

City Council Chamber, City Hall, Tuesday, December 3, 2002.

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 3, 2002, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, M.D. and Michael Berry; Mr. Paul Bibler, Senior Assistant City Attorney; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director, present. Council Member Bert Keller absent due to being ill. Council Member Gabriel Vasquez absent on personal business. Council Member Carroll Robinson absent on city business.

At 1:58 p.m. Mayor Brown stated that Council would begin their presentations. Council Member Edwards stated that there was an outstanding scholarship program which heard stories of African American and Hispanic men and women whose love was used to overcome troubles; that the program was very strong and the current winners of the Photo Exhibit and Scholarship Program were on exhibit in the City Hall Annex; that she wanted to thank Ms. Linda Bullock, Ms. Bernadina Streeter, Mr. Walter Kimball and Staff and Ms. Alice Lee for helping put up the exhibit; and invited Ms. Streeter and Ms. Bullock to the podium and presented them a proclamation recognizing the program "Celebrating Our Elders". The spokesperson stated that over \$55,000.00 in scholarships had been given in eight years to over 100 students; and thanked Council for the recognition. Council Member Galloway, Alvarado, Quan and Berry absent.

At 2:06 p.m. Mayor Brown called the meeting to order and Council Member Tatro led everyone in prayer and in the pledge of allegiance. Council Member Galloway, Alvarado, Quan and Berry absent.

At 2:08 p.m. the City Secretary called the roll. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Council Member Galloway absent.

Council Members Quan and Tatro moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Council Member Galloway absent. MOTION ADOPTED.

Mayor Brown requested the City Secretary to call the list of speakers. Council Member Galloway absent.

Council Member Goldberg moved to suspend the rules to hear Ms. Christine Coronado first, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Council Member Galloway absent. MOTION 2002-1384 ADOPTED.

Council Member Parker moved to suspend the rules to hear Mr. Ross Allyn after Ms. Coronado, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Council Member Galloway absent. MOTION 2002-1385 ADOPTED.

Ms. Christine Coronado, 9120 ½ East Avenue, Houston, Texas 77011 (713-718-6167) appeared, presented information and stated that she was present regarding the issue of her parents applying to the City of Houston Emergency Home Repair Program in 2000; that they had received numerous denials with the reason being that repairs exceeded the amount allowed; that they were denied through PSI and NAMC and NAMC was still in charge of their case; that her parents were never informed of any policies or rights they had in receiving assistance from the city; that her parents were denied three times with no follow-ups or referrals and she wondered if

contractors or inspectors involved in the process were monitored and were abiding to policies and procedures set by the city; that Mr. Halpin in Housing and Community Development and Council Member Alvarado and her chief of staff, James Rodriguez and others in her office were more than willing to assist her parents, but it had been three years and the house had deteriorated more especially since the Allison flood; that the home was unsanitary and not suitable for an elderly disabled couple; that she felt the main issue was with NAMC and she would like to know how this could be resolved. Council Members Tatro and Galloway absent.

Council Member Alvarado stated that the process had taken about three years; and upon questions, Mayor Brown stated that he would ask Mr. Halpin to take the case and see what needed to be done; that his responsibility would be to work through any problems; that he understood the problems should be resolved within a week. Council Members Tatro and Galloway absent.

Ms. Coronado stated that emergency was something she felt should be dealt with as soon as possible and some people applying were disabled and not bilingual and she wondered how their problems were being met; and Mayor Brown stated that there were a number of options with one being the Housing Department and if needs were not met they could contact the Mayor's Citizens Assistance Office. Council Member Berry absent.

Council Member Goldberg stated that he saw repairs were to be made through an emergency home repair agreement and that did not seem like it would take three years. Council Members Tatro and Galloway absent.

Council Member Goldberg moved to suspend the rules to hear Mr. Mike Halpin on the matter, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Council Member Berry absent. MOTION 2002-1386 ADOPTED.

Upon questions by Council Member Goldberg, Mr. Halpin stated that he was the Project Manager for the City of Houston Home Repair Program; that agencies had a spending limit of \$20,000 and this particular estimate came in at \$29,000, but what complicated this case and made it doable was the flood damage; that agencies were charged with not just the \$20,000 but with trying to leverage personal funds or United Way funds, etc., however, most emergencies were from \$5,000 to \$15,000 and this was beyond what was normally called a repair; that they were trying to get other agencies to work together as opposed to turning them down; that according to Ms. Coronado, Mr. Williams with the National Association of Minority Contractors did not follow through in the manner he should have. Council Member Wiseman and Berry absent.

Upon questions by Council Member Quan, Mr. Halpin stated that at one point they went to Habitat for Humanity looking to do reconstruction and went as far as providing a grant to them to provide materials for a new home but they were not successful; that there was a point where the home could not be repaired and you had to look at rebuilding it, but in this case Habitat chose not to proceed and now the only choice was to repair and they were checking with United Way for the additional \$9,000. Council Member Berry absent.

Council Member Galloway stated that she had citizens in her district affected by the flood and although they had requested home emergency funds they were told the city could not provide any assistance because it was flood damage; and upon questions, Mr. Halpin stated that the home repair program was doing deferred maintenance and hopefully FEMA money was taking care of flood damage; that they could not use CDBG funds for flood damage; that he understood typically FEMA money was not sufficient but the work would have to be done together, you could not separate the flood damage from the work needed because you would be left with code problems. Council Member Galloway stated that she needed clarification

because many citizens applied and were told they could not be assisted; and Mr. Halpin stated that meetings were going on every month since the Allison disaster and again this afternoon to try and work the United Way money with the city and federal money; that there were still several hundred people in that situation. Council Member Ellis, Parker and Berry absent.

Council Member Alvarado stated that since the city was contracting with NAMC she felt they had the authority to say they wanted the process moved along with phone calls returned, etc., the gentleman with NAMC missed appointments and did not return calls and she felt they should be telling them to do a better job. Mr. Halpin stated that she was right and felt the Housing director would agree with that. Council Members Ellis, Parker and Berry absent.

Upon questions by Council Member Quan, Mr. Halpin stated that they had three agencies they worked with and as they began spending next years money it would be helpful to have a fourth agency. Council Member Quan stated that a Hispanic agency contacted him about participating in the program and as long as advertisements were out early he felt they would get a better response. Council Members Ellis, Parker and Berry absent.

Mayor Brown stated that he wanted Mr. Halpin to go back to the agency and tell them they had a responsibility to follow-up and do what they were paid to do. Council Member Ellis, Parker and Berry absent.

Ms. Coronado stated that Mr. Halpin had been very helpful, but yesterday Mr. Davis, who worked in his office, was not very cooperative and spoke in a very unprofessional manner; and Mayor Brown stated that all employees should be courteous and that would be passed on to his supervisor.

Mr. Ross Allyn, 919 Worthshire, Houston, Texas 77088 (713-861-0722) appeared, presented information and stated that he was present representing Fast Tow and Ms. Janet Rash regarding the issue which occurred Thanksgiving Day at the MHMR parking lot; that eleven cars were towed and they wanted to express their apologies for any inconveniencies; that MHMR was in operation that day and needed their spaces, but after eleven cars were towed an officer asked them to stop and they did; that they followed all rules and had the right to tow but they wanted Council to know everyone except one city employee was refunded their towing fees and they did not refund him as they had a contract with the city and did not want it considered a gift. Council Member Berry absent.

Council Members expressed thanks to Mr. Allyn for coming to Council and for the refunds made to those who had their cars towed during the Thanksgiving Day Parade. Council Member Berry absent.

Mr. Ladino Emera, 5018 Marietta, Houston, Texas 77021 (713-522-7057) appeared and spoke against Item 27 and asked that Council vote no on the item; that voting for the item would leave all of them behind. Council Members Wiseman, Quan and Berry absent.

Rev. John C. Gibbs, 1403 West Donovan, Houston, Texas 77091 (713-298-1772) appeared and spoke against Item 27 and asked that Council vote for the Blacks and Hispanics, homeless and poor and no on the item. Council Member Quan absent.

Ms. Phillis White, 18531 Cardono, Missouri City, Texas 77489 (281-437-6547) had reserved time to speak but was not present when her name was called. Council Member Quan absent.

Ms. Brenda Smith, 8001 Comal, Houston, Texas 77051 (713-734-3994) appeared and spoke against Item 27 and asked that computers be left in the library or they would have no where to use them; and stated that they were counting on Council's support. Council Member Quan absent.

Mr. Isadore Jackson, 3811 Link Valley 2C, Houston, Texas 77025 (713-665-6863) appeared and spoke against Item 27; and stated that his children and grandchildren needed the contract to stay in place and if Council could allow that they would all appreciate it. Council Member Quan absent.

Mr. Eugene Matthews, 320 Hamilton #127, Houston, Texas 77027 (281-650-0044) appeared and spoke against Item 27 and asked that Council make a just and wise decision and not deny them their basic rights, to vote for keeping the contract. Council Members Quan and Berry absent.

Mr. Dudley Celestine, 8001 Comal, Houston, Texas 77051 (713-734-3994) appeared and spoke against Item 27; and stated that if Council voted for Item 27 they would be voting against the future of many children. Council Members Quan and Berry absent.

Mr. Cliff Rogers, 7722 Belbay, Houston, Texas 77002 (713-733-3683) appeared and spoke against Item 27; and stated that he was ashamed of Council's sensitivity in the matter; that yesterday over 100 citizens rallied in favor of the SimDesk Program and if Council voted to rescind the contract they would vote to rescind Council. Council Members Quan and Berry absent.

Upon questions by Council Member Goldberg, Mr. Rogers stated that currently he did not use SimDesk but he knew others who did. Council Members Quan and Berry absent.

Upon questions by Council Member Edwards, Mr. Rogers stated that a wide range of people used the program from teenagers looking for financial aid to others looking for jobs; that if the contract was rescinded those people would have no computers to use. Council Members Quan and Berry absent.

Mr. James Bias, 320 Hamilton, Houston, Texas 77002 (832-788-1352) appeared and spoke against Item 27; and stated that he did not use the system but his grandchildren did and he was asking for Council's vote to keep it. Council Members Quan and Berry absent.

Ms. Gloria Ray, 320 Hamilton #301, Houston, Texas 77002 (no phone) appeared and spoke against Item 27; and stated that the internet was the future and SimDesk allowed those who could not afford a computer to use one and urged Council's vote to keep the system. Council Members Quan and Berry absent.

Upon questions by Council Member Goldberg, Ms. Ray stated that she did not use SimDesk but her grandchildren did. Council Member Goldberg stated that he wanted to clarify the City of Houston had internet in the libraries before they had SimDesk and they would have internet after SimDesk; that he felt they were under the misconception that the internet was being removed and it was not. Council Members Quan and Berry absent.

Mr. Dale Napier, 4141 N. Baeswood #7, Houston, Texas (713-252-3826) appeared and stated that an article he wrote appeared in the Houston Chronicle and though it had important considerations about the viability of SimDesk there were additional considerations before Council now as they considered rescinding the contract; that the point for the article was that SimDesk in the library was a great idea which helped economically marginal people accomplish what they could not any other way, however, SimDesk on city desktops was considerably questionable; that with the issue today on whether to rescind the contract there were only two issues to consider which were was there a matter of corruption involved in the entering of the contract and had the company delivered on their requirements; that as far as he knew the results of the investigation gave a clean bill of health and with that being the case he could not see there being a good case to withdraw. Council Members Quan and Berry absent.

Ms. Gay Donehoo, 7214 Blandford Lane, Houston, Texas (713-686-8021) appeared and stated that she was present on behalf of Afton Village and was asking for Council's support on Item 23-1 which was for the abandonment and sale of the southern tip of Afton Street; that Ikea was asking to close a one block segment to allow them to build a sixteen foot sound abatement wall and that would be their subdivision's only protection from the Katy Freeway; that their subdivision felt it would help with the cut through traffic. Council Members Galloway, Quan and Berry absent.

Council Member Tatro stated that he did intend on supporting the item, but he thought it would actually add cut through traffic down some of their streets; that he did feel there was more than ample opportunity for everyone to weigh in on the issue and it had come a long way with substantial support from their neighborhood. Council Members Galloway, Quan and Berry absent.

Ms. Jennifer Quintana, 1101 Wyatt, Houston, Texas 77023 (713-928-5623) appeared and stated that she was present asking Council to enforce deed restrictions in her neighborhood; that several residents had chickens in their backyards which could carry diseases. Council Members Galloway, Quan and Berry absent.

Mayor Brown stated that someone would follow-up in addressing her issue. Council Members Galloway, Quan and Berry absent.

Council Member Alvarado stated that on a point of privilege there were about twenty students present from the Houston Community College Southeast Campus present and their being present was a part of their exam for their speech class; and asked that they stand to be recognized. Mayor Brown welcomed them to Council. Council Members Galloway, Quan and Berry absent.

Mr. Aubrey Bailey, 4105 Seminole Dr., Pearland, Texas 77584 (281-489-2123) appeared and stated that traffic congestion was a major problem for the City of Houston, however, one contributing factor was the amount of tow trucks at an accident; that there were on average three tow trucks for each damaged vehicle, apparently there were no regulations on how many could be present at the scene; that commuters immediately slowed down when they saw a lot of tow trucks thinking it was a major accident and he felt tow trucks should be dispatched from a central dispatch as ambulances were so only one truck would show up at the scene or first come first serve, but there must be a better way to regulate. Council Members Galloway and Berry absent.

Council Member Ellis stated that he believed all would agree there were too many tow trucks at the scene of an accident, but during the last year Council regulated from a standpoint of what the federal government would allow and they now required each wrecker driver at the scene of an accident to have a sticker on their truck and they could only tow from certain regions, but there were still maybe five drivers at each scene; that they did not want the first driver to get the tow because they would be racing all over the city. Council Member Galloway absent.

Council Member Quan stated that once the officer at the scene felt there were a sufficient number of tow trucks at the scene he called off others from being able to come to the scene and he felt Council Member Ellis's committee had done a lot to improve the towing services. Council Member Galloway absent.

Mr. Esteban Sanchez, 11675 West Bellfort #911, Houston, Texas 77099 (281-933-9219) appeared and stated that the METRO Park and Ride was a good service but the problem was if you needed to leave the downtown area before 3:00 p.m. as it was impossible; that if a train system was implemented on the HOV lanes they could offer an all day in and out bound public transportation service and that was important for a city with high pollution. Council

Members Galloway and Edwards absent.

Council Member Quan stated that METRO was working on a 2020 Mobility Plan at this time and there were public hearings being held and this fall a plan would be on the ballot. Council Members Galloway and Edwards absent.

Ms. Erica Fernandez, 7919 Scanlock, Houston, Texas 77012 (713-643-0568) appeared and stated that her concern was regarding METRO busses and trolley safety in the downtown streets; that she worked off Milam and Prairie where a construction worker was hit and killed and where two women were hit by a bus; that she was aware of METRO's record of .99 accidents per 100,000 miles but percentages were not given actual numbers and she wondered how pedestrians could be protected further; that she felt drivers should have extensive background checks and be provided extra safety training and maybe extra policemen should be patrolling construction areas. Council Member Galloway absent.

Council Member Alvarado stated a pedestrian ordinance was just passed which addressed some of her issues and regarding METRO her concerns would be relayed to the city appointees on the METRO board. Council Member Galloway absent.

Mr. Erik Villanueva, 7510 Hornwood #1404, Houston, Texas 77036 (713-224-7211) appeared and stated that he was present regarding crime in the 8100 block of Leonora due to drugs; that the Glenview and Glenbrook Apartments created drug raids and crime and that had an affect on the people there in the area and their property value; that he had with him three legal size sheets of crimes regarding drugs, assault and robbery in that one block during a one year time frame; and he felt it would be a good idea to place businesses in the area. Council Members Galloway, Goldberg and Ellis absent.

Mayor Brown stated that Chief McClelland was present and would speak with him at this time and then follow-up and see what could be done; that the Gulfgate Area Mall was being redeveloped and generally when that happened other business went to the area as well, but they could ask Planning to check and determine what permits have been taken to see if something was happening that would be of interest to him. Council Members Galloway, Goldberg and Ellis absent.

Council Member Quan stated that the city had a program called the Blue Star Program with HPD and it was for apartments, they would work with apartments and if the owners wanted to work with the officers they brought in different techniques to bring down the crime and they may look at that also. Council Members Galloway, Goldberg, Wiseman and Ellis absent.

Ms. Maria Villar, 2101 Sullivan, Pasadena, Texas 77506 (713-534-0106) appeared and stated that her concern was the traffic due to construction in two very important areas the Medical Center and downtown area; that she understood construction was necessary, it was all over the city and would be beneficial in the long run, but for those two areas she hoped it could move at a faster pace. Council Members Galloway, Goldberg, Wiseman and Ellis absent.

Mr. William Foster, 7514 Lakehurst Dr., Houston, Texas 77087 (713-645-3757) appeared and stated that he was present with a parking problem in his neighborhood; that his neighbor consistently had ten to twelve cars in front of his home and he felt it was a safety issue and would like to know the number of vehicles any one home could maintain. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he did not think there was a limit on vehicles; and upon questions, Mr. Bibler stated he was not familiar with any such regulation. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that would be covered by deed restrictions and in the absence of deed restrictions you would look at ordinances such as blocking sidewalks, junk vehicles, etc., and if they were blocking sidewalks or the street significantly he could speak with HPD or Traffic Management. Mayor Brown, Council Members Galloway, Goldberg, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Tatro stated that he may look at the possibility of no parking on the streets because of the width of the road and perhaps have "No Parking" signs placed; that Traffic would need to look into it. Mayor Brown, Council Members Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding.

Ms. Diana Arredondo, 8106 Holiday Lane, Houston, Texas 77057 (713-991-6896) appeared and stated that she had two major concerns within her neighborhood, one would be the lack of street lights which caused accidents and theft and the second was sidewalks which was dangerous for pedestrians and children trying to ride their bicycles. Mayor Brown, Council Members Tatro, Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the Housing and Community Development Department would be holding meetings concerning a consolidated plan, which had to do with what areas were in need and what needs they had and she could go and voice her concerns, but at this time it had not been set. Mayor Brown, Council Members Tatro, Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he had an experience of a neighborhood going under street reconstruction and all street lights were taken down and crime rose by 20% to 30%, but they were told that the neighborhood had to put down a substantial deposit to get new lights put in. Mayor Brown, Council Members Tatro, Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Berry stated that he helped a neighborhood get street lights and you had to pay for the actual lights and pay the first year of electrical operation and then the city picked it up, but it was not an inexpensive proposition and that is unless the city determined you needed lights and then you did not get the real nice lights and those people wanted the really nice ones. Mayor Brown, Council Members Tatro, Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that it sounded as though she had two choices, one for the homeowners to get together and petition to get lights and they could do that immediately, but there was a cost, and secondly if the area qualified for community development funds they could go to the next consolidated plan meeting to see if their neighborhood could be included. Mayor Brown, Council Members Tatro, Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Lilia Torres, 5532 Eskride #4, Houston, Texas 77023 (713-923-2916) appeared and stated that she was present regarding museum and zoo prices; that she was proposing a student discount which would allow them to attend exhibits without worrying about the economical aspect. Mayor Brown, Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that the zoo recently raised prices but the Houston Zoo was ranked one hundred eleven in terms of price and it was still very cheap and they still had some free days, but the Museum of Science was privately held and the Titanic Exhibit was private so Council had no control over those prices, but he would suggest going to the Holocaust Museum which was free and the Art Museum was free every Thursday and was the sixth

largest in the country. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Andrea L. Clay, 2730 Laferty Road #1230, Houston, Texas (713-910-1765) appeared and stated that she wanted to address the prison system as she had a problem with the cost of their housing; that she felt they lived better than she did, she made about \$9,000 a year and to house one prisoner it was over \$17,000 and the cost for death row inmates was even more; that she did not see why they were housed separately or why it cost \$2.3 million for one case on appeals. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Council Member Goldberg had practiced Criminal Defense Law; and Council Member Goldberg stated that he could not account for all \$2.3 million, but it tied up the court with jury selection one by one and most capital cases had court appointed attorneys and that was usually two or more attorneys plus investigators and time, etc. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she agreed it was an outrageous amount and spent at the wrong end; that the money should be used on teaching children and possibly keeping them out of the prison system. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the city was trying to get out of the business of jails and trying to work with the county; that city jails were not nice at all and they were under a federal monitor at this time with reports having to be given every quarter because of those conditions. Mayor Brown, Council Members Galloway, Wiseman, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Joseluis R. Ablaza, 8022 Glen Dell, Houston, Texas 77061 (713-644-1332) appeared and stated that he was present to address city property taxes; that he was aware city funds were derived largely from taxes, but as a property owner he was asking Council to consider cutting spending before they were raised again; that cities around the country lost people because of high taxes and he would not like that to happen here. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Ablaza stated that he thought travel was one area cost could be cut in; that he knew the Mayor needed to travel but felt it could be done cheaper; that the news also showed long smoke breaks, but Council had the ability to streamline. Council Member Edwards stated that she would like Mr. Ablaza to come by and sit with her and look at where they could cut the budget; and Mr. Ablaza stated that he was an accounting major and would be glad to stop by. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Thuy Tran, 8001 South Loop East #302, Houston, Texas 77012 (713-645-1515) appeared and stated that she was present to discuss construction; that she knew many streets needed it to prepare the city for the Olympic games in the next decade, but she felt one street at a time should be focused on and when roads were closed it caused her to get lost; that she also saw streets closed with no one working at the site and did not know why if they were closed no one was working. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the city now had incentive clauses whereby the contractor received more money for completing the job early. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)



Council Member Parker stated that the city was growing rapidly and that caused a lot of construction and with 600 plus square miles she hoped Ms. Tran was not suggesting doing streets only in a small area, but she believed notification and detour signs were very important; and sometimes when a crew was not on the site it was because it was more cost effective to use equipment on a number of streets and then go back with other equipment so they may be working but in another area. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Maggie Hernandez, 404 S. Randall, Pasadena, Texas 77506 (713-291-3196) appeared and stated that she was present to discuss street flooding; that much was done but problems were not solved; and she wondered what was being done to handle the drainage problems. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that hearings would be coming up dealing with a drainage fee, presently in the CIP \$120,000,000 was set aside for drainage over the next five years but studies showed that one billion was needed to address the issue; that Council would be asking citizens whether they were willing to pay an additional \$3.00 to \$5.00 a month to address drainage; and upon questions Ms. Hernandez stated that she did not live in Houston but felt the fee was worth it as it was a lot less than losing what many did when flooded. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Mario Flores, 7931 Rockhill, Houston, Texas 77061 (713-641-3957) appeared and stated that his issue was registered sex offenders; that he found out there were three registered sex offenders within a one mile radius of his home; that he lived across from Dow Park and much activity went on there; that he lived at his residence two years and he had never seen an officer stop and scope the park and with sex offenders so close it should be done. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that his area had active civic associations and police officers did attend the meetings; that they could give him information where he could speak to them and she was sure the civic association would ask for additional patrol; that there was also an effort to revitalize the Broadway/Bellfort area, making it a major entry into Hobby Airport and the area would start receiving more attention and bringing in more retail. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Max Arriaga, 915 Axilda, Houston, Texas (713-695-4331) appeared and stated that he was present to speak on construction in downtown streets; that it caused traffic problems and with the new arenas there were more vehicles; that he felt before arenas were built street construction should go through and all repairs be done. Mayor Brown, Council Members Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they were looking at traffic patterns for the area and he had met with the chief in command of the downtown area and they were looking at the factors. Mayor Brown, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Elena A. Sosa, 41471 Glenbrook, Houston, Texas (713-695-4331) appeared and stated that she had worked in downtown about six years and in that time she had to think of another

way to enter her parking garage almost monthly; that she and others knew downtown construction was very important, but felt Council could advise commuters via mass media and send weekly E-mails advising of street closures and construction to companies who could inform their employees. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that information was available and she believed it was www.citystreets.com which had up to date maps of downtown construction and anyone could look up changes daily; that it was an excellent suggestion for companies to take the information and distribute to their employees and she hoped they would follow-through. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that a taskforce was put together through the Mayor's Office and before anyone dug up streets they had to go through the committee so there was much more coordination now. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Sawee P. Lam, 3320 Country Road #49, Rosharon, Texas (713-794-9119) appeared and stated that she was present because every time there was a heavy rain it flooded at the intersection of Old Spanish Trail and Yellowstone; and she would like to know if there were any plans for drainage or road repairs in the future. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that was in her district and there was a lot of drainage work going on; that if Ms. Lam would contact her office she could give her the exact streets as she was not sure if Yellowstone was in that group but thought it was. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Natalie Cinco, 7702 Arnim, Houston, Texas 77087 (713-649-5106) appeared and stated that she was present today to discuss the difference in salaries between Houston firefighters and police officers; that both departments were vital but there seemed to be favoritism, to become either they had to complete an extensive training program, but firefighters received approximately \$1,500 less base pay than police officers; that she wished to become a firefighter and was hopeful for that department and she wondered if the inequality could be resolved and how Council planned to do so. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that at this time there was no contract with the Fire Department, negotiations had drug on for the past two to three years, but the Administration was always open to speaking with them. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that until there was a contract they would continue to have disparity in base pay, but all acknowledged they were both very important to the city and they appreciated them both; that they did need more women firefighters and she hoped Ms. Cinco would get in and shake things up. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Leticia De Los Santos, 7203 Keller, Houston, Texas 77012 (713-694-6723) appeared and stated that she wanted to thank Council for what had been done for the Gulfgate area, it looked great, but her concern today was the Melcher Branch Library; that it had been there since 1973 and she loved it, she had gone there when she was small, went for homework and later research; that it had the same tables, chairs and shelves and for the amount of people in the

area it was really too small; and she wondered if it could be remodeled. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he believed the plan was to discontinue the Melcher Branch Library. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that she went to that library as a child and it was very small; that the Library Department and Building Services were looking to expand but the problem was finding landing the area; that they were looking at all options, but it would take some time. Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Ms. Georgina Reyes, 7731 Keller, Houston, Texas 77012 (713-204-5198) appeared and stated that parking was not convenient when you were just dropping someone off or picking someone up and she witnessed people who parked for one to two minutes and they were given a ticket when they had not passed a five minute limit. Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that there was no limit per say; and upon questions, Mr. Bibler stated that there were certain areas where there was a limit on parking time, but he understood the procedure was to mark the street with chalk and go back after the time to check and see if the vehicle was still there and then issue a ticket. Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that it sounded as though Ms. Reyes was talking about an area not allowing parking at all; and upon questions, Ms. Reyes stated that due to traffic you have to stop at some point, you can not just turn and she personally saw a ticket issued for it; that the person stopped for the light and was given a ticket. Mayor Pro Tem Quan stated that there was a parking court you could go to if you felt you were issued a ticket wrongly, but he had a problem thinking someone was stopped at a light and issued a ticket for parking; and Ms. Reyes stated that the ticket was dismissed, but it should not have been issued in the first place. Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Wiseman, Ellis and Berry absent. Mayor Pro Tem Quan presiding.

Apostle Ruth Holman Wesley, P. o. Box 36062, Houston, Texas 77236 (713-434-1397) appeared and stated that it had been six years since she was before Council and the last time within a week after her appearance she was drug out of her dwelling at night by the Constables Office with one shoe on; that they had a mental insanity warrant saying she was crazy because she had asked that her children be released; that she now had learned she could not address them as she wanted therefore she was now saying let the church be the church; that she came to Houston in 1981 as a licensed preacher; that a church should be an open door and no one should be refused entrance or acceptance; that all her works as a preacher had been stolen; and continued expressing her personal opinions until her time expired. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 6000 Telephone #408, Houston, Texas 77087 (no phone) had

reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Juan Houston, 6431 Sherwood, Houston, Texas 77021 (713-842-2275) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Betty Clark, 4312 Fegan, Houston, Texas 77007 (713-864-2185) appeared and stated that that she had sold property next to her home, 4306 Fegan, and the sewer line stopped there, but those who bought the property built seven condominiums and now the sewer backed up; that she lived through many tropical storms and never had standing water, but now she had water standing in her ditch and it was all sewer water; that a friend who worked for the city sent people to blow out the sewer line, but she still had the sewer water backed up under the houses and the smell was terrible; and something needed to be done about those lines. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan thanked Ms. Clark for bringing the matter to Council's attention; and stated that Mr. Robert Fiederlein with the Department of Public Works was present and would speak with her at this time and see what could be done to address those concerns. Mayor Brown, Council Members Wiseman, Ellis, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 2600 Westridge, Houston, Texas 77054 (713-839-1505) appeared and stated that he was present because it appeared city employees were doing graffiti and tagging when it pertained to parking meters; that he noticed blue paint on his vehicle a few times so once after he paid his meter he watched as a city meter attendant looked at the meter and placed blue paint on his car; that he went over and asked what she was doing and it was explained that by placing that on his car when she walked around the block again she did not have to go to the actual meter she could look at his vehicle and tell he was about to be in violation and that fell under graffiti or tagging; that they were using personal property and that was of great concern, it was not fair to citizens to have paint placed on their vehicles. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Tatro, Mr. Bullard stated that he would not say it was chalk; that it was placed on his tire and he was told all attendants used it; that once it even went from the tire over to his vehicle. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Bibler stated that he was not familiar with the procedure and felt such questions should be directed to Mr. Albright; that he was familiar with the chalk which marked the area to indicate time parked and that was not a destructive thing to do.

Council Member Tatro stated that he was familiar with using the chalk in neighborhoods where there were no meters and thought it was a valid method of determining what they needed, but he had concerns when a meter was present to use it for a shortcut; that he considered it defacing. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they would follow-up with Parking Management. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Barry Lawson, 5407 Northington, Houston, Texas 77039 (no phone) appeared and stated that sometimes police, fire and EMS did not get where they were going fast enough and he came up with a system to shut down the red light for traffic crossing and allow emergency vehicles to pass through; that he would like to sell it to the city and wondered if anyone was interested. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Ms. Dillard in Citizens Assistance was present and would speak with him at this time. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

President Joseph Charles, 8034 Antoine Dr. #107, Houston, Texas 77088 (281-847-5100) appeared and stated that he was the official U. S. President and continued to express his personal opinions until his time expired. Mayor Brown, Council Members Tatro, Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 4:43 p.m. City Council recessed until 9:00 a.m., Wednesday, December 4, 2002. Council Member Keller absent due to being ill. Council Member Vasquez absent on personal business. Council Member Robinson absent on city business. Mayor Brown, Council Members Wiseman, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 4, 2002

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, December 4, 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-Gibbs, M.D. and Michael Berry; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director, present. Council Member Carroll Robinson absent on city business.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 Mayor Brown reconvened the meeting of the City Council and stated the first order of business was the monthly financial report. Council Members Goldberg, Wiseman, Ellis, Keller and Parker absent.

## **MAYOR'S REPORT**

**9:00 A.M.** - **REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

Ms. Silvia Garcia, City Controller, stated that she was pleased to present the Monthly Financial Report for the period ending October 31, 2002, that to General Fund, they were still watching three areas, Property Taxes, Sales Taxes and Municipal Courts Fines and Forfeitures, that as to Property Taxes, their projections had been decreased to an upward revision in projected amounts to be rebated to the various TIRZ's, as to Sales Tax, they had now received

three months of activity for the fiscal year and were running about 7.9% less than the same time last fiscal year, therefore, they had projected a modest average increase for the balance of the fiscal year of about 2.5% over last year, as to Municipal Courts Fines and Forfeitures, there was just a little bit of good news, they were now coming just slightly ahead of collections from last year and were hopeful that the trend continued, however they had not changed their projection, that the bottom line was that the projected net activity was at a \$31.8 million shortfall, that they may recall that during the budget process, earlier in the year, she warned the administration and the Council that the \$6 million difference between their projections and those of the administration may lead them to use very optimistic projections for their budget, apparently they were right and were beginning to see the trend continue, they could only hope that this time the administration was correct, nobody wanted that more than she did, but she certainly encouraged the administration and Council to adopt prudent fiscal management strategies so that the next Mayor and City Council inherit a better managed City government, certainly they would do their part.

Ms. Garcia stated that as they knew it was her last appearance before the City Council as their independently elected City Controller, that it had certainly been a privilege and honor for her to serve the taxpayers of Houston, that when she came to the office, the Controller's office operated more like a slide rule, instead of a calculator, that she thought they had taken it to the next level, that she and her staff made a commitment to serve the public while being hip, hip meaning with honesty, integrity and professionalism and she thought they had done that, that they knew they could make it the best public finance office in the State and they had, that using both inside and outside audit firms they had conducted over 100 audits, which had identified approximately \$100 million in potential savings to the City, that soon they would release an audit of infrastructure damages and before she leaves office they would release a database audit identifying both property owners delinquent in their taxes and those who owed fines to the courts, that fraud prevention and detection had also been a hallmark of their administration, they implemented a fraud hotline and a fraud webpage on their website, they had instituted several programs to prevent fraud, waste and abuse, including positive pay system, and tighter control over employee and vendor checks, it included increasing direct deposits for vendor and City employees, they also created a position of vendor liaison and cut the time it took to process a check from the old core days of three months down to three or five business days, and she could tell them that the vendors were very happy about that, that they had increased petty cash audits, and many of them could remember when they discovered \$23,000 in petty cash missing at the Houston Police Department, sadly enough their work had resulted in 5 indictments and more than 20 counts, that under their leadership the City's investment portfolio had grown from \$1.2 billion to \$2.9 billion, in 1997 their office conducted only monthly financial projections, today they conduct projections for the next 18 months so they were better able to project their significant cash flows and debt service payments and the Mayor knew that when she saw it going short she always sounded the alarm, they had always believed in saving for a raining day and one of their proudest achievements was the creation of the Rainy Day Fund for the City and their work had been recognized nationally, the Government Financial Officers Association, GFOA, had every year that she had been in office, awarded them an award of excellence for their work in compiling the comprehensive annual financial report, another first for their City, that of course she did not do it all alone, she was going to take the opportunity to thank all of her staff, particularly Judy Gray Johnson, Chief Deputy Controller, Sharon Adams and Roel Garcia, her two Deputy Controllers, all the Division Directors, Mary Ann Grant, Larry Homan, Steve Schoonover and Jim Moncur, for their hard work and dedication in protecting the taxpayers pocketbook, that she wanted to thank the Mayor and all the departments, particularly Finance and Administration, for their cooperation and support for the last five years, so as she prepared to leave the office she would certainly be remiss if she did not strongly encourage all of them to select Judy Johnson, Chief Deputy Controller, as Interim City Controller, that Judy understood the complexities of City finances better than anyone she knew, inside and outside City government, that finally she wanted to thank each and everyone of them for their friendship and support that they offered her throughout the last five years, that concluded her last report and wished everyone a good year. Council Members Ellis and Vasquez absent.

Dr. Philip Scheps, Director, Finance and Administration, stated that at yesterday's Fiscal Affairs meeting, in addition to the MOFAR itself, he handed out two additional handouts, one was called Progress Towards Budget Balance, which he would refer to and thought that their staffs were all represented there and therefore they probably had them and Dr. Smith's most recent Sales Tax report was handed out, they had about a \$15.4 million revenue problem, as Silvia mentioned, Property Tax, Sales Tax and Municipal Courts made up most of that, as a matter of fact Property Tax and Sales Tax made up \$12.7 million out of the \$15.4 million reduction, the most recent reduction was in Sales Tax, Dr. Smith's report, they decreased their Sales Tax projection by \$6 million based on his very elaborate economic model, that Dr. Smith gave several reasons, which were mentioned in the letter, the most prominent of which was the fact that inflation had been virtually nonexistent and their Sales Tax depended on the total cost of goods that were sold, that in Sales Tax if inflation was only .7% instead of 2% out of a \$360 million revenue estimate, that could make a \$3 million difference right there, that lack of inflation was a good thing, but it also translated into a revenue decrease for them, the other item, Property Tax had not changed from month to month they still were showing that they were going to be down from HCAD's projection on tax base and on tax revenue by about \$6.7 million, there was a plot in the MOFAR report that he would call their attention to which basically showed how the economy had hurt them, they had steady growth in Sales Tax, budgeted at about 2.7% and it looked like they were at a 1% growth in Sales Tax, to their surprise and to Dr. Smith's surprise, that taxable property values again, for the last three years they had over 8% growth and budgeted about 6% growth and now it looked like they were going to have about 4.4% growth, that those graphs were shown in there and they would let them know that the majority of the problem was an environmental problem and actually in percentage terms it was a fairly small amount of the revenues and so they dealt at the margin and so it would cause a problem but they had to manage through, that on the good news side, he would like to report that he had the check in hand from Medicare, and if they would recall, last year they had to pay Medicare back on some question costs dating back to 1987, that they had won the appeal and got the money back, so that actually added back to the ambulance revenue about \$1 million; that on the expenditure side, Mr. Haines was leading the effort to cut expenses, that the MOFAR report actually had a separate table in it that would help them understand where the expense reductions were coming from, there were two confusions that had to be sorted out that made it difficult to look at the standard report, that one was the fact that they had passed through revenues and expenses, the biggest one was the Airport overtime, which really was not a General Fund cost, but came out of the Police Budget if the Airport needed less overtime and that drove a wedge between a clear understanding of what was going on and the tables, the other was the \$5.5 million in expense reduction they had already budgeted, so when Mr. Haines identifies reductions in departments the first \$5.5 million, in essence, they had already but in the budget, remember that was hoped for savings in SimHouston and IP Telephony and other things, so they had to find that \$5.5 million before, actually, having money to contribute to the \$15.4 million revenue shortfall, but the little handout he had yesterday basically said of the \$15.4 million revenue shortfall they had identified a net of \$9.2 million, after the \$5.5 million, and they had about \$6 million to go, that Mr. Haines committed to the Fiscal Affairs Committee that they would be back in the January meeting, which was very early in January, as he recalled, with a complete set of options for finding the remaining \$6.2 million, and they could, of course, hope that there was no additional negative surprises on the revenue side; that the only other thing he might mention, was the successful refunding, with the drop in interest rates, they had refunded everything in sight basically and they had another refunding of some 1993 DGO Bonds and some annex district debt and it was a \$10 million present value savings and it would help them next year, a 6.3% of the refunding size, that 4% was generally the target, they had some commercial paper on the agenda today, which was the equipment acquisition fund, and that concluded his remarks. Council Members Ellis, Vasquez and Berry absent.

Members of Council congratulated Controller Garcia on her newly elected position as County Commissioner and thanked her for her service to the City of Houston. Council Member Vasquez absent.

Council Member Sekula-Gibbs stated to Dr. Scheps that as far as the Medicare refund she was grateful that they did receive it and accolades and kudos to Fullbright and Jaworski for helping them, that it was not easy to extricate money from Medicare once they got it. Council Member Vasquez absent.

Council Member Parker moved to accept the financial report, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1387 ADOPTED.

Council Member Tatro moved to suspend the rules to consider Item No. 30 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1388 ADOPTED.

30. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON PARTNERSHIP** for Marketing and Promotional Support; providing a maximum contract amount - 2 Years - \$1,400,000.00 - Enterprise Fund – **(This was Item 16 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBERS WISEMAN and GALLOWAY)** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1103 ADOPTED.

### **CONSENT AGENDA NUMBERS 1 through 21**

#### **MISCELLANEOUS** - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of the following to the **BOARD OF PUBLIC TRUSTS (HOUSTON FOUNDATION) BOARD OF DIRECTORS:**  
**MR. WILLIAM J. HILL**, to serve as Chair  
Position Six - **MR. ROBERT GALLOWAY**, to complete an unexpired term ending  
March 22, 2003  
- was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1389 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$44,664.16 - Enterprise Water & Sewer Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1390 ADOPTED.

#### **PROPERTY** - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A97-357, located at 7738 Ley Road, owned by Sandra Earlene Liccion, for **LEY ROAD PAVING PROJECT**, CIP N-0587B-00-1 - \$50,625.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1391 ADOPTED.

#### **ORDINANCES** - NUMBERS 5 through 21

6. ORDINANCE consenting to the addition of 38.2793 acres of land to **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61**, for inclusion in its district – was presented.



All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1104 ADOPTED.

7. ORDINANCE consenting to the addition of 2.7109 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383** for inclusion in its district – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1105 ADOPTED.
9. ORDINANCE consenting to the addition of 10.7675 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1106 ADOPTED.
10. ORDINANCE consenting to the addition of 638.236 acres of land comprising the **SHELDON ROAD MUNICIPAL UTILITY DISTRICT to the NORTH CHANNEL WATER AUTHORITY** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1107 ADOPTED.
12. ORDINANCE amending Ordinance No. 1999-394 issuing permit to **AEW / MCCORD, L.P.**, for maintaining, using, occupying, operating and repairing a basement within Main Street, Polk Avenue and Travis Street abutting the northeast half of Block 296, a basement within Travis Street and Clay Avenue abutting the south corner of Block 297, a basement within Clay Avenue abutting the southwest side of Block 297 and pedestrian walkway within the 1300 block of Travis Street, such areas being within public street rights-of-way of the City of Houston, Texas; repealing Ordinance 2002-917; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1108 ADOPTED.
13. ORDINANCE establishing the north and south sides of the 1100 block of Euclid Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1109 ADOPTED.
16. ORDINANCE approving and authorizing amendment to untreated water supply contract between the City of Houston and **CELANESE, LTD.** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1110 ADOPTED.
20. ORDINANCE appropriating \$120,000.00 out of Solid Waste Consolidated Construction Fund for Engineering, Purchase and Installation of a Backup Generator and Equipment for the Northwest Service Center - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1111 ADOPTED.
21. ORDINANCE No. 2002-1083, passed second reading November 20, 2002  
ORDINANCE granting to **NORTHLAND CABLE PROPERTIES, INC** a Washington Corporation, the right, privilege and franchise to erect, maintain, and operate a cable television system in the City of Houston; containing other provisions relating to the foregoing subject - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1083 ADOPTED THIRD AND FINAL READING IN FULL

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

**FOLLOWS:**  
**MISCELLANEOUS**

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of supplemental allocation of funds for Professional Services contract with the **BUFFALO BAYOU PARTNERSHIP** for Development of a Park System along Buffalo Bayou; GFS I-2001-01-2 (I-2001) - \$30,000.00 - General Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; G - KELLER; H - VASQUEZ and I - ALVARADO** – was presented, and tagged by Council Member Edwards. Council Member Quan absent.

Council Member Edwards stated that she was for the project but had some serious concerns about the flood plain and the flooding issues and wanted to have a serious discussion regarding it. Council Member Quan absent.

**ORDINANCES**

5. ORDINANCE **AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston Airport System – was presented, and tagged by Council Member Goldberg. Council Member Berry absent.

Council Member Goldberg requested that someone from Aviation come and visit with him on the item, and Mayor Brown stated that they would have someone visit with him. Council Member Berry absent.

8. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 396** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Berry absent. ORDINANCE 2002-1112 ADOPTED.
11. ORDINANCE assigning territories recently annexed for limited purposes to adjacent districts from which district council members are elected until such time as district boundaries may be changed pursuant to the Houston City Charter - **DISTRICTS A - TATRO; B - GALLOWAY; E - WISEMAN and G - KELLER** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Berry absent. ORDINANCE 2002-1113 ADOPTED.
14. ORDINANCE appropriating \$82,040.00 out of Tax & Revenue Certificate of Obligation 2000A Fund for payment to the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** to reimburse Ironwood Homes for costs associated with Public Improvements and Land Acquisition in Reinvestment Zone Number One, City of Houston, Texas, pursuant to Ordinance Nos. 2000-212 and 2000-234 - **DISTRICT C - GOLDBERG** - was presented, and tagged by Council Member Ellis and Sekula-Gibbs. Council Member Berry absent. (Note: Council Members Ellis and Sekula-Gibbs removed their tags on Item No. 14 later in the meeting.)
15. ORDINANCE approving and authorizing submission of an application for grant assistance to the **U. S. ENVIRONMENTAL PROTECTION AGENCY** for a Local Brownfields Cleanup Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; and to apply for all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Berry absent. ORDINANCE 2002-1114 ADOPTED.
17. ORDINANCE appropriating \$61,811,480.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, CIP A0322, \$1,018,520.00 out of Airports Improvement

Fund, CIP A-0422, awarding construction contract to **CADDELL CONSTRUCTION CO., INC** for construction of the Terminal C - MEP and Interior Upgrades at George Bush Intercontinental Airport/Houston, Project No. 490D; providing funding for the Civic Art Program financed by Airports Improvement Fund; providing funding for engineering testing - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Berry absent. ORDINANCE 2002-1115 ADOPTED.

18. ORDINANCE appropriating \$80,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Design of the Houston Heritage Corridor Bayou Trails East, Segment 1 from San Jacinto Street to Jensen Drive, under an engineering services contract with **KUO & ASSOCIATES, INC** (approved by Ordinance No. 01-1101), CIP N-0420-17A-2; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H – VASQUEZ** – was presented, and tagged by Council Members Goldberg and Keller. Council Member Berry absent.
19. ORDINANCE awarding contract to **DOLLAR TIRE CO., INC dba PRO TIRE SERVICES** for Roadside Tire Repair Services for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$582,894.40 - General Fund – was presented, and tagged by Council Members Alvarado and Wiseman. Council Member Berry absent.

Council Member Alvarado stated that she would like to have further discussion about the contract, that she had some concerns about it, the contract was for \$582,000 and back in June Affirmative Action estimated that the contract would cost \$400,000, that she got some information regarding the number of calls that were made for tire repairs and they also did some outside work in calling various repair companies that charged anywhere from \$35 to \$50 to go out and repair a tire, that during last year under the last contract the Fire Department had 1,084 calls for service, Solid Waste had 2, the police, she was told, did theirs in house and for Parks and Recreation they did not have updated information yet, that she understood that the Fire Department was looking at privatizing their fleet maintenance and would it have an impact as to the scope of the contract, that the contract was for 3 to 5 years and if something like that was going to have an impact, she did not feel like they should lock themselves into a 3 to 5 year contract, that the quotes that she gave them of \$30 to \$50 per tire repair was obviously for a car or regular passenger truck, that large trucks, the price ranged anywhere from \$50 to \$75, so when they did the math it just did not add up, that she did not know how they got to \$582,000 for tire repairs. Council Member Berry absent.

Mayor Brown stated that they did have answers to her questions and would have someone come by and meet with her and answer each one of them for her, to keep in mind however, the contract was for everyday, 24 hours per day and a lot of companies could not meet that, and Council Member Alvarado stated that those numbers that she called out for calls of service, obviously those came from the 24 hour service, but it just seemed like a lot of money, it seemed like there would be an easier way and a more economical way to do it. Council Member Berry absent.

Mayor Brown stated that Item No. 19 was tagged by Council Members Alvarado and Wiseman. Council Member Berry absent.

Council Member Keller stated that he would like to tag the item as well and would like to know how often they used it in the last year and in previous years, and Council Member Alvarado stated that some of the numbers that they had, which were two departments, fire was 1,084 and Solid Waste 2 calls for service, but they did not have the information from Parks, and Council Member Keller stated like the cumulative amount that it provides for all departments, and that he would like to meet with someone with that information, and Mayor Brown stated that they would

have someone meet with him. Council Member Berry absent.

**NON CONSENT AGENDA** - NUMBERS 22 through 23-1

**MISCELLANEOUS**

22. MOTION to accept the resignation of **SYLVIA R. GARCIA** from the Office of the City Controller of the City of Houston effective at the end of the day on December 31, 2002 – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Berry absent. MOTION 2002-1392 ADOPTED.
- 22a. MOTION to set a date not less than seven (7) days from December 4, 2002, to receive nominations for a person to be appointed to fill the unexpired term of the Office of the City Controller of the City of Houston effective January 1, 2003, and/or to receive nominations for a person to be appointed to temporarily hold the Office of the City Controller of the City of Houston for not more than (60) days commencing on January 1, 2003 – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1393 ADOPTED.
23. MOTION to set a date not less than seven (7) days from December 4, 2002, to receive nominations for Position One of the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, with the two-year terms expiring August 21, 2003 – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1394 ADOPTED.

**PROPERTY**

- 23-1. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kleber J. Denny of Terra Associates, Inc., on behalf of IKEA Property, Inc. (Michael McDonald, president), for abandonment and sale of a portion of Afton Street, from the south line of Blocks 1 and 2 south to the new boundary of the Interstate Highway 10 service road, located within Afton Village, Section 1, in exchange for the conveyance to the City of a water line easement, located within Restricted Reserve A, Commons at Antoine, Parcels SY3-024 and KY3-054 - **APPRAISERS - DISTRICT A – TATRO** - was presented.

Council Member Tatro named Mr. Patrick O'Connor and Mr. William Kvinta as appraisers and moved approval of the recommendation, seconded by Council Member Quan. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1395 ADOPTED.

**MATTERS HELD** - NUMBERS 24 through 34

24. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT AREA) BOARD OF DIRECTORS**:
- Position 1 - **MR. WILLIE COLEMAN, JR.**, reappointment, for a term to expire August 31, 2004; and to serve as Chair, for a term to expire December 31, 2002
- **(This was Item 42 on Agenda of October 23, 2002, POSTPONED BY MOTION #2002-1237)** – was presented, moved by Council Member Galloway, seconded by Council Member Edwards. All voting aye. Nays none. Council Member

Robinson absent on city business. MOTION 2002-1396 ADOPTED.

25. REQUEST from Mayor for confirmation of the reappointment of the following to the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**:

MR. WILLIE COLEMAN, JR., Chair, for a term to expire December 31, 2002  
- **(This was Item 43 on Agenda of October 23, 2002, POSTPONED BY MOTION #2002-1239)** – was presented, moved by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on city business. MOTION 2002-1397 ADOPTED.

26. ORDINANCE appropriating \$1,440,000.00 out of Police Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **SPAWGLASS CONSTRUCTION CORPORATION** for Construction Phase I, II, and III Services for repairs to the Police Administration Building, GFS G-0072-05-2; providing funding for project management and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT I – ALVARADO** - **(This was Item 36 on Agenda of November 20, 2002, POSTPONED BY MOTION #2002-1366)** – was presented. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1116 ADOPTED.
27. WRITTEN MOTION presented by Council Member Tatro to approve and authorize the “Termination for Convenience by City” provision, (Section V.C.) of Agreement between the City of Houston and **INTERNET ACCESS TECHNOLOGIES (IAT)** for Software Licensing and Support (now operating as SimDesk Technologies, Inc.) awarded pursuant to Ordinance No. 2002-0460 **TAGGED BY COUNCIL MEMBER PARKER** - was presented.

Council Member Tatro moved to postpone Item No. 27 for one week, seconded by Council Member Keller.

Mayor Brown stated that he wanted to call for a roll call vote and urged everyone to vote for it and get it behind them.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson absent on city business.
Council Member Keller voting aye	MOTION 2002-1398 ADOPTED

Mayor Brown stated the vote was 8 to 6 and Item No. 27 was postponed for one week.

28. ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E, in an aggregate principal amount not to exceed \$75,000,000.00 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement –

**(This was Item 7 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented, and tagged by Council Member Vasquez. (Note: Council Member Vasquez released his tag on Item No. 28 later in the meeting.)

29. ORDINANCE establishing the north and south sides of the 700 block of East 10th Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – **(This was Item 12 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBER PARKER)** - was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Vasquez absent. ORDINANCE 2002-1117 ADOPTED.
31. ORDINANCE appropriating \$242,050.00 out of Street & Bridge Consolidated Construction Fund and \$435,175.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for acquisition of Rights-of-way and utility adjustments along West Airport Boulevard from Chimney Rock to South Post Oak, CIP N-1314-01-1 (SB9067) **DISTRICTS C - GOLDBERG and D – EDWARDS** – **(This was Item 17 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBERS TATRO, PARKER, GOLDBERG and WISEMAN)** – was presented. Council Member Goldberg voting no, balance voting aye. Council Member Robinson absent on city business. Council Member Vasquez absent. ORDINANCE 2002-1118 ADOPTED.
32. ORDINANCE appropriating \$360,500.00 out of Street & Bridge Consolidated Construction Fund and \$725,120.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for acquisition of Rights-of-way and utility adjustments along West Airport Boulevard from South Post Oak to Hiram Clarke, CIP N-1314-02-1 (SB9068) - **DISTRICT D – EDWARDS** – **(This was Item 18 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBERS GOLDBERG, TATRO and WISEMAN)** - was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Vasquez absent. ORDINANCE 2002-1119 ADOPTED.
33. ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **BRIARHILLS PROPERTY OWNERS ASSOC.** for Garbage Collection Service for the respective civic association - 8 Months - \$96.00 - **DISTRICT G – KELLER** – (This was Item 29 on Agenda of November 26, 2002, POSTPONED BY MOTION #2002-1377) – was presented.

Council Member Ellis moved to refer Item No. 33 back to the administration, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Vasquez absent. MOTION 2002-1399 ADOPTED.

34. ORDINANCE approving and authorizing a Public Pay Telephone contract between the City of Houston and **AT&T CORP.** - Revenue – **(This was Item 33 on Agenda of November 26, 2002, POSTPONED BY MOTION #2002-1378)** - was presented. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Vasquez absent. ORDINANCE 2002-1120 ADOPTED.

Council Member Ellis stated that he would release his tag on Item No. 14. Council Member Vasquez absent.

Mayor Brown stated that they had more than one tag on Item No. 14 and that Council Member Sekula-Gibbs had also tagged the item, and Council Member Sekula-Gibbs stated that

she would remove her tag, and Mayor Brown stated that both tags were removed. Council Member Vasquez absent.

14. ORDINANCE appropriating \$82,040.00 out of Tax & Revenue Certificate of Obligation 2000A Fund for payment to the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** to reimburse Ironwood Homes for costs associated with Public Improvements and Land Acquisition in Reinvestment Zone Number One, City of Houston, Texas, pursuant to Ordinance Nos. 2000-212 and 2000-234 - **DISTRICT C - GOLDBERG** - was again before Council. All voting aye. Nays none. Council Member Robinson absent on city business. Council Member Vasquez absent. ORDINANCE 2002-1121 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Wiseman stated that Monday evening they held in her district the first of what they set up to have on a regular basis, and that was a constituent meet and greet coffee, that it was an opportunity for constituents to come to meet with their concerns and issues in person, out in the district, where they could visit one on one, that the turnout was tremendous and they had well over 100 people at their coffee, that she was truly amazed, that it was a tremendous turnout out in the Kingwood area, that they had members from their Citizen Advisory Committee to come to the event, they co-hosted that with them, that they had people coming from the Clear Lake area all the way to Kingwood to get together to talk about District E issues and concerns, that she wanted to thank all the people that put that together, the Forest Cove Property Owners Association did a tremendous job of organizing and getting the word out and providing a place for the meeting and decorating it very beautifully for the holidays, that she wanted to thank Marian Burroughs and Max Burner with Forest Cover Property Owners Association for all the work that they did, that one of the topics for discussion was the proposed drainage fee and there was overwhelming concern about it, that there was an overwhelming “no” coming from the community and she wanted to share that, that they had well over 100 people there and they felt very strongly about the issue and it certainly was the main topic of the evening, that she wanted to express to people who were interested in attending their townhall meetings on the issue that they attend to voice their opinions because she thought it was important that they share with them personally, their feelings on it.

Council Member Edwards stated that the townhall meeting regarding the drainage issue and the increase in water fees that was being held in the districts, their office found out when theirs was going to be held by way of another office, they were never notified by anyone so she had two concerns, one, how was the word being given to the community, who was responsible for that and what was the agenda and why was her office not notified as to how they could participate, that it had really affected their calendar because they had several other things planned, they were going to be there, but she was very concerned as to how that was done.

Mr. Haines stated that unfortunately there was a late notice that was sent out, that he just found that out, while every Council office apparently had received or been given some notice that it did not get to her in time, that they were rectifying that and apologized that it was late getting out, that they had some meetings and he had assured, as least to the ones he had been to, as well as Mr. Vanden Bosch the same, that it was only the beginning of a broader based dialog and he was insuring that the information had gotten to each Council Member office and apologized that they had some mix up, that he did know that some Council Members had been aware and everybody had been a little frustrated that it was very short notice and they would resolve that with another round of meetings after the first of the year, and Council Member Edwards asked who was responsible for notifying the community of the meeting and getting them there, and Mr. Haines stated that they had asked the Citizens Assistance Office to work that through the neighborhood organizations to get those set up and the various liaisons in that office had been working to establish those meetings for them, and Council Member Edwards asked that whoever was doing that for District D to contact their office so they could make sure they were on point,

that she was still not clear as to what their role was in it, what did they need to present, and Mr. Haines stated they had not, essentially, as Council Member Wiseman just now stated, it was an issue that was going to have a lot of interest on both sides, they had not asked Council Members to either post or co-host or co-sponsor the event, it was strictly an attempt on their part to get into the communities beginning in the next week or two before the holidays, that they wanted to get back into the communities after the first of the year as well, and Council Member Edwards stated that for their district it was going to be a real volatile issue and she would really like to have their staff on the point as to the information that was given out and to make sure they were on top of it and that they were part of the process and not just receiving the backlash or people's questions that they did not have answers for, that she looked forward to working with him on that.

Council Member Edwards stated that regarding the celebration of their elders, the presentation that was in the City Hall Annex, she would really encourage them to take the time to look and see what the young people were looking at and talking about the role that mentors played in their lives, whether they were biological relatives or just people that had come into their lives through circumstance or episode, that one of the things that she suggested was missing in their community was the role of elders when she was younger, the big mamma's and nana's and aunties and so forth that really looked out for them, the extended family, that it was invigorating and inspiring to see that young people were once again looking toward the older generation for guidance and direction in a real way, that it was being presented by the University of Houston Clear Lake.

Council Member Edwards stated that she thought the City Council would be very proud of the work that the HIV/AIDS Committee was doing, that they had some obstacles but had talked to, face to face, in the months they had been place, over 1,000 people, almost 2,000 people, on a one to one basis and doing a lot of testing, that people were going out on Friday evenings, 2:00 a.m. and 3:00 a.m. talking to people and meeting people where they were and just talking to people about the epidemic that was going on, that they would have a written to report to them by the first of next month as to the activities and the number of people that they had encountered and tested but thought they would be proud of the work that the people were doing for the City on a volunteer basis.

Council Member Tatro asked if minutes of the meetings being kept on the storm drainage, and Mr. Haines stated that they were taking notes, and Council Member Tatro stated that he was not able to stay the length of time and understood that District A had 14 people there, but they brought up some very good points when he was not able to attend and if they were taking minutes on those he would like to get a copy of the points that they raised, and Mr. Haines stated that probably the most valuable part of the exercise was really to hear from the people that were there, that while it was a very small sampling they were picking up on some things, frustrations but also some very discrete and concrete issues they were raising that went beyond just merely the question of drainage and drainage systems, and Council Member Tatro stated that he would recommend to get the widest audience possible, to simply combine them with the CIP meetings, either before or after the CIP meeting took place and then that session could be conducted and thought that would be the most beneficial way to reach people.

Council Member Vasquez stated that the Houston Heights Holiday Home Tour kicks off this Friday at 6:00 p.m., that both historic and new homes would be on tour, that in addition on Saturday there would a silent holiday wreath auction at the old Heights Fire Station on Yale, that it was a big fund raiser for the neighborhood and all proceeds from the auction and home tour ticket sales would fund Houston Heights Association Neighborhood improvements and for more information they could log on to [www.Houstonheights.org](http://www.Houstonheights.org), and encouraged everyone to attend.

Council Member Quan asked Mr. Haines how they stood on the LARA Program, the Land Assemblage Redevelopment Authority, that in talking with Superintendent Stripling she advised him that there was a meeting that Mr. Haines had with her and in the process of trying to get it resolved he was talking with Mr. Steiner as well and believed it was in Mr. Haines court at this



time, and Mr. Haines stated there were two issues that they were working with HISD on dealing with the governance question and also one that was indirectly, but not directly related to the Land Assemblage Program, that he had conversations in the last two days with HISD on the subject and hopefully they could get that resolved by the end of the week and have something to come back to Council Member Quan on, and Council Member Quan stated that they had a committee meeting scheduled this month and would like to hopefully see if they could get it resolved before that time.

Council Member Quan stated that he received a memo from Mr. Hall regarding the issue of expungements and knew it was somewhat a confidential memo and asked if the Legal Department was moving forward in some way in resolving the issue, and Mr. Hall stated that as he indicated to him, when he last asked him, they were moving forward, as they may have remembered, they were advised by the State Bar of Texas that they ought to maybe pursue an opinion from an expert, who had assisted them in drafting the rules originally, and they did that, they got that about 5 or 6 days ago and were proceeding pursuant to the memorandum they got from the professor at the U of H and Council Member Quan asked for an update on that.

Council Member Sekula-Gibbs stated that Houston was honored to host a new exhibit of fine art that was coming to the Museum of Fine Arts, opening December 7, 2002 to the public, that it was called Leonardo De Vinci and the Splendor of Poland, that if they had an interest they could call the Museum of Fine Arts at 713-639-7300. Council Members Wiseman and Keller absent.

Council Member Sekula-Gibbs stated that coming up on December 14, 2002, would be the Sylvan Rodriguez Downtown Dash, that she was on the board of the Sylvan Rodriguez Foundation and this provided financial support to the foundation to continue Sylvan's mission, which was to support education for children in areas that were dear to him, which were space, medicine and science, that the downtown dash was 5 K run and walk and would start at the corner of Polk and Smith and encouraged all of the Council Members to participate, that they could register by phone at the Sylvan Rodriguez Foundation at 281-208-0541 or go online for [www.signmeup.com/16307](http://www.signmeup.com/16307). Council Member Wiseman absent.

Council Member Parker stated that she appreciated Justice for All and the Victims Assistance Office for working with her on the placement of the Christmas Tree that they did every year, that Justice for All sponsors a Christmas Tree that was a remembrance of the victims of violent crime in their City, that it was a memorial for the families, but it was also designed to draw attention to the impact and the effects of violent crime, that for the last couple of years it had been on the City Council floor and last year she raised the issue of why it was placed there, that it seemed a rather obscure place to have it, that no offense to her colleagues, but very few people actually came to the Council lobby to visit them and she had asked if it would not be more appropriate in a public display and she believed that they found some room on the public level of the Annex and they would be erecting it over there, that she thought there was a little bit of a flap, they at first thought she wanted to do away with the tree altogether, but they worked through that and now it was just a matter of finding the best location where the public could see it and be reminded of how much violent crime they had in the City and to try to be inspired to do something about it. Council Member Wiseman absent.

Council Member Parker stated that she got a press release from the Solid Waste Department about what was called Trash and Treasure, that the Solid Waste Department was working with the Citywide Club on a curbside food drive next week, that she knew that the Citywide Club did a wonderful job, they did a Christmas Eve feast and served something like 20,000 families and gave out food baskets and clothing, but she was a little unsure about the idea of doing a food drive in conjunction with the Solid Waste Department, that what they were asking people to do was to put bags of non perishable food and toys out next to garbage cans and as they go around next week by placing can goods, non perishable food items or toys, in a grocery bag, at the curb on the residence garbage collection day, next week, Houstonians

would help contribute to many Houston families, that she actually thought that they would contribute to a number of needy Houston families, she just did not think that many of the bags would actually get to the Citywide Club, that perhaps they ought to rethink it a little bit, that she could not even keep the aluminum cans in her green recycling bin and did not know if this was the best way to get the maximum amount of food to the Citywide Club and perhaps allowing drop offs at City facilities, fire stations and so forth, otherwise she thought a lot of the citizens were going to have a really interesting Christmas, they were just going to go up and down the street picking up bags, that it was actually not the garbage trucks that were going to pick it up, there were going to be pickup trucks following the garbage trucks, and Mayor Brown stated that they would have them take a look at it. Council Member Wiseman absent.

Council Member Alvarado stated that this week there was a cover story about a gang problem in her district in the Jackson Middle School area and was pleased to say that the Anti Gang Office had been working very closely with the community, but she did want to warn the public out there that she did not think it was a good idea to take matters into their own hands and arm themselves, that there was even an incident where a kid was beat with a board by one of the concerned citizens who decided to take matters into their own hands, that she wanted to encourage HPD to work closely with the community in the Eastwood area near Jackson Middle School and the Anti Gang Office and would hope that they would have increased patrol in that area and just to remind folks that lived in the area that it was not safe to arm themselves and go out on a rampage and try to take care of the problem themselves, that it was a very dangerous situation and would hope that working with HPD and their civic associations and the Anti Gang Office that they could address the gang problems in that area. Council Member Wiseman absent.

Council Member Alvarado stated that next Tuesday, Metro, the Mayor and herself would be out around the 300 and 400 block of Main, they were reopening the streets, that they kept their promise and met the deadline, that she wanted to thank the administration and Metro for accommodating the businesses, the restaurants and the bars in that area, that they met with them and the business owners made the decision to close down the street, hurry and come in and shorten the length of the project and that was what they did, so as a result they were going to have the 300 and 400 block of Main reopened and they would be able to walk through and drive through again safely, that she hoped they would all join them, that it was next Tuesday at 5:00 p.m.

Council Member Berry stated that he and his wife went to the Uptown Tree Lighting and wanted to commend them on the job they did, that they opened up that block of Post Oak, in front of the Double Tree and that area for several blocks to a public Thanksgiving and Christmas Tree celebration, that it was a lot of fun to be there and Council Member Keller's son did the honor of lighting the tree, which was a very cute ceremony, that he also saw Jack Drake in the audience.

Council Member Berry stated that he wanted to comment on an article in the Houston Press, that there was a story recently about the Sharpstown apartment complexes and the crime in that area, that they just proposed that to what was going on in Greenspoint and the fact that the crime rate there, particularly in the apartment complexes, had dropped very low and that was directly attributable to what was going on in Greenspoint.

Council Member Vasquez stated that he would release his tag on Item No. 28.

28. ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E, in an aggregate principal amount not to exceed \$75,000,000.00 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith;

resolving other matters incident and related to the issuance, sale, delivery and security of the notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement – **(This was Item 7 on Agenda of November 26, 2002, TAGGED BY COUNCIL MEMBER WISEMAN)** – was again before Council. All voting aye. Nays none. Council Member Robinson absent on city business. ORDINANCE 2002-1122 ADOPTED.

There being no further business before Council, the City Council adjourned at 10:07 a.m. upon MOTION by Council Member Galloway, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on city business.

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary