containing an aggregate of 6,181 square feet of land, more or less, being located in the George Bellows Survey, A3, Harris County, Texas; vacating and abandoning said tracts of land to TCR Memorial Bend Holdings Limited Partnership, the abutting owner, in consideration of owner's dedication of a water line easement containing 2,304 square feet of land, more or less, and a water meter easement containing 200 square feet of land, more or less and owner's payment of \$13,789.00 and other consideration to the City - **DISTRICT G - KELLER** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0742 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement containing 1,191 square feet of land, more or less, vacating and abandoning said tract of land to Anthony G. and Cynthia A. Petrello, abutting owners, in consideration of owner's dedication of a 10-foot wide sanitary sewer easement containing 1,129 square feet of land, more or less; such easements being out of Lot Q, Shady Side Addition and Lot 9, Shadowlawn Addition, Houston, Harris County, Texas, and owner's payment of \$341.00 and other consideration to the City - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0743 ADOPTED.
27. ORDINANCE approving and authorizing a Special Warranty Deed conveying to **METRO NATIONAL CORPORATION**, a parcel of land containing 76,753 square feet (1.762 Acres), more or less, being located in the George W. Childress Survey, A0217, Harris County, Texas, (The former Breton Ridge Drive Wastewater Treatment Plant Site), retaining a sanitary sewer easement containing 1,375 square feet (0.0316 acre); in consideration of Metro National Corporation's payment of \$165,000.00 and other consideration to the City - **DISTRICT A- TATRO** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0744 ADOPTED.

29. ORDINANCE authorizing payment to the **UNITED STATES INTERNAL REVENUE SERVICE** of Arbitrage Rebates not to exceed \$19,643.59 relating to the City's Water and Sewer System Junior Lien Revenue Refunding Bonds, Series 1997E – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0745 ADOPTED.
30. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **NATIONAL SAFETY CLEAN, INC** for Cleaning, Decontamination & Repair of Protective Clothing for the Houston Fire Department approved and authorized by Ordinance No. 99-1082 \$75,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0746 ADOPTED.
32. ORDINANCE appropriating \$108,904.22 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Relocation of Water Mains, Sanitary Sewer Lines and Appurtenances within the Southwest Freeway (US 59) and Spur 527 Rights-of-Way from Mandell Street to Smith Street, CIP S-0521-09-3 and R-0521-09-3 (WA10749); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** had been pulled from the Agenda by the Administration, and was not considered.
33. ORDINANCE appropriating \$3,217,161.34 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-S4-3 (WW4257-36); providing funding for engineering testing services and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0747 ADOPTED.
34. ORDINANCE appropriating \$1,224,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in Eastex Oaks III Subdivision, GFS S-0035-80-3 (WA10666); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0748 ADOPTED.
35. ORDINANCE appropriating \$2,172,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in Sunnyside Subdivision, GFS-S-0035-85-3 (WA10671); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0749 ADOPTED.

Council Member Ellis moved to suspend the rules to consider Item Numbers 23 and 28 out of order, seconded by Council Member Parker. All voting aye. Nays none. Council Members

Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0955 ADOPTED.

23. RESOLUTION approving the creation of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY**; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICTS A - TATRO and G - KELLER** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. RESOLUTION 2002-0026 ADOPTED.
28. ORDINANCE approving and authorizing first amendment to 2012 Olympic Games Host Agreement between the City and the **HOUSTON/HARRIS COUNTY SPORTS COMMITTEE FOUNDATION D/B/A HOUSTON 2012 FOR THE 2012 OLYMPIC GAMES**; providing a maximum contract amount - \$5,000,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0750 ADOPTED.

Council Member Robinson stated that if for any unfortunate reason they did not have the foresight to select Houston as the host City or one of the two finalists, now that the funds had been identified he would like some evaluation to look into earmarking the funds for the Parks Department as they moved forward if they were not used for the 2012 effort, that they could use them to offset the cost of Miller Outdoor Theater or to offset some of the operating costs of the zoo privatization.

Mayor Brown stated that they would take a look at it and see if that could be done.

Council Member Robinson stated that he wanted to recognize Mr. George DeMontrond and Ms. Susan Bandy and stated that he wanted them to give a short briefing of what was happening.

Council Member Goldberg moved to suspend the rules to hear from Mr. George DeMontrond at this time, seconded by Council Member Quan. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. Council Member Robinson absent. MOTION 2002-0956 ADOPTED.

Mr. DeMontrond stated that they had brought a little star power on board and had been doing all the blocking and tackling for the last four years and had a great bid, they had the facilities and all of the things, that he thought it was critical to show that they had broad based community support going forward and that they had a number of constituents in the community that could take the message abroad when it came time for them to go into the international arena, that was what that was all about to show that they had medical doctors, world famous surgeons who touched people all around the world, world famous academicians that could spread the word, astronauts, business leaders, that the whole community was involved in that group, that if they looked through there, there was a very definite effort to try to bring different aspects of their community in, that this was a pretty critical time for their bid, obviously, and they had been at it for four years and the City had done a lot of hard work in getting prepared to have an effective bid and on August 27, 2002, the number of cities to be considered were going to go from four to two and so it was a critical juncture in their bid efforts and they thought that the agenda item sent a strong message to the appropriate people that the City was absolutely and positively behind the effort and would support it. Council Member Parker absent.

Mayor Brown stated that they appreciated his leadership on this issue and knew it took a lot of time and effort and he had done an outstanding job and they appreciated it.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. REQUEST from Mayor for confirmation of the appointment of **MS. BARBARA L. SEYMOUR** to Position Three on the **BOARD OF PUBLIC TRUSTS (HOUSTON FOUNDATION)**, for a term expiring March 22, 2004 – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0957 ADOPTED.
2. RECOMMENDATION from Finance & Administration Department for approval of payment of membership dues for the City of Houston membership in the **ALLIANCE FOR INTERSTATE 69 TEXAS** - \$30,000.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0958 ADOPTED.
3. ORDINANCE appropriating \$349,975.57 out of Houston Airport System Consolidated 2000 AMT Construction Fund for additional funding for existing construction contract with **LAUGHLIN ENVIRONMENTAL, INC** authorized by Ordinance 2000-367, at George Bush Intercontinental Airport/Houston, Project 510; CIP A-0251 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0751 ADOPTED.
- 3a. RECOMMENDATION from Director Department of Aviation for approval of Change Order No. 2 in the amount of \$349,975.57 on contract with **LAUGHLIN ENVIRONMENTAL, INC** to Expand Fuel Farm Capacity at George Bush Intercontinental Airport/Houston Project 510; CIP A-0251 **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0959 ADOPTED.

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$654,845.60 and acceptance of work on contract with **GARVER CONSTRUCTION, INC** for construction of Greenbriar Relief Storm Sewer, GFS M-0233-01-3 (M-0233-01) - 04.65% over the original contract amount - **DISTRICT C - GOLDBERG** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0960 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,543,450.26 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for construction of Infrastructure Improvements in the St. George Place Subdivision, GFS N-1033-03-3 (N-1033-03) - 08.79% under the original contract amount - **DISTRICT C – GOLDBERG** – was presented, and tagged by Council Member Goldberg.

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$552,548.66 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for construction of Water, Sanitary Sewer, Storm Drainage and Paving for West MacGregor Estates, Section III, GFS N-1040-01-3 (N-1040-01) - 06.94% over the original contract amount - **DISTRICT D – EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Robinson.

Council Member Keller stated that he noticed something that he thought they could correct on Item No. 8 on Change Order No. 5, that he bet that in their contract they did request that the contractor provide cleaning and grubbing for removal of site debris, that this change order was \$5,977.00 for providing cleaning and grubbing for removal of site debris, if they did not have that in their contracts, to make sure that they always had that in the contracts so they did not have things left unclean or halfway done.

Mayor Brown stated that he wanted to point out it was in the contract, the item was for additional quantities of work, but they would make sure it was the case.

Council Member Quan moved adoption of Item No. 8, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0961 ADOPTED.

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$917,352.72 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation in Northside Phase 1B, GFS R-1026-07-3 (4250-58R) - 24.08% under the original contract amount - **DISTRICTS B - GALLOWAY; H - VASQUEZ and I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0962 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,466,739.50, acceptance of work on contract with **BOYER, INC** for North MacGregor No. 1 Pump Station Force Main and City Attorney to interplead remaining retainage of \$54,667.40 into the registry of the District Court of Harris County, Texas, GFS R-1222-28-3 (4440AS-2) - 04.89% over the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0963 ADOPTED.

PROPERTY

12. RECOMMENDATION from Director Department of Public Works & Engineering decreeing that there exists a public necessity and that it is in the public interest of the City of Houston, Texas, to acquire certain water transmission line easements and rights of way for the Houston Area Water Corporation and the Northeast Water Purification Plant – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0964 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-064, located at the northwest corner of Avenue W and Wayside Drive, owned by Arroyos Real Estate Limited Partnership, Alexander G. Arroyos,

Sr., President, for the **CENTRAL PARK SUBDIVISION PROJECT**, CIP N-0186-CPS - **DISTRICT I – GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs, and tagged by Council Members Goldberg and Alvarado.

Council Member Goldberg stated that he was going to tag this item along with the next, that there was something wrong with the system that he thought they needed to fix, that they were condemning a piece of property that was worth \$450.00 yet the appraisal for it cost \$1,500, to appraise the property cost three times as much as the value of the property, that on the rest of the property the appraisals differed in price and he wondered if there was a system where they could contract out for a set price, he knew an appraisal cost a certain amount of money and was not always dependent on the cost of the property, he understood that, but on Item 15 the appraisal was \$1,500 and on Item 16 the appraisal was \$700, that they were very small pieces of property and asked why they had to pay three times the value for the appraisal plus having varying appraisals was something he thought they needed to look into.

Mayor Brown stated that they would have somebody visit with him on that, and Council Member Alvarado stated that she wanted her tag added to the item.

16. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A97-310, located at 7212 Ley Road, owned by Hope Families, Inc., a Texas corporation, Brenda Wedgeworth, Executive Director, for **LEY ROAD PAVING PROJECT** from Homestead Road to North Wayside Drive, CIP N-0587A-00-1 - **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Keller, seconded by Council Member Sekula-Gibbs, and tagged by Council Member Goldberg.

PURCHASING AND TABULATION OF BIDS

22. **AMEND MOTION #97-1546, 8/27/97, TO EXTEND** term from August 26, 2002 to August 26, 2005, for Motorola Portable and Mobile Radio Communications Equipment for Various Departments, awarded to **MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0965 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 23 through 35

26. ORDINANCE approving and authorizing a Special Warranty Deed conveying to **RAYMOND TAYLOR** a parcel of land containing 28,810 square feet, more or less, being out of Lots 1 and 2, Block 18, Acre Villa Subdivision of Park Place, Harris County, Texas (The Former Water Plant Site, located at 8302 Park Place Boulevard); and in consideration of Raymond Taylor's payment of \$72,000.00, and other consideration to the City - **DISTRICT E – WISEMAN** – was presented, and tagged by Council Members Wiseman and Alvarado.
31. ORDINANCE approving and authorizing amendment No. 2 to an Airport Baggage Cart Concession and Service Agreement at George Bush Intercontinental Airport/Houston and William P. Hobby Airport between the City of Houston and **SMARTE CARTE, INC** - **DISTRICTS B - GALLOWAY and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0752 ADOPTED.

NON CONSENT AGENDA - NUMBERS 36 and 37

PROPERTY

36. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower of Brown & Gay Engineers, Inc., on behalf of MNC Mall, Ltd., a Texas limited partnership [MNC Realty Management, LLC (James R. Jard), president), general partner] and Metro National Corporation (James R. Jard, president) for abandonment and sale of two 10-foot wide water line easements and a 10-foot wide sanitary sewer easement, located within Memorial City Mall, in exchange for the conveyance to the City of a 20-foot wide water line easement, a 10-foot by 30-foot fire hydrant easement, and a 25-foot wide sanitary sewer easement, all located within the Isaac Bunker Survey, A121, Parcels SY2-068A, SY2-068B, SY2-072, KY2-096A, KY2-096B and DY2-034 - **APPRAISERS - DISTRICT G - KELLER** – was presented.

Council Member Keller stated that he wanted to name Mr. Tom Kavinti and Ms. Shiela Stewart as appraisers and moved approval of the recommendation, seconded by Council Member Quan. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0966 ADOPTED.

37. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gerald P. Lance of Fulbright & Jaworski L.L.P., on behalf of Clorox Products Manufacturing Company (Arnold Mallet, operations manager), for abandonment and sale of Henke Street, from Armour Drive south to its dead-end, located within the Harris and Wilson Two-League Grant Survey, A-32, Parcel SY2-069 **APPRAISERS - DISTRICT I - ALVARADO** – was presented.

Council Member Alvarado moved to postpone Item No. 37 for one week, seconded by Council Member Quan. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0967 ADOPTED.

MATTERS HELD - NUMBERS 38 through 45

38. ORDINANCE amending **CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to application of the Campaign Finance Ordinance to Officers of Nonprofit Corporations; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 13 on Agenda of July 17, 2002, POSTPONED BY MOTION #2002-858)** – was presented.

Council Member Sekula-Gibbs stated that issue was not as clear cut as it could be and respected very much Mr. Anthony Hall's, City Attorney, presentation that he gave at committee recently and was sympathetic to the notion that people who did serve on non-profit boards and corporations might accidentally forget to complete their forms and then put themselves in violation of the ordinance by not registering appropriately with the City, but she thought that at the end of the day it was in the best interest of the people to know who sat on the boards and to ask the individuals not to make contributions to candidates during the time they had a contract in front of the City Council, she thought it was a matter of good government and would encourage her colleagues to vote against the item and to continue the current practice.

Council Member Keller stated that he concurred with Council Member Sekula-Gibbs and moved to postpone Item No. 38 for one week as Council Members who were not present were

interested in the matter, seconded by Council Member Wiseman. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0968 ADOPTED.

39. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Information Technology Department for allocation of funds for software license and software/hardware maintenance - \$233,210.00 - General Fund – **(This was Item 1 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBERS ROBINSON and WISEMAN)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0969 ADOPTED.
40. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Fire Department for Extension of Injury Leave for **KENNETH CHAPPELL, JR.** – **(This was Item 2 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0970 ADOPTED.
41. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Chief of Police for supplemental allocation of \$215,204.52 for the Unisys Master Agreement for the Police Department Unisys mainframe and software - General Fund – **(This was Item 3 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBERS WISEMAN, KELLER and ROBINSON)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0971 ADOPTED.
42. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$414,829.96 and acceptance of work on contract with **RESICOM, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0610A-S6-3 (Group No. 3) - 07.09% under the original contract amount - **DISTRICT E – WISEMAN** – **(This was Item 7 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to postpone Item No. 42 for two weeks, seconded by Council Member Keller. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. MOTION 2002-0972 ADOPTED.

43. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **INNOVATIVE INTERFACES, INC** for Integrated Library System for Continued Hardware and Software Maintenance of the ILS and Potential Enhancements for the Library Department; and amending Ordinance No. 99-0367 to increase the maximum contract amount - 2 Years \$540,000.00 - H.A.L.A.N. Fund – **(This was Item 23 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBERS GOLDBERG, WISEMAN, ROBINSON and KELLER)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0753 ADOPTED.
44. ORDINANCE approving and authorizing Supplemental Schedule Agreement for Surety Support Services under the Master Agreement between the City of Houston and **UNISYS CORPORATION** (approved by Ordinance No. 2000-1147) for Various Departments

\$389,769.00 - General Fund – **(This was Item 24 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0754 ADOPTED.

45. ORDINANCE approving and authorizing contract between the City of Houston and **DEWBERRY & DAVIS, LLC** for Disaster Debris Consulting Services - \$100,000.00 - Stormwater Utility Fund – **(This was Item 25 on Agenda of August 7, 2002, TAGGED BY COUNCIL MEMBERS TATRO and WISEMAN)** – was presented. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards and Vasquez out of the city on city business. ORDINANCE 2002-0755 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Ellis stated that he wanted to congratulate Council Member Keller on his recent marriage.

Council Member Ellis stated that last night some information was brought to his attention, that the HCAD appraisals that they were given in late June and early July were not correct and it was his understanding they were going to have about a \$24 million shortfall in their ad valorem property taxes, that he knew Dr. Scheps had received the report, that the problem was that there were a lot of protests with the commercial property owners and industrial property owners and the net revenue effect to the City was \$24 million and he requested that everybody on Council have the opportunity to take a look at that report as soon as possible and hoped HCAD was going over it to see if there was a mistake, but if so they had some budget problems, that he wanted to make sure it went to committee and that they evaluate it over the next 30 days because they would be adopting the property tax rate in the next 60 days, that he did not want it to affect their bond credit rating, that he did not think it would be timely for them to do any unique financing where they would push their principal out into the future, i.e., refinancing or restructuring their debt at this time, he thought they needed to evaluate their expenses and take a look at where they could cut some expenses, that he also thought it sent a bad message if they depleted their fund balance, he thought they had some critical issues coming before them over the next 60 days if the HCAD report was correct and he requested that any information that the administration received at this time that they would send to the Council Members immediately.

Council Member Wiseman stated that she again wanted to thank her colleagues for the support they gave to the Summer Page Program, that it gave the students an opportunity to really see City government in a way that they could never learn about in a classroom, that she wanted to thank the Mayor for his assistance in opening up his office's to them, that his staff was wonderful, Mr. Robert DeYoung and Ms. Rose Valenzuela and Ms. Stein, that she also wanted to thank the City Controller, Ms. Silvia Garcia and her staff Ms. Madeline Apel and Mr. Johnny Campbell.

Council Member Wiseman stated that she wanted to thank Mayor Pro Tem Quan and his staff for preparing the City of Houston directories that they received.

Council Member Wiseman stated that they were having a problem in the Clear Lake area with stop signs that were recently installed in Bay Pointe, that someone was stealing them and it was causing a problem, but something of concern to her was that the property owner who lived right by the corner where the stop sign was stolen at one point called HPD to report the stolen sign and instead was treated in a manner which she hoped would not occur again, that he was basically berated by the officer and was questioned in a way that she did not think was appropriate, asking the constituent if he had all of the Public Works information regarding the

installation of the stop sign, that she thought if someone was calling to report a crime she did not think they should be discouraged in any way, that she would like to visit with the Chief on this matter, she wanted people to be encouraged to report crimes at whatever level they were occurring, the small ones as well as the big ones.

Council Member Wiseman stated that they had a problem with wild pigs in Clear Lake, that there were hundreds of them and allegedly they were coming from the Exxon property out there, there was quite a bit of acreage out there and the wild pigs were creating quite a bit of mess in the Clear Lake area, that she would like the City to assist them in addressing the problem, and Mayor Brown stated that they would follow up on it.

Council Member Robinson stated that he was going to go back to the million dollars if they did not get the 2012 Olympics, but saw that it had already been obligated someplace else and looked forward to getting a copy of the report.

Council Member Robinson stated that regarding their health contract with HMO Blue he really thought they needed to look into it, that he and his wife and child just got kicked out of the doctor's they normally used, that they were being sent to Kelsey Seybold, that HMO Blue was not paying their doctors, that he thought they needed to do some serious contract enforcement.

Council Member Keller stated that they had a City employee blood drive they were hosting next Tuesday at City Hall Annex third floor and if anyone needed more information or to set a time could call 713-837-9300, that it was a very important blood donor drive, that it was on August 20, 2002 from 7:30 a.m. to 2:30 p.m.

Council Member Quan stated that regarding the directory, Council Member Sekula-Gibbs had asked about it early on and the staff took it upon themselves to get that out, that he appreciated their comments toward his staff and would continue to try to see what they could do to make life easier on Council.

Council Member Quan stated that today started their CMC Campaign, they had their piggies in the hallway and encouraged people to designate their monies to the 1% campaign to the Council Members of their choice and also give to worthy causes that the City was collecting for, that their goal was to reach a million dollars in giving and thought it was a very reachable goal, that he wanted to thank his co-chair, Council Member Keller, who was working hard on the campaign, and was appreciative that Council Members Wiseman, Sekula-Gibbs and Goldberg came to the luncheon on Monday.

Council Member Quan stated that their Housing Initiatives Committee would not meet on Thursday because they were still working on a couple of items, but instead would be moved to Monday at 3:00 p.m. and a notice would be sent to each of the Council Members on that committee.

Council Member Quan stated that sometimes they had been criticized for the trade missions they had, that it just served certain groups, that he wanted to mention that he would be heading a trade mission to their Sister Cities, Tapei and Shenzhen in October and they had a meeting tomorrow at Lucky Village Three Restaurant on Westheimer for anybody interested in going, that his purpose of the trade missions was to facilitate Houston businesses who wanted to do business in Taiwan and China, that it was an opening invitation if they were interested in doing business in that part of the world and if there was any way he could help them to come to the meeting tomorrow afternoon at 6:30 p.m.

Council Member Quan stated that during his three years on Council he had the services of

Mr. Mark Adams as his agenda liaison, that Mr. Adams would be leaving this week to go to the University of Texas, Lyndon B. Johnson Graduate School and wanted to acknowledge Mark for all of his hard work.

Council Member Sekula-Gibbs stated that she wanted to thank Council Member Quan for the directory, that she really appreciated it.

Council Member Sekula-Gibbs stated that the HMO Blue was a serious situation and understood that several of the employees had lost their doctors and she sympathized with that, that what she thought they needed to do was get ready at the State level, talking with the Department of Insurance and talking with their Legislative Representatives and Lobbyists because it was a State issue, that they could not negotiate if the companies did not come to the table and understood that the number of companies who were willing to insure large institutions like the City was being reduced all of the time.

Council Member Sekula-Gibbs stated that she was extending an invitation to everybody in the community who was interested in applying for federally qualified health center grants, there was a meeting next Wednesday at the Harris County Public Health Environmental Services Building, at 2223 West Loop on 610, that she knew the City Legal planned to have representation there, that if they had an interest in serving a medically under served population in their community to please come to that meeting, they would learn how to fill out their grant applications, that there was up to \$650,000 available per year to support uninsured patient care, that they could RSVP to Silvia McElroy at 281-820-4610. Council Member Robinson absent.

Council Member Sekula-Gibbs stated that she wanted to thank the City Health Department, they had been granted the 30,000 vaccinations for the influenza patients who usually got them at the City, that the State of Texas had granted the vaccinations and the City would not have to come up with the \$150,000 but next year they would, that they said it was the very last time they would give it to Houston. Council Member Robinson absent.

Council Member Parker stated that she did request that Ms. Candy Aldridge call a meeting of the Health Benefits Committee so they could talk about the current situation, that she received a number of calls and letters into her office talking about the number of doctors who had dropped out of the program, that she would remind Council Members that two years ago when they were negotiating they had only three companies who were interested and the reason they went with HMO Blue was that they were millions of dollars less than the next low bidder and it was a financial decision they chose to make. Council Member Robinson absent.

Council Member Alvarado stated that she wanted to remind her colleagues that they had a Legislative Affairs Committee meeting tomorrow at 2:00 p.m. and wanted to thank the Council Members who turned in their Legislative priorities and asked that they make plans to attend the meeting so they could lay out their priorities and be able to speak to them. Council Member Robinson absent.

Council Member Alvarado stated that last week she talked about an agreement that the City of Houston had with TXDOT that addressed the area underneath the Pierce elevated, that the agreement was signed in 1968 and was not sure if that agreement was still intact, but was told that it was, so she would like to request that Solid Waste send some crews out there to cleanup under the Pierce elevated, that she also understood that Continental Airlines was responsible for about three blocks, that it was near their building, so there were two entities who had responsibility for the area under Pierce elevated, that last week she and Council Member Berry were at a meeting with residents of 2016 Main to talk about issues around the Greyhound Bus Station and each time the conditions and lack of maintenance under the Pierce elevated kept

coming up, that she hoped they could work on getting that area cleaned up and also get some increased patrol in that vicinity. Council Member Robinson absent.

Council Member Alvarado stated that she was hosting a community townhall meeting along with HPD and Harris County Constable Victor Trevinio, LULAC and the Houston Area Women's Center to talk about the recent murders in the eastend and invited everyone to come out and participate, that it was tonight at 6:30 p.m. at the Magnolia Multi Service Center at 7037 Capitol. Council Member Robinson absent.

Council Member Alvarado stated that they lost a great Houstonian last week, Mr. Humberto Moreno, who was a teacher, one of the first Mexican American's to join the Houston Police Department, a federal agent with the DEA and asked for a moment of silence. Council Member Robinson absent.

There being no further business before Council, the City Council adjourned at 11:38 a.m. upon MOTION by Council Member Quan, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Rodriguez, Berry and Robinson absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary