

City Council Chamber, City Hall, Tuesday, June 17, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 17, 2003, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, M.D., Michael Berry, Carroll Robinson; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member Bert Keller absent due to being ill.

At 2:02 p.m. Mayor Brown stated that Council would begin their presentations. Council Members Tatro, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Robinson stated that he had an award to present to Mayor Brown for being named Public Technologist of the Year 2002; that fiber optics was being laid, they were redoing and synchronizing the lights and the 311 number was put in place; that Mayor Brown brought Houston to the 21st century by what he had done, congratulated him and presented him the award for Public Technologist of the Year 2002. Mayor Brown stated that he accepted on Council Member Robinson's behalf as chair of the committee, all Council Members and city employees who worked so hard to get the work done. Council Members Tatro, Goldberg, Wiseman, Vasquez, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that she was to recognize Children's Health Insurance Day and invited Ms. Rebecca Reyna, Ms. Sherry Simmons, Ms. Carolyn Devon and Ms. Martha Martinez to the podium. Council Member Alvarado stated that Stanford Children's Day was a project of the Children's Defense Fund which began June 1, 1996, and every year since on June 1st it was celebrated; that this year in Houston they celebrated by focusing on children's health and holding a citywide health day at Wal-Mart; and thanked everyone involved especially those at the Children's Defense Fund and Wal-Mart and presented a Proclamation to those present thanking them for making the event a success. Council Members Goldberg, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she and Council Member Quan both attended Milby High School and called on him to help with the next presentation. Council Member Alvarado stated that today they were honoring Coach Boyce Honea and invited he and his wife to the podium. Council Member Alvarado stated that Coach Honea was at Milby over 30 years and would certainly be remembered and missed; that he was committed to fair play and good sportsmanship and instilled values in generation of athletes. Council Member Quan stated that Coach Honea was being honored for his many accomplishments over the weekend of May 31st. and he and Council Member Alvarado presented him a Proclamation proclaiming May 30 – 31, 2003, as "Boyce Honea Days" in Houston, Texas. Coach Honea thanked Council for the recognition and stated that he, his wife and two children all graduated from Milby High School and though they would always be a Houstonians first they were moving to Corpus Christi to be closer to their grandchildren. Council Members Goldberg and Sekula-Gibbs absent.

At 2:14 p.m. Mayor Brown called the meeting to order; and Council Member Tatro led everyone in prayer and the pledge of allegiance.

At 2:16 p.m. the City Secretary called the roll. Council Member Keller absent due to being ill.

Council Members Ellis 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 Goldberg absent. MOTION ADOPTED.

Council Member Robinson moved that the rules be suspended for the purpose of grouping Dr. Sharon Collins and Dr. Robert Gilmore after Ms. Joynell Miles and hearing Pablo Olascoaga after Mr. Clyde Leuchtag and Mr. Alex Castillo at the top of the three minute speakers and rearranging a group of speakers to hear Ms. Kim Nguyen first followed by Ms. Kim Nix and Ms. Trinh Phan and then group Mr. Binh Nguyen with them, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Keller absent due to being ill. MOTION 2003-0619 ADOPTED.

Mr. Clyde Leuchtag, P. O. Box 560, Houston, Texas 77002 (713-755-8265) appeared and stated that he was again present in support of the soccer program and ready to answer any questions; that Parks & Recreation said \$40,000.00 was available and if only \$20,000.00 was needed he was asking that perhaps it come from management consulting services.

Council Member Berry thanked Mr. Leuchtag for coming and upon questions, Mr. Leuchtag stated that they had formed a 501c3 to work with the Parks Director in finding funds, they were granted their 501c3 in December, but unfortunately their president passed away in March and they were unable to raise the amount needed; that Parks had raised the \$40,000.00. Council Member Ellis absent.

Mr. Pablo Olascoaga, 12219 Aldine Westfield, Houston, Texas 77093 (713-530-8746) appeared and stated that he thanked all Council Members for the approval of renovation to their park and special thanks to Council Member Galloway; that he was present with the children in support of the soccer program; that it unified the community and the parents were present fighting for their children; and urged Council Members to keep their program. Council Members Ellis and Robinson absent.

Council Member Galloway thanked Mr. Olascoaga for coming and stated that he fought for many improvements; that she supported the program and would do all she could. Council Members Ellis and Robinson absent.

Mayor Brown asked all those present with Mr. Olascoaga in support of the soccer program to stand to be recognized. Council Members Ellis and Robinson absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Mr. Jerry Brady and Ms. Wini Brady at the beginning of the non-Agenda speakers, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Members Ellis and Robinson absent. MOTION 2003-0620 ADOPTED.

Mr. Alex Castillo, 4910 W. 43rd., Houston, Texas 77092 (713-956-6231) appeared and stated that today he was talking on right and wrong and directing it to Council with their ability to say no; that every time he opened the newspaper there was an embarrassment with things going wrong in Parks, Police, Public Works, etc., they went through all the money and now a U. S. Representative was saying perhaps the Council should be abolished and give it to the County as they were in the black; and he was asking that they learn to say no. Council Members Ellis, and Sekula-Gibbs absent.

Council Member Alvarado stated that Mr. Castillo signed up to speak on Miller Theater; and upon questions Mr. Castillo stated that it took two people to run soundboards at Miller and those positions were being eliminated, what were they to tell producers applying for shows next year; that LD Systems could not give the same quality they were used to, you needed people aware of the equipment who could maintain year round and others coming in would destroy that equipment; that safety was also very important. Council Members Galloway, Ellis, and Sekula-Gibbs absent.

Council Member Alvarado stated that she was asking the Administration for a response; that she received inquiries about layoffs at Miller Theater; and Mayor Brown stated she would be given a written response. Council Members Galloway, Ellis, and Sekula-Gibbs absent.

Council Member Tatro stated that he followed up with Parks and their comment was that was a function they were planning to outsource; and Mr. Castillo stated that he heard that also, but they could not leave this pending and if there was any plan they were not sharing it. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated there was a difference in sound and lighting in an indoor theater and outdoor theater and she had serious concerns also. Council Members Galloway and Sekula-Gibbs absent.

Upon questions by Council Member Wiseman, Mr. Castillo stated that he understood the ones being laid off received a letter from Mr. Vara stating their positions would be over at the end of the month, but another letter said the end of October so he did not know when they would be let go. Council Member Wiseman stated that she would like information to the actual job classification, the pay grade and why the technical positions were considered over others; and Mayor Brown stated the information would be given to her. Council Members Galloway and Sekula-Gibbs absent.

Council Member Parker stated that she met with the director last week who had met with the executive board of Miller Theater on Friday and those who received layoff notices were to be as of November 1 which was the end of the season and there was a management study going on now as to whether outsourcing the technical staff at Miller was the most cost effective way to go and the results were to be back actually before that staff was released so if it was cheaper to do in-house rather than privatize they could reconsider their actions; that they were also discussing whether the Miller Theater Board might want to expand their management in managing year round and tap into public financing; that earlier she requested from the director a written update and she would be happy to share it with Council Members once received. Council

Members Galloway and Sekula-Gibbs absent.

Mayor Brown stated that the Miller Theater was considered a real valuable part of the city and nothing would be done to do away with it. Council Members Tatro, Galloway and Sekula-Gibbs absent.

Ms. Kim Nguyen, 800 Gessner #1150, Houston, Texas 77024 (281-236-5127) appeared and stated that she was president of the Vietnamese community and present representing them; that in 1975 South Vietnam fell and caused them to leave their homeland; that they settled in Houston and were officially organized since 1977; that their population was about 150,000 people and the largest Asian community in Harris County and second largest in the country; that they were all American and pledged to the U. S. flag, however, on behalf of the community they asked that Council adopt Agenda Item 17 recognizing the formal republic of Vietnam flag, the official symbol of their community. Council Members Galloway, Ellis, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Ms. Nguyen stated that she had looked at the proposed resolution and they were happy with the wording, however, a portion in their original was taken out and they would have liked it approved. Council Members Galloway, Ellis, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Mr. Bibler stated that he redrafted the resolution at Ms. Stein's request and he did not recall there being anything in the draft he worked on addressing the issue of them displaying the flag. Council Member Quan stated he saw no problem with the resolution in its present form, but he wanted to clarify that for the record because he wanted to make sure the community was getting what they asked for; and Mr. Bibler stated that he would add at one point there was a misguided effort by some in the Vietnamese community to raise money without the city's permission for a statue of some sort to be placed in a park with one of the flags to be placed permanently and he would not want that to be confused with what he was speaking of. Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Parker stated that she was pleased to request the Mayor to adopt the resolution and Council Member Ellis also got on board very early and they were happy the Administration responded and she encouraged all colleagues to vote for it; that to be clear the request was when the city recognized the Vietnamese American community of Houston that they fly the Vietnamese heritage flag because the community itself already recognized it and flew it on public occasions; that some of the language was dropped in their proposed resolution but the city would recognize the flag as the local Vietnamese community and in no way would it infringe upon the current country of Vietnam when they must recognize delegations from there they had their flag, but for those here they recognized the heritage flag and she saluted them on their efforts. Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that he wanted to congratulate them on the good job they had done in bringing their resolution forward and thanked Mayor Brown for placing it on the Agenda. Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that she had talked to no one and wanted clarification; and Mayor Brown stated the flag would be flown at their events; that they asked the city to recognize the flag as their community flag, it did not mean it was an official city flag or country flag it was their community flag; that they worked closely with the state department on protocol and this was consistent. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Wiseman, Ms. Nguyen stated that they wanted a voice in determining what flag would represent their heritage and community and they would fly it at events such as Lunar New Year and their other holidays. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Mayor Brown stated that he knew Ms. Nguyen was the elected speaker and asked those who were present with her to stand to be recognized. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Ms. Kim Nix, 800 Gessner #1150, Houston, Texas 77565 (281-335-7422) appeared and stated that she was a community activist and wanted to emphasize the flag of the former republic of Vietnam, a yellow flag with three red stripes symbolizing their struggle against the international communist; that they love the American flag, red, white and blue and would die for it, however, they continued to fight for human rights and democracy for their people and today they were present asking for support and understanding. Council Members Galloway, Alvarado, Sekula-Gibbs and Robinson absent.

Ms. Trinh Pham, 149 Litchfield, Houston, Texas 77024 (713-465-7722) appeared and stated that she was present in support of their cause as she was representing not only a Vietnamese American but the youthful energy of Vietnamese Americans and why they wanted to recognize the flag; that she was present as it was an honor to give this as a gift to her parents generation and the generation of those who had the courage to leave a country in crisis and stand for a hope and future for their generations to come; that the yellow flag with three stripes had always been a representation in her heart of the Vietnam she left at seven years old; and she stood before Council today with hope that each Council Member would vote for their flag which was not as much a flag as it was a symbol of their heart, of what it meant to leave a country and come to this country with nothing and to build a home. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Ms. Pham stated that based on a personal experience, she was presented in the Houston Chronicle and placed with the previous Vietnamese flag, the red flag with yellow star behind her and she knew it would cause issues and it was because it was like flying the Confederate flag and representing the African American or like flying the Swastika flag and representing the Jewish American; that it was more or less a symbol saying when you were representing the Vietnamese community, not Vietnam, you honor them with the freedom flag of their choice; that it was clarity for them to be represented with the correct flag. Council Members Galloway, Vasquez, Alvarado and Sekula-Gibbs absent.

Upon questions by Mayor Brown, Ms. Pham stated that other cities had adopted a similar resolution, San Jose, Orange County California, Virginia, and others. Council Members Galloway, Vasquez, Alvarado and Sekula-Gibbs absent.

Council Member Goldberg thanked Ms. Pham for coming and raising awareness of the situation and the sensitivities and educating all on it and he did intend to support the item. Council Members Galloway, Vasquez, Alvarado and Sekula-Gibbs absent.

Dr. Tony Do, 151 Debarton, Houston, Texas (281-498-4341) appeared, presented information and stated that like the Stars and Stripes the Vietnamese flag was symbolism, pride and historical meaning, it was the flag under which hundreds of thousands of Vietnamese and Americans fought side by side in the Vietnam War; that more than 58,000 Americans laid down their lives in the Vietnam War and this flag was the same that decorated medals on the chest of millions of Vietnamese and Americans; that at least 400,000 Vietnamese boat people died getting to a free world; and he was asking Council to adopt and recognize the South Vietnam Flag as many other communities had adopted. Council Members Galloway, Vasquez, Alvarado and Sekula-Gibbs absent.

Mr. Tuan Nguyen, 12506 Evening, Houston, Texas 77041 (713-235-2674) appeared and stated that he and others were living here for one reason they all ran away trying to escape the Vietnamese Communist Regime in Vietnam, seeking freedom to pursue happiness; that the regime in Vietnam was represented by the red flag with the yellow star, but for Vietnamese Houstonians and their experience they chose the yellow flag with red stripes rejecting the red flag being imposed on Vietnamese. Council Members Galloway, Vasquez, Alvarado and Sekula-Gibbs absent.

Mr. Binh Nguyen, 1322 Spillers, Houston, Texas 77043 (713-468-7243) stated that a few weeks ago he brought 5,000 signatures supporting the resolution to Council Members so it was the true formal reflection of their wish and this was more than a symbol of democracy and freedom, they were the refugee community; that the flag was to represent them and had nothing to do with the federal diplomatic relations and urged Council Members to adopt the item. Council Members Galloway, Vasquez and Sekula-Gibbs absent.

Council Member Edwards stated that she intended to support the resolution, but on a number of occasions other communities asked for resolutions in support of their sentiments regarding their history in this country and their fight for freedom and it was denied and she hoped Council would be as sensitive and hospitable to other communities when they came as well. Council Members Galloway, Vasquez and Sekula-Gibbs absent.

Council Member Quan stated that the Mayor checked with the Department of State and their position was that recognition by the city of a flag of a community was just a reassurance of their freedom of speech rights and of expression of all Americans so this was not something to interfere in international relations. Council Members Galloway, Vasquez, Alvarado, Sekula-Gibbs and Robinson absent.

Mr. Aloysius Hoang, 1900 N. Loop West #500, Houston, Texas 77018 (713-680-9922) appeared and stated that his colleagues already represented to Council Members the major issues, but he would give legal aspects; that the flag they could already fly because of the First Amendment, however, they presented it to this city to show respect; that they wanted a mutual understanding; that this was already passed in cities in Michigan, Virginia and California; that the

people's voice was the will of God and hopefully God would bestow his wishes on the Council and they would pass Item 17. Council Members Tatro, Galloway, Vasquez, Alvarado, Sekula-Gibbs and Robinson absent.

Council Member Quan moved that the rules be suspended for the purpose of hearing Mr. Freddie Oliver, Ms. Beulah Shephard, Ms. Tanisha Barnes and Ms. Tamika Green after the speakers who were already moved, seconded by Council Member Berry. All voting aye. Nays none. Council Member Keller absent due to being ill. Council Members Galloway, Vasquez, Alvarado, Sekula-Gibbs and Robinson absent. MOTION 2003-0621 ADOPTED.

Mr. Freddie Oliver, 11006 Long Gate, Houston, Texas 77047 (713-734-1528) appeared and stated that he would relinquish his time to the great Ms. Shepard of Acres Homes. Council Members Galloway, Vasquez, Alvarado, Sekula-Gibbs and Robinson absent.

Ms. Beulah Shepard, 8402 Knox, Houston, Texas 77088 (281-447-2221) appeared and stated that she was present recently about SimDesk and trusted them and left and she wanted them to keep their promise; that she knew they were short on money, but what would the Mecom Fountain do for them, she wanted them to keep their promise and think about the people; that it did not even need to be in the budget. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Ms. Tanisha Barnes, 4414 Barberry, Houston, Texas 77051 (713-264-0599) had reserved time to speak but was not present when her name was called. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Ms. Tamika Green, 8827 Forest Hollow, Houston, Texas 77079 (713-635-5779) appeared and stated that she was vice president at Forest Green Townhomes and they were affiliated with the City of Houston Housing Authority; that a few months ago Housing donated computers to their community buildings and gave them the SimDesk Program to download; that if the program was taken away they would not be able to job search and they had a lot of residents interested in finding jobs in the low income housing developments; and urged that Council support the SimDesk Program. Council Members Galloway, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Ms. Green stated that the program had been going excellent, they could go to Yahoo.com and post resumes and then go through E-mail to download job postings, but she would like more jobs available on the northeast side of Houston. Mayor Brown, Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Tatro, Ms. Green stated that they used the internet for job search. Council Member Tatro stated that SimHouston did not access the internet, it sat on a local PC and allowed for file storage; that his concern was people were told SimHouston was the internet, which it was not; that when she mentioned going to different websites and job searching and utilizing E-mail none of that had anything to do with SimHouston and whether that program was there or not she would still be able to do those things and still be able to job search, there was an unfortunate tying to SimHouston and the internet when there was not and he would be happy to show her internet access verses SimHouston. Mayor Brown, Council

Members Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Goldberg, Ms. Green stated that her favorite SimHouston Program was monsters.com. Council Member Goldberg stated that was not a SimHouston Program; and Ms. Green stated that a computer was a computer and if you could find jobs on the internet it did not matter, but she would not say the program did not matter and she did believe residents were looking for job opportunity. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Parker stated that she supported SimHouston to bridge the digital divide and make both computers and software needed to run the computers available throughout the community; and upon questions, Ms. Green agreed that the city was making great efforts to bridge the digital divide and give a tool to her community which they had successfully used. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Wiseman, Ms. Green stated that those who obtain jobs through the internet submit applications over the internet access with some using the Yahoo Program and some used other programs; that when you went to Yahoo it showed you how to go to E-mail access and it took you step by step showing you how to construct a resume. Council Member Wiseman stated that was wonderful and it could be done without the SimHouston as SimHouston was actually word processing and excel spreadsheet and offered other packages and if they did away with that program they could still do exactly what she said and they would not even notice it being gone; and Ms. Green stated that maybe she had a misconception of it and apologized, but she wanted to be sure everyone would still be able to job search and she wanted Council to know of the good deeds being accomplished. Mayor Brown, Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Frank Velasquez, 4425 Rusk, Houston, Texas 77023 (713-500-9053) appeared and stated that he was president of the Council of Inner-city Little Leagues with there being nine leagues within the Loop; that he was present regarding the proposed park use fee; that Little Leagues taught children values, character, etc., and brought together families and they were all no cost to the city as some programs were; that they were opposed to the fees and he was asking Council to support Amendment No. 1419 which would waive those fees. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Alvarado stated that she appreciated his hard work and upon questions, Mr. Velasquez stated that all Little Leagues maintained the parks themselves; that Parks did a phenomenal job in helping bring materials together such as dirt and fences, but the leagues had the labor, families came together and spent numerous hours working, cleaning and enhancing the parks; that the average cost to suit a child was about \$150.00 and all dollars raised was to enhance team efforts. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Mayor Pro Tem Quan, Mr. Velasquez stated that they had nine leagues

with each league having about 30 teams with ages between 5 to 15 years old; that the only fees they had now was a small fee to use the concession stand and even a \$25.00 fee was too much; that they cut the grass, mend fences, picked up trash, etc. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that she thought there was a waiver when a team could not pay the fee; and Mayor Pro Tem Quan stated that according to Mr. Wilson's letter the department would continue to grant fee waivers for Little League organizations that could provide documented proof of their inability to pay the fee and also be given to those organizations that would assume complete grounds maintenance that met with the Parks Department's standards for their permitted fields. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Vasquez, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that her question would be what documented proof would you need to show a league could not pay and who would make the determination; that she was most troubled that the burden of the budget shortfall was being placed on children and she was adamantly opposed to it. Mayor Pro Tem Quan stated that Ms. Gustin was in the audience and he was sure she would speak with her. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Vasquez, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Robinson moved that the rules be suspended for the purpose of hearing Mr. Guy Lambert after Mr. Brady, seconded by Council Member Edwards. No vote was recorded as a quorum was not present. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Vasquez, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Louis Gonzalez, 4406 Elser, Houston, Texas 77009 (713-697-4264) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Vasquez, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Charles Jones, 2620 Rosewood, Houston, Texas 77007, no phone appeared and stated that he was a member of the Acorn Group and they were present regarding the closing of the clinic in Third Ward; that it was a very important asset and if anyway possible they needed it to be kept open. Mayor Brown, Council Members Galloway, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that it bordered on betrayal to close that clinic and she did not think the community should be asked to make choices of either or and the challenge was to have both; that they were looking at ways to keep it open and he had her support in the effort. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Ms. Delores Watson, 3115 Southmore, Houston, Texas 77004 (713-523-2502) had reserved time to speak but was not present when her name was called and Ms. Claudina Jones

appeared and stated that she was speaking for herself and for Ms. Watson. Ms. Jones stated that she resided at 2610 Scott and was a member of the Third Ward for the past 84 years and over the years the Riverside Clinic had provided vital health care to the residents; that the staff was sensitive to the needs of the community and it was a disgrace if the clinic was to not reopen; that they not only wanted it immediately reopened but also an increase in funding to provide more services to their community and they found it hard to believe that health care was not a top priority to the Council. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Parker moved that the rules be suspended for the purpose of hearing Ms. Claudina Jones in place of Ms. Delores Watson, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Keller absent due to being ill. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. MOTION 2003-0622 ADOPTED.

Council Member Parker stated that she worked with Acorn before and knew the good work the organization did; that she did intend to support the effort of getting the clinic reopened as she knew it was an important piece of healthcare in the Third Ward, but it could not open immediately as the interior renovation was not yet complete. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Clarence Washington, 2915 Folger, Houston, Texas 77004 (713-522-0356) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Ms. Helen Hodson, 3315 Reeves, Houston, Texas 77004 (713-571-2252) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Galloway, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mrs. Joynell Miles, 3305 Dennis, Houston, Texas 77004 (713-751-8881) appeared and stated that she was present representing the Third Ward Riverside Clinic and she could not understand why they had money for some things and not money for that, they needed their clinic; that sometimes they had no bus fare to go to another clinic and they could walk to that one and urged it be kept open. Mayor Brown, Council Members Galloway, Goldberg, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that all Council Members were sympathetic to the issue and were trying to get healthcare in the area; and upon questions, Ms. Miles stated that she had not spoken with anyone regarding the federally qualified health centers. Mayor Pro Tem Quan stated that he would also mention the Mecom Fountain repair funds came out of a Capital Improvement Bond Program which was a different fund that for the clinic which came out of the General Fund. Mayor Brown, Council Members Galloway, Goldberg, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that Acorn and other groups in the Third Ward Area had

worked very hard in developing a process of prevention for ailments their community was challenged with and she saw the Riverside Clinic as being an anchor for that work; that she did not think the community needed to decide either or when it came to preventive and primary care and she was working with Council Member Alvarado in trying to get the clinic restored. Mayor Brown, Council Members Galloway, Goldberg, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs stated that she had a strong passion for improving healthcare across the community and that included the Third Ward and the preventive and primary services including dental, diabetes, heart disease, and many others were all included under the umbrella of what a federally funded health clinic could bring and there was one which had been in Houston for years and was discussing with the Mayor the opportunity to go into Riverside, reopen the clinic and provide those services to their community. Mayor Brown, Council Members Galloway, Goldberg, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Edwards stated that she wanted to be real clear to the community and it was not a question of either or, it should be a question of and or and both and she would respectfully disagree and had a problem with this when the governor of the state stood up and said they were cutting CHIPS because they were bringing in federally funded clinics; that she was tired of urban communities having to balance whether they would buy medicine or pay rent and she would disagree that you could operate the level of prevention needed in the same environment as a clinic dedicated to primary care and her other issue to that was who was in charge, if it did come who were complaints referred to so once again she was saying if the clinics were that good bring in both. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs stated that she wanted to read to those at Acorn a letter presented to Mayor Brown from Rev. William Lawson and cosigned by Dr. Ralph Figan, the head of Texas Children's Hospital, and read over the letter regarding Third Ward and the fact that a solution could be to reopen Riverside as a satellite of the existing federally qualified health center, South Central Community Health Center, with South Central managing and supervising the health care services in the clinic. Council Member Sekula-Gibbs stated that the city did have money to refurbish the clinic but the operation money was not there and she felt this was a wonderful solution and was asking for their support. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she refused to sit and allow people to be confused, she was not asking for either or but for and, and both; that she was of the opinion prevention needed to be a very focused effort in that community because they were fighting very serious health challenges and they could have both if they took the time to do both. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Dr. Sharon Collins, 3412 McIlhenny, Houston, Texas 77004 (713-571-7611) appeared and stated that she was a member of Third Ward for 27 years and the closing of Riverside was a

total injustice to them; that it was not by accident they were being neglected as they were building all around them; that she was a pharmacist and in their community they had problems with Diabetes, hypertension, etc., and for people there healthcare came too late; that they talked about the Mecom Fountains being fixed with another fund but she knew the funds could be redistributed and that needed to be done in their community; that they were made to suffer by apparently the hands of those who knew nothing about suffering and their Riverside Clinic needed to be built up and expanded. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she was supporting keeping the preventive services in the Third Ward Multi Service Center as well as reopening Riverside as a full primary care clinic and that would give them two areas for healthcare. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Dr. Robert Gilmore, 3232 Winbern, Houston, Texas 77004 (713-741-6642) appeared and stated that he agreed with Council Member Edwards, this conversation should not even be taking place, it was not a question of federal clinics in the first place; that the city had made no attempts to fix the building and at a meeting a couple of weeks ago Dr. Kendrick knew nothing about it; that everyone needed to be apprised when healthcare was cut. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that his resolution to the budget was that they do a study on how they could work with the county in healthcare for the area to maximize the efficiency; that they would not close the clinic and would be doing remodeling. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that they needed serious dialogue before entering into healthcare with the county regarding what they were looking for and demanding for their constituents. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Edward Zaragoza, 2804 Robertson, Houston, Texas 77009 (713-269-7056) appeared and stated that he was present regarding the proposal of charging Little Leagues for the use of parks; that he felt any amount of money was too much they were nonprofit and depended on parents to work concession, cleanup, etc., that if he now told them there was an additional fund to play there...; that he felt there should be no fee. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Mayor Pro Tem Quan, Mr. Zaragoza stated there were 17 teams on his league with approximately 12 players and they provided maintenance to the fields; that parents had to pay \$70.00 per child and a charter fee was paid to the league. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Ms. Carmen Sanchez, 713 Turner Dr., Houston, Texas 77076 (713-440-4835) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO AUORUM PRESENT)

Ms. Liliana Cisneros, 3101 Hopper Rd., Houston, Texas 77093 (281-291-2008) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Jerry Brady, 827 E. Rogers, Houston, Texas 77080 (713-696-0107) appeared and stated that he was president of Liberty Cab Company and there were three major concerns to taxi drivers, there was a proposal to not inspect cabs if parking tickets were owed and the proposal would cause unbelievable hardship to the drivers and companies and hoped it would be voted down; that currently there was a very effective system and inspections worked very smoothly; that another issue was the Yellow Cab service to and from the hotels expired August 8 and the Aviation Department was yet to issue an RFP for that contract and also the Texans Super Shuttle route expansion he understood Aviation was putting together a proposal to change the schedule ground transportation ordinance and they hoped the ordinance would not be changed; that they also hoped Council would look into why the Aviation Department had not got back to them on their Share A Ride Taxi Program to avoid having a super shuttle. Mayor Brown, Council Members Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Ellis, Mr. Brady stated that they worked out a settlement with Judge Mejia and were paying off the tickets but his concern was they were still getting notices from a law firm and it was their understanding tickets would not be held against them while making payments and that they would be issued no more bills from the law firm who collected for the city; that also one driver went to have his cab inspected and was told could not because the ordinance was in effect and he had tickets outstanding, but those tickets were among those settled on so if the ordinance was in place they would be stuck so they were asking that the plan not be approved. Council Member Ellis stated that the plan was supposed to go back to his committee for more work, but regarding his agreement with the Courts he wanted to make sure that F & A and the Municipal Courts and the law firm who collected were all on the same page and he would assist him in making sure of that. Mayor Brown, Council Members Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Alvarado, Mr. Brady stated that Coach USA had a shuttle service they operated to the hotels and most in the taxicab industry thought it would be beneficiary if Yellow Cab did it because they operated within the rules and did not use shuttle vans as cabs, but there concern was the contract expired August 8 and they saw no movement on the part of Aviation to put it out for bid. Mayor Brown, Council Members Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that she would ask the Mayor Pro Tem to inquire as to whether Aviation intended to go out for an RFP and when the process would start; and Mayor Pro Tem Quan stated that he was concerned about the same thing and he would follow-up. Mayor Brown, Council Members Galloway, Goldberg, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that they were presented a good deal of evidence that Texas Super Shuttle along with the other service was operating in violation of agreements and she would think Council would have serious reservations about any contract that went out until that issue was resolved and they were to get a report from Aviation on it; and upon questions, Mr. Brady stated that there was no Share A Ride Program to his knowledge. Council Member Parker asked that Council Member Ellis also add that discussion to his committee meeting. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Mr. Brady stated that there was no supplemental program for low income, but a 10% discount for senior citizens. Council Member Sekula-Gibbs stated that she wanted to talk with him about an alternative system for those who did not need to get into the ambulance, but did need access to clinics or pharmacies, etc., and would like to set time with him. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Wini Brady, 15126 Forest Lodge, Houston, Texas 77070 (713-249-0044) appeared and stated that several of her issues mirrored Mr. Brady's and she did want to say that parking tickets had been very arduous for everyone, but Mr. Dugas at Parking Management had been very responsive to corrections and modifications and she also echoed Mr. Brady's concerns about the shuttle operation and share ride taxi. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that taxicab issues were one of the most frustrating issues and she could not understand why the departments could not get it right; and upon questions, Ms. Brady stated that she had seen a great decrease in numbers of violation notices and fewer drivers complained, of course they may be gone by the time she received the violations. Council Member Parker stated that she was glad to hear it was getting better. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Guy Lambert, 2700 Post Oak Blvd. #2300, Houston, Texas 77056 (713-300-3551) appeared and stated that he brought greetings from the new Power 97.5 FM Radio Station; that he was the news and community affairs director and with him was Mr. Mike Cunar, marketing manager, and Mr. Morese Devoe, program director, and he was present to formally introduce the station as he hoped in the future they and the City of Houston could venture into community projects together; that they had community outreach programs such as the 2003 AIDS walk, AIDS testing and most recently Project Playground where they renovated two parks in distressed

areas of the city; that he wanted Council to be aware of their past, present and future community initiatives and that they eagerly awaited Council's interest in pursuing their services. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan thanked Mr. Lambert and those with him for coming to Council, welcomed them and the station to the City of Houston and stated that he wanted to especially recognize their civic commitment and was sure they and the city would be working together in the future. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Eric Hixon, 2656 South Loop West #680, Houston, Texas 77054 (713-661-2541) appeared and stated that he was a board member of Houston's only federally qualified community health center, the South Central Community Health Center, and with him were other board members; that they were a nonprofit organization located in Houston's South Park Area and they provided primary health care on a sliding scale basis; that they were present regarding problems which recently occurred at the clinic causing them to close for four days and lose approximately \$6,000.00 in income; that on March 25, 2003, the staff physician discovered mercury had leaked from a wall monitor and they contacted the City of Houston's Environmental Health Department to inspect and as a result Mr. Reggie Graph an environmental investigator came out and did an inspection and he recommended the clinic close and do a complete evacuation and thorough cleaning, they did that and were closed for a period of four days, but they found the investigation was entirely off base and as opposed to using milligrams which was the correct measure he used micrograms and a microgram was equal to one thousandths of a milligram and according to OSHA standards the clinic should have never been closed; that today they were present to make Council aware of the problems and ask that there be some measure of correct testing and training and he was asking for some consideration from Council as they had \$6,000.000 in expenses incurred during that time period the clinic was closed. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Parker, Mr. Hixon stated that he made no complaints with Health about the employee; that their purpose was not to get anyone in trouble. Council Member Parker stated that he had a job to do and it needed to be done accurately and suggested filing a complaint and letting the department decide if it was a management or a disciplinary issue and regarding expenses lost he would need to file a claim with the City of Houston; that Council could not authorize such things but the claim would start the process; and asked Mayor Pro Tem Quan to forward the information to the department. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan thanked Mr. Hixon for coming; that his report from Dr. Kendrick indicated the review done in March but did not indicate erroneous readings; that the City Charter provided claims against the city should be filed with the City Secretary in writing within 90 days of the occurrence and if the city was at fault should be held responsible; that Ms. Gloria Moreno

was present and could assist him; and upon questions, Mr. Hixon stated that his clinic saw an average of 51 patients a day, 5 days a week; that they had been in operation since 1994 and he believed they had a good program serving and meeting functions of primary health care and preventive care to residents without the wait; that it was not difficult with data patients gave them to know whether they should be at the top of the sliding scale or at the bottom end or if services should be delivered at no cost. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Paula Helwick, 8600 Woodway #250, Houston, Texas 77063 (713-785-4773) appeared, presented information and stated that she was founder of the National Association for the Advancement of Living Artists, a nonprofit visual arts organization, and had come before Council five and a half weeks ago and presented a proposal for the Art America Walk of Fame Program which was a program that could greatly impact Houston's tourism industry as well as raise public awareness and appreciation for American Art; that the City of Houston would incur no cost and they were proposing to launch the program with 300 2' x 2' Mahogany Granite Texas Ranger Star plaques embedded into the sidewalks of seven main streets within the Museum District Area and upon completion the project would include 2,000 Texas Ranger Star plaques encompassing the entire Museum District and take 85 years to complete; that she had submitted detailed media kits to the Mayor, Council, Members of the Museum District Association, Planning and Development, Visitors Bureau, Main Street Coalition and SLA Design Team and all have had the proposal for 2 1/2 to 3 months and none have contacted her stating that they did not approve; that she would like to know where she stood, if her organization was able to raise the funds for the project would they be able to do the project in Houston. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated it was a project that would be hard to be against; that if money was raised she had no objections; that it seemed the Municipal Arts Council would need to approve it, it seemed that was where it should be. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Helwick stated she was familiar with the Municipal Arts Council and had spoken with Planning who said she had submitted it to all the proper channels; that she was working on the project 40 hours a week, was very passionate about it and would like to know where she stood. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker requested someone in Citizens Assistance work with her, but it seemed she had it at the point where it would be going to the Municipal Arts Council for them to support or reject. Mayor Pro Tem Quan thanked Ms. Helwick for the update and stated Mr. Cantu would direct her. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Lloyd Jones, 3839 Southmore, Houston, Texas 77004 (713-524-3771) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Jay Garrison, 12728 Westpark, Houston, Texas 77082 (281-556-5195) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Andres Ortiz, 6909 Bonham, Houston, Texas 77020-5301 (713-672-2931) appeared and stated that he was present regarding the new Fire Station 27, it was coming along very well and all should be commended for the job and he thanked all of them; that he was an active member of the Denver Harbor Civic Club and committee chairperson for Fire Station 27 and the committee wanted to come and enlighten Council of a concern which could impose a safety hazard to all, they were referring to the Gazin Street hazard, the 600-799 block of Gazin, the street was approximately 15' wide with a ditch of approximately a 6' width and 3' drop and considering the wheelbase of the new apparatus to be placed at the station which was 14' 6" and a length of 29' 5" it would not be able to exit or make a safe return; that it would also cause erosion of the street in time and eventually cause damage to the apparatus; that they did not want a quick fix but instead a full and complete improvement with new base, surfacing, curbs, gutters and sidewalks. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he was advised the Public Works and Engineering Department had reviewed the issue and Gazin Street would be widened at that intersection; that Mr. Gary Norman with Public Works was present and would speak with him at this time. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Daren Landry, P. O. Box 172, Hockley, Texas (281-686-1102) appeared and stated that he first appeared before Council and spoke of his situation concerning vending in Hermann Park in March 2002 and then met with Ms. Roksan Okan-Vick, Mr. Alan Ryangold and other vendors currently in the park and they hammered out an agreement to get started and he agreed to many concessions just to get the process moving and Roksan said he would get a better deal next contract concession and he was upset but agreed; that he worked the first six weeks in a fixed spot but because of the extreme awful location he moved into a rotation on the seventh week and he was requesting a fixed location in a prominent spot in zoo plaza as some of the other vendors received; that he thought he consistently turned in the highest sales of any novelty vendor as he worked so hard though he repeatedly had incidents with the family married to the park ranger and he believed those park rangers violated his civil rights on many occasion with some being on video tape; that he reported it to the Friends of Hermann Park and Alan Ryangold, a Friend of Hermann Park, was aware of all of this but the Friends of Hermann Park were either unwilling or unable to enforce any penalty and a few weeks ago contracts were to be redone but

because the Friends of Hermann Park Committee met so infrequently no 30 day notice was sent out about contract changes and all were apparently renewed; that he thought the Urban Park Ranger Program should be discontinued and several HPD units could be assigned to patrol thusly eliminating the outdated and flawed ranger system and save thousands of dollars in salary. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Ms. Gustin with Parks was present and would speak with him at this time; and Mr. Landry stated that there was to be a meeting within 30 days but because they had other jobs it was hard for them to get together. Mayor Pro Tem Quan stated that he would ask Ms. Gustin to get with him if they did not get together within 30 days. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Jim Cummin, 4001 Oak Ridge, Houston, Texas 77009 (713-863-0433) appeared and stated that he lived in the Heights and was a Kindergarten teacher in HISD; that Council spent \$800,000 to renovate their park civic building at Proctor Plaza but the dedication plaques were lost, one was from 1939 and one from 1963; that in contracts the last 15% was usually held in case of problems and he had been calling people, etc., and surprise as soon as he signed up to speak before Council he got some action and was told the two plaques would be reinstalled and were reordered, but the problem was this Council had no plaque on the building and he thought they should also have one. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he appreciated him waiting and thanked him for thinking of them on the plaque and Ms. Gustin was present to speak with him. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Rick Martin, 1417 Willow Glen, Houston, Texas 77033, no phone appeared and stated that he was an artist and came to Houston as the arts were big here; that he wanted to unleash a business potential and went to the Mayor's Office and was told to go to Council and explain what he wanted to do, but he did not know where to go, who actually handled some type of security exchange concept exchanging art for currency. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that maybe the Cultural Arts Council may be the correct place to go; and Mr. Martin stated that he heard that with the other speaker and wondered what that was. Mayor Pro Tem Quan stated that the city funded an organization called the Cultural Arts Council who worked with artists and the artistic community providing grants to them to help with certain projects; that it was 5:30 p.m. the offices were closed, but Mr. Cantu would give him the address. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

(NO QUORUM PRESENT)

Mr. Hector Garcia, 1715 Morris Street, Houston, Texas 77009 (713-229-8162) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7736) appeared and stated that he was the official president of the United States and continued with his personal opinions until his time expired. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Dr. Diana Rathjen, 5616 McKnight, Houston, Texas 77035 (713-837-9303) appeared and stated that she was present asking Mayor Pro Tem Quan to ask two questions to the Council's and Mayor's review of the budget which were in account 3345 of the Fire Department Budget it was almost a \$1,000,000 increase and she would like the Fire Chief to ask his executive director Rachel Roslow for her outsourcing plan of written exams and then to ask Lonnie Vara when he would implement a plan regarding the double back pay in the Fire Department. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 5:26 p.m. City Council recessed until 9:00 a.m., Wednesday, June 18, 2003. Council Member Keller absent due to being ill. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Vasquez, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 18, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, June 18, 2003, 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., Michael Berry and Carroll Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney, Ms. Susan Taylor, Senior Assistant City Attorney; Dr. Phillip Scheps, Director, Finance & Administration Department; and Ms. Martha Stein, Agenda Director present.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 Mayor Brown reconvened the meeting of the City Council. Council Members Goldberg, Wiseman and Quan absent.

MAYOR'S REPORT

Council Member Galloway moved to suspend the rules to consider Item No. 67 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Goldberg, Wiseman and Quan absent. MOTION 2003-0623 ADOPTED

Council Member Alvarado moved to suspend the rules to consider Item Numbers 16, 71, 39, 70, 17, 50, 40, 81 and 81a out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Wiseman absent. MOTION 2003-0624 ADOPTED.

67. RESOLUTION requesting the Governor of Texas to Veto S.B. 501 regarding the carrying of Handguns on Governmental premises (Requested by Council Member Galloway) – **(This was Item 22 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN, KELLER AND GOLDBERG)** – was presented.

After a lengthy discussion by Members of Council, Council Member Vasquez moved to call the question, seconded by Council Member Galloway. All voting aye. Nays none. MOTION 2003-0625 ADOPTED.

A vote was called on Item No. 67. Council Members Wiseman, Goldberg and Berry voting no, balance voting aye. RESOLUTION 2003-0015 ADOPTED.

16. RESOLUTION supporting acceptance by Departments of the City of Houston of Matricula Consular, an Identification Card issued by the Consulate of Mexico to Mexican Nationals who travel outside of Mexico and live in other countries, as a form of identification; and providing an effective date - (Requested by Council Members Alvarado and Vasquez) – was presented. All voting aye. Nays none. RESOLUTION 2003-0016 ADOPTED.

Council Member Alvarado stated that she wanted to thank the Mayor's office for putting the resolution on the agenda and knew that also Council Member Vasquez also had it included in his budget amendments, that she wanted to recognize the Counsel General of Mexico who was present, Mr. Eduardo Ibarrola, and asked that he stand and be recognized, that it was his office that would administer the process. Council Member Tatro absent.

Council Member Vasquez stated that he wanted to echo Council Member Alvarado's comments and thought it was a good reflection on the City and wanted to thank the Mayor for putting it on the agenda as well. Council Member Tatro absent.

Council Member Quan stated that he would like to explain to some of the citizens about the resolution, that as a person practicing immigration law for many years in the City many people had difficulties obtaining identification, whether they were legal or undocumented, a person could be here on a legal working visa but their spouse could not get a Social Security card at this time because they did not have the right to work so therefore they could not get a drivers license, that it was a big frustration that people had and he thought that the resolution that began to address that by providing secure identification that helps the public, both those providing the services to them and those seeking services, that he knew some people had questioned whether they were in any way granting a higher right or some benefit, basically they were recognizing an official government document for identity to help a group of people that had a difficult time getting identification, that he had been in Austin lobbying for the drivers license provisions to be less stringent, they had not been successful at that, so he thanked the Consulate General of Mexico

and the Government of Mexico for their efforts in this area and knew several banks, Metro Bank amongst them, had recognized the document and thought it was a good thing that the City of Houston did to. Council Members Tatro and Berry absent.

71. ORDINANCE approving and authorizing agreement for Convention Services between the City of Houston and **THE FANNIN & RUSK ASSOCIATES, L.P.** and **CLUB QUARTERS MANAGEMENT COMPANY LLC** with regard to the Club Quarters in Houston to be located at 720 Fannin Street; including a limitation of funding in the amount of \$2,497,600.00 - **DISTRICT I - ALVARADO** – **(This was Item 36 on Agenda of June 11, TAGGED BY COUNCIL MEMBERS GOLDBERG and KELLER)** – was presented. All voting aye. Nays none. Council Members Tatro and Berry absent. ORDINANCE 2003-0565 ADOPTED.
39. ORDINANCE appropriating \$1,315,700.00 from Street & Bridge Consolidated Construction Fund, \$387,800.00 from Water & Sewer System Consolidated Construction Fund, and \$193,900.00 from Storm Sewer Consolidated Construction Fund; approving and authorizing an amendment to professional services contract between the City of Houston and **ATSER, LP** for Program Management, CIP N-0668-05-2, approved by Ordinance No. 99-0661 – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Tatro and Berry absent.
70. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION** for the continued operation of the Small Business Revolving Loan Program and Management of the Palm Center Business Technology Center; providing for no initial new funding and including a maximum contract amount – **(This was Item 33 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER VASQUEZ)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0566 ADOPTED.
17. RESOLUTION of the City of Houston recognizing the Flag of the former Republic of Vietnam (South Vietnam) as the official symbol of the Vietnamese-American Community (Requested by Council Member Parker) – was presented. All voting aye. Nays none. Council Member Berry absent. RESOLUTION 2003-0017 ADOPTED.

Council Member Ellis stated that he noticed in the resolution that they put the Vietnamese-American Community and wanted to say that it was the American Vietnamese Community, that he wanted to congratulate them on the passage of the resolution and knew that they worked quite diligently and lobbied a lot of the Council Members around the table and worked through the administration. Council Member Berry absent.

Council Member Quan stated that he too wanted to congratulate the community and knew it meant so much to persons of Vietnamese ancestry to be having the flag recognized by the City of Houston, that they wanted to let everybody know how much they wanted to stand by the community, that they felt like they had such great talents that they were adding to the future of the City, so he was pleased that they passed it without any opposition and thanked the leadership of the community for coming out and working with the Democratic system they had and hoped that they would continue to

be involved in other issues that affected the City of Houston. Council Member Berry absent.

Council Member Parker moved to suspend the rules to hear from Ms. Kim Nguyen, President of the American Vietnamese Community, seconded by Council Member Keller. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0626 ADOPTED.

Ms. Nguyen stated on behalf of the Vietnamese Community they extend their gratitude to the Mayor and all of the Council Members. Council Member Berry absent.

Council Member Robinson stated that he wanted to applaud Council for the actions they took on the two resolutions relative to the identification card and the flag and the reason he said that was because the great of their City was the fact that they reached out and recognize their diversity, but he hoped that they reach out and have that tolerance for everybody in the City and show that Council was willing to hear the voices of all the community in Houston and at least be willing to let them know they were sympathetic, that for some people it was hard to stand by and see Council reach out to some members of the community while turning a deaf ear to others and they had to be very careful about that and that they did not leave the impression that they were not really as tolerant as they wanted to hold themselves out to be, so he wanted to thank the community for coming down and working with Council on the issue and hoped they would continue to reach out across lines in Houston and build one strong and beautiful City. Council Members Vasquez and Berry absent.

After further discussion, Mayor Brown stated that he wanted to also had his congratulations, that he had a chance to work with the Vietnamese community since the time he was police chief and they hired the first Vietnamese police officer in any place in the Country and they had moved on since that time and had a very large community, that he had watched the evolution of where now they were actively involved in the affairs of the City, that he wanted to encourage their continuous involvement, that it made for a better City and their City took pride in its diversity and they had added a lot in terms of the economic development of the City, educationally as well as culturally, so congratulations to them for a victory today. Council Member Galloway absent.

50. ORDINANCE appropriating \$2,035,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fourth amendment to the professional services contract (approved by Ordinance No. 97-0096) between the City of Houston and **LOCKWOOD, ANDREWS, & NEWNAM, INC** for the Design of the Surface Water Transmission Program GFS S-0900-01-02 (WA10448); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN and F - ELLIS** – was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2003-0567 ADOPTED.

40. ORDINANCE deappropriating \$270,581.42 from contract with Hanscomb, Inc (approved by Ordinance No. 2000-982) appropriating \$25,000.00 out of Convention & Entertainment Construction Fund, \$646,926.00 out of General Improvements Consolidated Construction Fund, \$192,871.00 out of Solid Waste Consolidated Construction Fund, \$343,695.00 out of Water & Sewer System Consolidated Construction Fund, and \$351,359.00 out of Public Health Consolidated Construction Fund, and approving and authorizing professional services contract between the City of Houston and **PARSONS**

INFRASTRUCTURE & TECHNOLOGY GROUP, INC for Professional Program Management Services, CIP B-0064-01-5, D-0107-01-05, H-0066-01-5, L-0060-01-5, R-0268-37-3, R-0546-01-03 – was presented, and tagged by Council Members Vasquez, Quan, Ellis, Goldberg and Keller. Council Member Galloway absent.

Council Member Ellis stated that they had some information that was given to them and they requested some information because they had questions from the Building Services Department and they said that they could not provide them with the information of the questions and he had somewhat of a problem with that from the standpoint that he did not want any department telling him to vote on an item but then not affording him the answers to the questions that he might have, that shame on Building Services and hoped that they would provide that information to him over the next week. Council Member Galloway absent.

Council Member Quan stated that he thought it was certainly a fine company, but his only concerns were the appropriation of the funds and wanted to be able to track that more clearly so if people could just visit with him about that and explain how that process was working. Council Member Galloway absent.

Council Member Vasquez stated that he would like to request a meeting from Building Services regarding the item and Mayor Brown stated that they would have them meet with him. Council Members Galloway and Ellis absent.

81. WRITTEN MOTION by Council Member Goldberg to amend Item 81A below that that would add the following language:
9.10 SEC Registered and regulated bonds issued as the direct obligations of the State of Israel - was presented.

Council Member Robinson stated that he received a memo on the item from the Controller's office and wanted someone to tell him what was going on so he would have some clarity, that they had some concerns that they raised about the bond rating and asked if those had been taken care of and responded to and asked if there was anybody present who could answer the question. Council Members Wiseman, Ellis and Quan absent.

Mayor Brown asked Mr. Hall, City Attorney, if he was aware that and Mr. Hall stated that he was familiar with it, that there had been some questions raised about whether or not the bonds that could be included pursuant to the resolution would satisfy all of the City's policies and requirements, he would only respond at Council that those were questions to be submitted at that time because obviously ratings could change and it did not commit them to do it, it authorized them to do it. Council Members Wiseman, Ellis and Quan absent.

Mayor Brown stated that he did see the Controller's memorandum and checked on it personally and there was nothing that suggests they should not go ahead and pass the item. Council Members Wiseman, Ellis, Keller and Quan absent.

Council Member Parker stated that her questions were along the same lines, the bonds in question did not meet their investment requirements and there was no indication whether they could change but there was not intention on the part of the City at all to change it's investment

practices and to allow them to invest in lower grade bonds at this time, and Mr. Hall stated that the Mayor stated that he was familiar with the mechanical part of it and she asked what was the intent of the City and he could not speak to that and Council Member Parker stated that Mr. Hall had said there was nothing that required them to purchase but it allowed them to purchase or authorized them to purchase but the bonds fell outside their current investment criteria and there was nothing pending that would change that investment criteria, and Mr. Hall stated that was correct, there was nothing pending, and Mayor Brown stated that Council Member Goldberg was not introducing it based upon anything they were contemplating on doing. Council Members Wiseman, Ellis, Keller and Quan absent.

Council Member Tatro stated that they had actually kind of two things working, that was as Council Member Parker stated, the policy, their investment policy currently, it was his understanding that this particular bond or debt was outside of that policy, and as they said it was not a mandate or suggestion, and Mr. Hall stated it was an authorization, and Council Member Tatro stated authorization, meaning if at a point and time their investment policy were aligned with it then that could, by either way, take place, and Mr. Hall stated absolutely but he wanted to tell them what would be his thought as a practical matter, that the Mayor spoke to that, that if in fact the City changed it's investment policy it would certainly be with the concurrence of Council, at this point his understanding was that those bonds did not satisfy the City's present investment policy, obviously ratings could change, and Council Member Tatro asked if as a point of policy would the investment policy of the City need to be changed if they were to make an actual investment in this, and Mr. Hall stated that it was his understanding if they were to purchase these today it would have a changed policy to do so. Council Member Quan absent.

A vote was called on Item No. 81a. All voting aye. Nays none. Council Member Quan absent. MOTION 2003-0627 ADOPTED.

81a. RESOLUTION approving and adopting the Investment Policy for the City of Houston and making various provisions related to the subject – **(This was Item 64 on Agenda of June 11, POSTPONED BY MOTION #2003-617)** - was presented. All voting aye. Nays none. Council Member Quan absent. RESOLUTION 2003-0018 ADOPTED AS AMENDED.

CONSENT AGENDA NUMBERS 1 through 59

MISCELLANEOUS - NUMBERS 1 and 2

1. CONFIRMATION of the appointment of **MR. BRIAN G. SMITH** to Position 2 of the **SMALL BUSINESS DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, for a three year term from date of appointment – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Quan absent. MOTION 2003-0628 ADOPTED.
2. RECOMMENDATION from Acting Director Building Services Department for approval of Computer Image for Dedication Plaque for Lincoln Park Pool Renovation, GFS F-0363-47-3 **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Quan absent. MOTION 2003-0629 ADOPTED.

ACCEPT WORK - NUMBERS 5 through 7

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$921,269.96 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., INC** for Construction of Northcourt Road Paving: Guhn Road to 800 feet east of Alamo Road, GFS N-0740-01-3 (N-0740-01) - 02.75% over the original contract amount **DISTRICT A - TATRO** – was presented, moved by Council Member Vasquez, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0630 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,942,647.15 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Grid Extensions, GFS S-0700-51-3 (WA10598) - 03.58% over the original contract amount - **DISTRICTS B - GALLOWAY; E - WISEMAN; F - ELLIS and G - KELLER** – was presented, moved by Council Member Vasquez, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0631 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 15

9. **ARROW SERVICES, INC** for Asbestos and Lead Abatement Services for Fire Station No. 58 for Building Services Department - \$31,650.00 and contingencies for a total amount not to exceed \$33,232.50 - General Improvement Consolidated Construction Fund – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0632 ADOPTED.
10. **FUTURE EQUIPMENT COMPANY, INC** for Tractor-Loader/Backhoe from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Houston Airport System - \$56,402.88 - Enterprise Fund – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0633 ADOPTED.
11. **CORRPRO COMPANIES, INC** for Emergency Water Main Analysis for Department of Public Works & Engineering - \$31,669.00 - Enterprise Fund – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0634 ADOPTED.
12. ORDINANCE appropriating \$146,101.62 out of Water & Sewer Consolidated Construction Fund for Emergency Replacement of the Hedrick Force Main at Buffalo Bayou for Public Works & Engineering Department, CIP R-0266-A1-3 - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0568 ADOPTED.
- 12a. **TROY CONSTRUCTION, L.L.P.** for Emergency Replacement of the Hedrick Force Main

at Buffalo Bayou for Department of Public Works & Engineering - \$132,307.20 - Enterprise Fund – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0635 ADOPTED.

13. **AMEND MOTION #99-1244, 7/7/99 and #02-267, 3/6/02, TO EXTEND** expiration date from July 7, 2003 to July 6, 2004, for Automotive, Vehicle and Heavy Equipment Filters for Various Departments, awarded to **NORTHWEST DRIVE TRAIN, INC** and **RIDGE AUTOMARINE SUPPLY, INC** – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0636 ADOPTED.
14. **AMEND MOTION #2000-1326, 11/1/00, TO EXTEND** expiration date from November 1, 2003 to October 31, 2004, for Ford Motor Car/Light Truck Replacement Parts and Service for Various Departments, awarded to **TOMMIE VAUGHN MOTORS** – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0637 ADOPTED.
15. **GRAY'S WHOLESALE TIRE DISTRIBUTOR** and **SOUTHWEST HOUSTON TIRE SALES, INC** for spending authority to purchase Tires from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments in an amount not to exceed \$300,000.00 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Keller, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan absent. MOTION 2003-0638 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 59

22. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Impaired Driving Mobilization Traffic Enforcement Program Grant - \$50,000.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0569 ADOPTED.
23. ORDINANCE approving and authorizing Cooperative agreement between the City of Houston and the **OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP)** for continuation of funding of the 2003 High Intensity Drug Trafficking Area Grants Program - \$2,768,480.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0570 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston and **NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER, INC** for Comprehensive Management, Quality Assurance and Employee Competency Testing Services relating to the Houston Police Department Crime Laboratory - \$169,400.00 - General and Asset Forfeiture Funds had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members

Goldberg and Quan absent.

25. ORDINANCE approving and authorizing reimbursement agreement between City of Houston and **COMMONWEALTH TEXAS LLC** for Overtime Expenses incurred by Houston Police Department in providing services to the Coolwood Oaks Areas - **DISTRICTS I - ALVARADO and E - WISEMAN** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0571 ADOPTED.
44. ORDINANCE appropriating \$825,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **ARCADIS G & M, INC** for Lift Station Renewal/Replacement, CIP R-0267-23-2 (WW4862); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0572 ADOPTED.
53. ORDINANCE awarding construction contract to **ANGEL BROTHERS ENTERPRISES, LTD.**, for construction of Neighborhoods to Standards, Tier IX Overlay Program; GFS N-1037-02-3; providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by Community Development Block Grant Funds **DISTRICTS B - GALLOWAY; D - EDWARDS and I - ALVARADO** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan absent.
54. ORDINANCE awarding construction contract **PACE SERVICES, INC** for Construction of Water, Sanitary Sewer and Storm Water Systems for Section One of the West Orem Place Subdivision CIP S-0800-67-03 and R-0800-67-03; approving an assignment of this construction contract to **S.S.M., L.P. - DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0573 ADOPTED.
56. ORDINANCE appropriating \$2,600,000.00 out of Parks Consolidated Construction Fund No. 421 for payment into the Zoo Transition Fund established pursuant to the terms of the lease and services agreement between the City of Houston, Texas and the **HOUSTON ZOO DEVELOPMENT CORPORATION** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan absent.
57. ORDINANCE appropriating \$242,983.17 out of Fire Consolidated Construction Fund; \$730,111.17 out of General Improvement Consolidated Construction Fund and \$183,929.16 out of Police Consolidated Construction Fund; and \$215,055.33 out of Public Health Consolidated Construction Fund, declaring the Department of Building Services Director's intent to reimburse the General Fund for contingencies relating to the construction of facilities financed by respective funds - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0574

ADOPTED.

58. ORDINANCE appropriating \$3,917,937.91 out of Street & Bridge Consolidated Construction Fund, declaring the Department of Public Works & Engineering Director's intent to reimburse the General Fund for contingencies relating to the construction of facilities financed by Fund - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0575 ADOPTED.
59. ORDINANCE appropriating \$4,347,014.00 out of Street & Bridge Consolidated Construction Fund for Rehabilitation of Concrete Pavement relating to In-House and Contract Capital Improvement Projects, CIP N0655-01-3; declaring the Department of Public Works and Engineering's Intent to Reimburse the General Fund for expenditures relating to the construction of facilities financed by the Street & Bridge Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0576 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. ORDINANCE appropriating \$22,053.00 out of Park Capital Project Fund as an additional appropriation for Maintenance Facility - Memorial Park Golf Course, under construction contract with **CARRERA CONSTRUCTION, INC**, approved by Ordinance No. 01-0750, GFS F-0464-01-3 **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2003-0577 ADOPTED.
- 3a. RECOMMENDATION from Acting Director Building Services Department for approval of Change Order No. 5 in the amount of \$22,105.00 on contract with **CARRERA CONSTRUCTION, INC** for Maintenance Facility - Memorial Park Golf Course, GFS F-0464-01-3 - **DISTRICT G - KELLER** – was presented, moved by Council Member Tatro, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0639 ADOPTED.

ACCEPT WORK

4. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$3,656,759.00 and acceptance of work on contract with **SPAWGLASS CONSTRUCTION CORPORATION** for Municipal Courts Flood Repair & HVAC Retrofit, GFS D-0044A-01-3 – 24.80% over the original contract amount - **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0640 ADOPTED.
5. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$2,389,346.00 and acceptance of work on contract with **JERDON**

ENTERPRISE, L.P. for Hermann Park Reflection Pool, GFS F-0364-07-3 - 04.34% over the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0641 ADOPTED.

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,346,477.07 and acceptance of work on contract with **REDDY ENGINEERS AND CONTRACTORS, INC** for Construction of Acres of Homes High Service Pump Station No. 2, GFS S-1000-22-3 (WA10689) - 04.84% over the original contract amount **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0642 ADOPTED.

RESOLUTIONS AND ORDINANCES

18. ORDINANCE authorizing issuance of City of Houston, Texas, Water and Sewer System Junior Lien Revenue Refunding Bonds, Series 2003B, authorizing the Mayor and City Controller to approve the amounts, the Series designations, the interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain Commercial Paper Notes; authorizing Bond Insurance, a Reserve Fund Surety Bond, a Co-Bond Counsel Agreement, and a Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency - was presented. Council Member Goldberg absent.

Council Member Ellis stated that he wanted to tag the item and Council Members Keller, Robinson and Wiseman also tagged Item No. 18. Council Member Goldberg absent.

19. ORDINANCE authorizing issuance of City of Houston, Texas, Water and Sewer System Junior Lien Revenue Bonds, Series 2003C-1, Series 2003C-2, and Series 2003C-3, prescribing the terms and conditions thereof; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing Bond Insurance, a Reserve Fund Surety Bond, and a Bond Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency - was presented, and tagged by Council Member Robinson. Council Member Goldberg absent. (Note: Council Member Robinson released his tag later in the meeting.)
20. ORDINANCE authorizing transfer from the Water & Sewer System Renewal and Replacement Fund of an amount not to exceed 35 million dollars to be held in escrow for the purpose of providing funds for the cash defeasance of Water & Sewer System Revenue Bonds in Fiscal Year 2004 - was presented, and tagged by Council Members Ellis, Wiseman and Keller. Council Member Goldberg absent.
21. ORDINANCE amending Ordinance No. 2000-395, passed May 17, 2000, as amended, which approved and authorized the Submission of the 2000 Consolidated Plan, to add two years to the plan's multi-year strategies and to revise goals; and approving and authorizing

the City of Houston to submit the 2003 Consolidated Annual Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2003-2004 Grant Applications: 1) 29th Year Community Development Block Grant in the amount of \$39,992,000.00 (\$36,992,000.00 Entitlement Grant and \$3,000,000.00 Program Income); 2) Home Investment Partnerships Grant in the amount of \$15,235,474.00 (\$14,735,474.00 Grant and \$500,000.00 Program Income); 3) Housing Opportunities for Persons with AIDS Grant in the amount of \$5,069,000.00; and 4) Emergency Shelter Grants in the amount of \$1,230,000.00; and to accept the aforementioned grant funds, if awarded - was presented, and tagged by Council Members Quan, Sekula-Gibbs and Alvarado. Council Member Goldberg absent.

26. ORDINANCE approving the assignment by **KINGWOOD CABLEVISION, INC** to **CEQUEL III COMMUNICATIONS I, LLC**, of the right, privilege and franchise to own, operate and maintain a Cable Television System within the City of Houston, pursuant to City of Houston Ordinance No. 2002-458 - was presented, and tagged by Council Member Ellis. Mayor Brown and Council Member Goldberg absent. Mayor Pro Tem Quan presiding.
27. ORDINANCE approving and authorizing renewal contract for programming services between the City of Houston and **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Educational Access Channel - was presented. All voting aye. Nays none. Mayor Brown and Council Member Goldberg absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-0578 ADOPTED.
28. ORDINANCE approving and authorizing renewal contract for programming services between the City of Houston and **HOUSTON MEDIASOURCE** for Public Access Channel - was presented. Mayor Brown and Council Member Goldberg absent. Mayor Pro Tem Quan presiding.

Council Member Parker stated that the board members that the City appointed had their terms expired a long time since and she had a real concern about that and would ask the administration to either do it now or leave it for the next Mayor but they had been expired for at least a year. Mayor Brown and Council Member Goldberg absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that he wanted the administration to see about getting him a breakdown of how much money went to each of these stations. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.

A vote was called on Item No. 27. All voting aye. Nays none. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-0579 ADOPTED.

29. ORDINANCE approving and authorizing renewal contract for programming services between the City of Houston and **HOUSTON COMMUNITY COLLEGE SYSTEM** for Educational Access Channel - was presented. All voting aye. Nays none. Mayor Brown and Council Members Galloway, Goldberg and Parker absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-0580 ADOPTED.

30. ORDINANCE amending Ordinance No. 2000-708 to increase the maximum contract amount for contract between the City of Houston and **INTERNATIONAL BUSINESS MACHINES CORPORATION** for additional Software Maintenance and Support Services for the City's Amdahl Mainframe Computer at the Municipal Data Center - 3 Years - \$560,000.00 - General Fund - was presented.

Mayor Pro Tem Quan asked if they were thinking of replacing the main frame computer, that it was a very old computer and they were spending now \$560,000 for three years on maintenance. Mayor Brown and Council Members Galloway, Goldberg and Parker absent. Mayor Pro Tem Quan presiding.

Council Member Robinson stated that he would tag Item No. 30. Mayor Brown and Council Members Galloway, Goldberg and Parker absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs stated that the question she had was basically where did the IT Department stand on the item since they were investing huge amounts of money in their Voice Over IP System and would think that it would be something that they would be very interested in and moving forward so that their data systems were not left behind in their rush to enter into the new technology era. Mayor Brown and Council Members Galloway, Goldberg and Parker absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs moved to suspend the rules to hear from Mr. Richard Lewis, Director, Information Technology Department, seconded by Council Member Robinson. All voting aye. Nays none. Mayor Brown and Council Members Galloway, Goldberg and Parker absent. Mayor Pro Tem Quan presiding. MOTION 2003-0643 ADOPTED.

Upon questions by Council Member Sekula-Gibbs, Mr. Lewis stated the Municipal Data Center hosts what was normally referred to as the Enterprise Resource Planning Systems of the City, historically referred to as the Core Business Systems, they were the Accounting, Purchasing, Payroll and Human Resource systems of the City, that the center also hosts the current Municipal Court Application as well as the current fleet application and the agenda process as well, that it was an IBM mainframe computer that was reaching the end of its life and the items in front of them were the software and the port for that mainframe, that it was his goal to attempt to consolidate the Municipal Data Center and the Public Works Data Center located on Leeland and when they had a plan that they could look at to consolidate then he wanted to consider outsourcing that consolidated operation, that the servers that would support the new system would be located in the Municipal Data Center, that they potentially could out source that if it made economic sense to do it, an entity could host them for the City, it would just be a change in locations of the technology, that they could terminate the contract earlier than three years, that it may just work out to be perfect timing, but it could be done earlier, that the notion of consolidating the two data centers and then potentially outsourcing it, he thought, would take at least a year or two, and likely longer, that the Public Works and the Municipal Data Centers, in his estimate, cost about \$8 million together, \$4 million each, that he thought there was a potential for saving \$2 million or \$3 million with the type of arrangement he described to them, that it was in the second tier that he was working on. Mayor Brown, Mayor Pro Tem Quan and Council Members Galloway, Goldberg and Wiseman absent. Vice Mayor Pro Tem Keller presiding.

31. ORDINANCE appropriating \$1,247,314.00 out of Water & Sewer System Consolidated Construction Fund as Reimbursement to the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for Construction of the City's Water and Sanitary Sewer lines in Metro's Downtown/Midtown Transit Street Program-Pierce Street from Brazos to Jackson, CIP S-0443-25-3 and R-0537-25-3 - **DISTRICT I - ALVARADO** - was presented, and tagged by Council Member Edwards. Mayor Brown, Mayor Pro Tem Quan and Council Members Galloway, Goldberg and Robinson absent. Vice Mayor Pro Tem Keller presiding.

Council Member Ellis stated that he was not going to tag Item No. 31, that he understood that Metro had governmental immunity from paying taxes to the City and so forth, but when they purchased properties and there were delinquent taxes owed on them then they needed to be taking the necessary steps that were required by each of the governmental entities to make sure that they were removed from HCAD, that presently on some of the properties owned by Metro they owed the City \$41,000, the County \$13,000 and HISD \$27,000 for a total of \$82,800, that there were some ways that they could collect some of the taxes, that they would not be collecting them from Metro, they would actually be collecting them from the Court Register, so he would encourage the Metro officials to get with the law firm that did collections for delinquent ad valorem property taxes and have them removed from HCAD, to also give them the necessary information to where they could go to the Court Registry and collect some of the taxes that they could do that, with that said he would encourage Metro to move forward in the collections. Mayor Brown, Mayor Pro Tem Quan and Council Members Galloway, Goldberg and Robinson absent. Vice Mayor Pro Tem Keller presiding.

Council Member Alvarado stated that she did not want to delay them but did want someone to visit with her because Item Numbers 31, 33 and 34 were reimbursing Metro, however in a recent article in the Chronicle on Sunday, showed that they were actually behind schedule on the streets, that she would like to have someone come and visit with her and explain the delay, that it was causing a lot of problems in the downtown community with traffic congestion. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.

Council Member Ellis stated that he wanted to add his tag to Item No. 31 because Mr. Hall had just told him that Metro did owe the taxes. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.

32. ORDINANCE appropriating \$1,131,865.00 out of Water & Sewer System Consolidated Construction Fund as reimbursement to the **METROPOLITAN TRANSIT AUTHORITY (METRO) OF HARRIS COUNTY, TEXAS** for Construction of the City's Water and Sanitary Sewer Lines in Metro's Downtown/Midtown Transit Street Program - Main Street between Blodgett Street and Calumet Street - CIP S-0443-26-3 and R-0537-26-3 (SB9037-09) - **DISTRICT D - EDWARDS** - was presented, and tagged by Council Member Ellis. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.

33. ORDINANCE appropriating \$1,610,729.00 out of Water & Sewer System Consolidated Construction Fund as reimbursement to the **METROPOLITAN TRANSIT AUTHORITY**

(METRO) OF HARRIS COUNTY, TEXAS for Construction of the City's Water and Sanitary Sewer Lines in Metro's Downtown/Midtown Transit Street Program - Travis Street between Spur 527 and Pierce Street CIP S-0443-27-3 and R-0537-27-3 (SB9037-10) - **DISTRICTS D - EDWARDS and I - ALVARADO** - was presented, and tagged by Council Members Ellis and Edwards. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.

34. ORDINANCE appropriating \$2,161,250.00 out of Water & Sewer System Consolidated Construction Fund as reimbursement to the **METROPOLITAN TRANSIT AUTHORITY (METRO) OF HARRIS COUNTY, TEXAS** for Construction of the City's Water and Sanitary Sewer Lines in Metro's Downtown/Midtown Transit Street Program - Milam Street between Pierce Street and Commerce Street, CIP S-0443-28-3 and R-0537-28-3 (SB9037-11) - **DISTRICTS H - VASQUEZ and I - ALVARADO** - was presented, and tagged by Council Member Ellis. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.
35. ORDINANCE issuing permit to **UNION PACIFIC RAILROAD COMPANY**, a Delaware Corporation, for constructing, using, occupying, operating, maintaining and repairing a Ground Water Recovery Pipe within a 12-inch casing pipe across the 10900 block of Westpark, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT G - KELLER** - was presented, and tagged by Council Members Wiseman, Sekula-Gibbs, Alvarado, Ellis, Mayor Pro Tem Quan and Robinson. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.
36. ORDINANCE appropriating \$114,180.90 out of Water & Sewer System Consolidated Construction Fund and \$138,000.00 out of Affordable Housing Midtown Bond Fund; and approving and authorizing Developer Participation Contract between the City of Houston and **DOMINION COMMUNITY DEVELOPMENT CORPORATION, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Dominion Estates Subdivision, CIP R-0800-81-03 and S-0800-81-03 - **DISTRICT A - TATRO** - was presented, and tagged by Council Member Ellis. Mayor Brown and Council Members Galloway and Goldberg absent. Mayor Pro Tem Quan presiding.
37. ORDINANCE appropriating \$9,900,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing the second amendment to contract between the City of Houston and **ITRON, INC** for Radio Automated Meter Reading System for Department of Public Works & Engineering, CIP S-0956-02-05, providing a maximum contract amount \$650,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2003-0581 ADOPTED.
38. ORDINANCE appropriating \$165,058.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Affordable Housing Midtown Bond Fund, and approving and authorizing developer participation contract between the City of Houston and **LENNAR HOMES of TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Seven of the Greenpark

Subdivision CIP R-0800-87-03 and S-0800-87-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2003-0582 ADOPTED.

41. ORDINANCE appropriating \$560,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **CARTER & BURGESS, INC** for Design of Neighborhood Street Reconstruction Project - NSR445, CIP N-0377-01-2 (SB9138); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS H - VASQUEZ and I - ALVARADO** - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2003-0583 ADOPTED.
42. ORDINANCE appropriating \$452,299.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **JAYMARK ENGINEERING CORPORATION** for Design of Hayes Street Reconstruction from Westheimer to Briar Forest, CIP N-0780-01-2 (SB9132-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0584 ADOPTED.
43. ORDINANCE appropriating \$825,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Lift Station Renewal/Replacement, CIP R-0267-16-2 (WW4861); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0585 ADOPTED.
45. ORDINANCE appropriating \$266,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **HALFF ASSOCIATES, INC** for Design of Water Line Replacement in the Airport - South Area, GFS S-0035-A1-2 (WA10761); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0586 ADOPTED.
46. ORDINANCE appropriating \$2,711,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing third amendment to professional services contract (approved by Ordinance No. 00-0225) between the City of Houston and **J.F. THOMPSON, INC d/b/a THOMPSON, INC** for Design of Plant Reliability Improvements and increase of the firm capacity to 350 MGD at the East Water Purification Plant Complex (EWPP), CIP S-0056-29-2 (10594); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0587 ADOPTED.

47. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing second amendment to professional services contract (approved by Ordinance No. 98-1248) between the City of Houston and **SANDER ENGINEERING CORPORATION** for Design of Small Diameter Water Lines and Sanitary Sewer Extensions throughout the City, CIP S-0700-OC-2 (WA10561); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0588 ADOPTED.
48. ORDINANCE appropriating \$132,409.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional construction management and Inspection Services contract between the City of Houston and **BLACK & VEATCH, INC** for Water Line Replacement in Campbell Woods/Long Point Acres, CIP S-0035-93-3 - **DISTRICT A- TATRO** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0589 ADOPTED.
49. ORDINANCE appropriating \$149,795.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services contract between the City of Houston and **CLAUNCH & MILLER, INC** for Water Line Replacement in Ashford Park, CIP S-0035-82-3 - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0590 ADOPTED.
51. ORDINANCE appropriating \$402,500.00 out of Storm Sewer Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Design of the Drainage Improvement at Grade Separations, CIP M0241-02-2 (M0241-02); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund **DISTRICTS D - EDWARDS; E - WISEMAN; H - VASQUEZ and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0591 ADOPTED.
52. ORDINANCE awarding construction contract to **DCE CONSTRUCTION CO., INC** and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING, INC** for Construction of Storm Sewer Improvements along Ward Street, GFS M-0242-08-3 (SM5045); providing funding for contingencies relating to facilities financed by the Street & Drainage Maintenance Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0592 ADOPTED.
55. ORDINANCE awarding construction contract **SER CONSTRUCTION PARTNERS, LTD** for Construction of Water, Sanitary Sewer and Storm Water Systems for Section Three of the Tierra Glen Subdivision CIP S-0800-79-03 and R-0800-79-03; approving an assignment of this construction contract to **BEAZER HOMES OF TEXAS, L.P.** - **DISTRICT E - WISEMAN** - was presented, and tagged by Council Member Wiseman. Council Member

Goldberg absent.

MATTERS HELD - NUMBERS 60 through 83

60. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John N. Andell of 4119 Montrose Limited, a Texas limited partnership [Tenax Montrose, LLC, a Texas limited liability company (John P. Hansen, manager), general partner], for abandonment and sale of a portion of an alley, from Colquitt Avenue north ±125 feet, in exchange for the conveyance to the City of a full-width sanitary sewer easement and a T-type turnaround at the dead-end portion of the alley being abandoned, all located between Block 24 and Block 35, Montrose Addition, Parcels SY3-049, DY3-021 and AY3-627 - **STAFF APPRAISERS - DISTRICT D – EDWARDS – (This was Item 11 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0644 ADOPTED.
61. MOTION by Council Member Quan/Seconded by Council Member Vasquez to **ALLOW** the apparent low bidder, **TROY CONSTRUCTION, L.L.P.** to withdraw their bid due to a clerical error and their bid bond returned, and award contract to **KINSEL INDUSTRIES, INC** for Northeast Water Plant Well Collection Line, GFS S-0936-06-3 (WA10605-3) – **(This was Item 12 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0645 ADOPTED.
- 61a. ORDINANCE appropriating \$1,837,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **KINSEL INDUSTRIES, INC** for Northeast Water Plant Well Collection Line, GFS S-0936-06-3 (WA10605-3); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY – (This was Item 12a on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0593 ADOPTED.
62. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **DIRECT ACTION UNIFORMS** - \$1,709,188.33 and **L & N UNIFORM SUPPLY CO.** - \$99,081.80 for Apparel, Uniforms for Various Departments - General, Enterprise and Street & Drainage Maintenance Funds – **(This was Item 14 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Members Berry and Wiseman voting no, balance voting aye. Council Member Goldberg absent. MOTION 2003-0646 ADOPTED.
63. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Firefighting Emergency Vehicle through the

Interlocal Agreement for Cooperative Purchasing for Fire Department - \$794,365.00 Equipment Acquisition Consolidated Fund – **(This was Item 15 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0647 ADOPTED.

64. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **A & T ENVIRONMENTAL CLEANING, INC** for Securing Dangerous Buildings and Site Clean-up Services for Planning & Development Department - \$43,240.00 and contingencies for a total amount not to exceed \$45,402.00 - General Fund – **(This was Item 16 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS VASQUEZ and GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0648 ADOPTED.
65. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **XEROX CORPORATION** for Page Printer from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$1,102,282.00 - Enterprise Fund – **(This was Item 19 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS ELLIS, WISEMAN and PARKER)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0649 ADOPTED.
66. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **FOCUS CAMERA, INC** - \$219,314.00 and **THE TAPE COMPANY (Bid No. 2)** - \$47,492.10 for Photography Supplies for Various Departments - General, Enterprise, Cable Television and Building Inspection Funds – **(This was Item 20 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Member Goldberg absent.

Council Member Wiseman stated that she wanted to take the opportunity to thank the Mayor and the people within the administration, Ms. Stein, Dr. Scheps and the department directors for all of the work that they put into the item, that as her colleagues would note the original spending authority request was quite substantial and she made the request that they revisit it and look at budgeted line items for those type of purchases and the departments came back with a 60% reduction from what was originally requested, and Mayor Brown stated that they wanted to express their appreciation to her for raising the issue and they appreciated it. Council Member Goldberg absent.

A vote was called on Item No. 66. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0650 ADOPTED

68. ORDINANCE amending exhibit "A" of City of Houston Ordinance No. 2003-106 by adding two Senior Inspector Positions and by deleting three Assistant Fire Chief Positions, one Deputy Chief Position and five Junior Fire Alarm Dispatcher positions; substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance;

providing for severability – **(This was Item 23 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN, ROBINSON, TATRO, VASQUEZ, KELLER AND ALVARADO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0594 ADOPTED

69. ORDINANCE approving and authorizing contract between the City of Houston and the **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$120,000.00 in Community Development Block Grant Funds for the Provision of Transportation Services for the Homeless Persons seeking Health Care and Supportive Services – **(This was Item 32 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0595 ADOPTED
72. ORDINANCE appropriating \$305,000.00 out of Fire Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **INTEGRATED DESIGN GROUP** for Design and Construction Phase Services for Fire Station No. 94, GFS C-0127-01-2; providing funding for the Civic Art Program, Environmental Site Assessment and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT E – WISEMAN** – **(This was Item 37 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS ELLIS and TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2003-0596 ADOPTED
73. ORDINANCE appropriating \$44,770.00 out of Solid Waste Consolidated Construction Fund and \$58,630.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **MOISTURE CONTROL TECHNOLOGIES, INC** for Roofing Consultant Services of Four Facilities, GFS L-0061-01-2 and R-0268-29-2; providing funding for contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; H - VASQUEZ and I - ALVARADO** – **(This was Item 39 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. ORDINANCE 2003-0597 ADOPTED.
74. ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation under professional engineering services contract with **SADEGHPOUR & ASSOCIATES, INC d/b/a SCIENTECH** (approved by Ordinance No. 00-0077), CIP N-0445N-20-2 (SB9005) for On-Call City Wide Rehabilitation and Replacement of Bridge Structures / Roadway, providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – **(This was Item 41 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN AND BERRY)** - was presented. All voting aye. Nays none. ORDINANCE 2003-0598 ADOPTED.
75. ORDINANCE approving and authorizing professional materials engineering laboratory contract between the City of Houston and **A&R ENGINEERING AND TESTING, INC;** for

Engineering Material Testing Services for the Department of Public Works & Engineering and Houston Airport System – **(This was a portion of Item 45 on Agenda of June 11, 2003, POSTPONED BY MOTION #2003-604)** - was presented.

Council Member Ellis moved to postpone Item No. 75 for one week, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0651 ADOPTED.

76. ORDINANCE appropriating \$1,525,000.00 out of Storm Sewer Consolidated Construction Fund (Number M-0126-RE-1) and \$4,853,000.00 out of Street & Bridge Consolidated Construction Fund (Number N0663-RE-1); and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with, and finding a public necessity for, the Capital Improvement Projects identified in the body of this ordinance; making various findings related to the subject – **(This was Item 55 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBERS GOLDBERG AND WISEMAN)** - was presented.

Council Member Goldberg moved to postpone Item No. 76 for one week, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0652 ADOPTED.

77. ORDINANCE approving and authorizing lease agreement between **BNC SOUTH LOOP ASSOCIATES, L.P., as Landlord**, and the City of Houston, Texas, as tenant, for space at 2636 South Loop West for use by Neighborhood Protection Division, Planning Department; containing findings and other provisions related to the subject - \$4,314,098.48 - General Fund **DISTRICT C - GOLDBERG** – **(This was Item 58 on Agenda of June 11, POSTPONED BY MOTION #2003-605)** - was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-0599 ADOPTED.
78. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,738,475.48 and acceptance of work on contract with **DEI CONSTRUCTION SERVICES, INC** for Construction of Water Replacement in Mykawa Industrial Section and Overbrook Subdivision, GFS S-0035-44-3 (10544) - 16.77% under the original contract amount - **DISTRICTS E - WISEMAN and I - ALVARADO** – **(This was Item 60 on Agenda of June 11, POSTPONED BY MOTION #2003-607)** - was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. MOTION 2003-0653 ADOPTED.
79. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,576,979.92 and acceptance of work on contract with **DURWOOD GREEN CONSTRUCTION COMPANY** for Construction of Asphalt Overlay Project in Heights Neighborhoods to Standard - Tier VIII, GFS N1037-27-3 (OL2027) - 02.65% over the original contract amount - **DISTRICT H - VASQUEZ** – **(This was Item 61 on Agenda of June 11, POSTPONED BY MOTION #2003-608)** - was presented. All

voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. MOTION 2003-0654 ADOPTED.

80. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2000-0909, 7/12/00, TO EXTEND** term from July 14, 2003 to July 13, 2004, for Equipment Rental for Various Departments, awarded to **UNITED RENTALS** and **INGERSOLL RAND EQUIPMENT SALES** – **(This was a portion of Item 63 on Agenda of June 11, POSTPONED BY MOTION #2003-611)** - was presented. Mayor Brown absent. Mayor Pro Tem Quan presiding.

Council Member Ellis moved to postpone Item No. 80 for one week, seconded by Council Member Tatro. All voting aye. Nays none. Mayor Brown absent. MOTION 2003-0655 ADOPTED. Mayor Pro Tem Quan presiding.

82. ORDINANCE appropriating \$1,100,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Program Management Services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Street & Bridge Program Management (as approved by Ordinance No. 01-0863) CIP N-0668-06-2 (SB9061); containing provisions relating to the subject – **(This was Item 67 on Agenda of June 11, POSTPONED BY MOTION #2003-614)** - was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-0600 ADOPTED.
83. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **TRAILER WHEEL & FRAME** for Trailers for Department of Public Works & Engineering - \$33,370.00 - Enterprise Fund – **(This was Item 71 on Agenda of June 11, POSTPONED BY MOTION #2003-616)** - was presented. Mayor Brown absent. Mayor Pro Tem Quan presiding.

Council Member Ellis moved to refer Item No. 80 back to the administration, seconded by Council Member Vasquez. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. MOTION 2003-0656 ADOPTED.

Council Member Keller moved to suspend the rules to consider agenda item received during the meeting at this time, Council Member Robinson. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. MOTION 2003-0657 ADOPTED.

39. ORDINANCE appropriating \$1,315,700.00 from Street & Bridge Consolidated Construction Fund, \$387,800.00 from Water & Sewer System Consolidated Construction Fund, and \$193,900.00 from Storm Sewer Consolidated Construction Fund; approving and authorizing an amendment to professional services contract between the City of Houston and **ATSER, LP** for Program Management, CIP N-0668-05-2, approved by Ordinance No. 99-0661 – was presented, and tagged by Council Members Sekula-Gibbs, Quan and Tatro.

FISCAL YEAR 2004 BUDGET MATTERS HELD

84. ORDINANCE providing for the continuation of appropriations for the support of the City government pursuant to the requirements of Article Via, Section 1 of the City Charter; making appropriations from the Tax Increment Reinvestment Zone Funds; the Housing Special Revenue Fund; and the Low-income Housing Fund; making other provisions related to the subject; containing a severability clause – **(This was Item 56 on Agenda of June 11, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. All voting aye. Nays none. ORDINANCE 2003-0601 ADOPTED.
85. Consideration of amendments to Agenda Item 85C below, that have been pre-filed by Council Members Parker, Quan, Sekula-Gibbs, Berry, Robinson, Tatro, Galloway, Edwards, Keller, Vasquez and Alvarado as set forth in the attached Exhibits 1 through 11. (Council will consider amendments according to a matrix prepared by the Finance & Administration Department and listed as Item 85B) – **(This was Item 57 on Agenda of June 11, 2003, ALL ITEMS WERE TAGGED)** – was presented.
- 85a. Consideration of proposed amendments to Agenda Item 85C below, that were submitted on June 11, 2003 by Council Members Wiseman, Berry, Ellis, Goldberg, Edwards, Vasquez and Sekula-Gibbs as set forth in the attached Exhibits 12 through 18. (Council will consider amendments according to a matrix prepared by the Finance & Administration Department and listed as Item 85B)
- 85b. Budget Amendment Matrix referred to in Items 85 and 85A:
(Following 1-11 pages)

Council Member Vasquez stated that he believed the administration passed out another Matrix at the Council table dated June 18, 2003 and asked what the changes were and asked if they could get a preview of some of the changes if there were any before they started, and Mayor Brown stated that the revision was only to make sure that the numbers matched what was on the agenda.

Council Member Vasquez stated that there were a number of budget amendments that were submitted at the table and wanted some clarification of where and how they were going to be handled, and Council Member Parker stated that the administration had asked her to kind of lay out the process that they were going to follow and her first question was to the Legal Department and asked if they had to make a motion to formerly substitute the Matrix passed out at the Council table for the one that was on the agenda, and Ms. Susan Taylor, Senior Assistant City Attorney, Legal Department, stated no, that the actual motions that were made last week were the items that were on the table, that the Matrix was more of a process.

Council Member Parker stated that it was her intent to pass a blanket motion to accept all of the agreed items from the administration that were in Tier 5 then move to the items on the Matrix that were Tier 6, to please work from the Matrix that was distributed at the Council table, those were agreed to study, that she would make one motion to accept all of those, except those that Council Members wanted separate consideration on, then they would go to the top of the Matrix and go down, that when they processed the Matrix there would be an opportunity for all of

the items that were received at the table to be introduced and either tagged or voted on, that Council Member Ellis had an amendment that he would be introducing at that time, that he had requested a Fiscal Affairs Committee meeting to discuss it and that meeting was scheduled for Tuesday morning in Council Chamber at 9:30 a.m., it was his intent to request a delay of the main budget item of the main budget item, that they wanted to process as many of the budget amendments as they could but the main budget item would be delayed, that she was going to vote for it and believed that the administration had agreed to support the delay, that it would give an opportunity for those Council Members, who were putting items in today for the first time, for those items to be tagged and considered next Wednesday if that was their desire or they could be voted on today.

Council Member Vasquez asked Council Member Parker that on the new items that were received today what agenda number did she want them to go under, and Council Member Parker stated Item No. 85c, that they were going to process Item Numbers 85, 85a and 85b and would accept them when they got to 85c, but it was the intent of the majority of Council to tag 85c after the amendments were received.

After further discussion by Council Members, Mayor Brown stated that there were no changes in the amendments, the numbers just coincided with what they had on the agenda, that he would ask that when they referred to the amendments that they refer to the line number and they would all be on the same page.

Council Member Sekula-Gibbs asked what was going to be the necessity of the Fiscal Affairs meeting, and Council Member Parker stated that it was for Council Member Ellis to lay out his new amendment and she would also include any others that would get tagged today that were presented for the first time.

Mayor Brown stated that the procedure outline by Council Member Parker would be that they vote on Tier 5 where there was no disagreement and any exception would be where someone wanted to pull one out and discuss it separately and do the same thing with Tier 6.

Council Member Parker stated that her motion was slightly broader than that, that it was all of the Tier 5 amendments, which were Item Numbers 120 through 159 and also included the other amendments that had been agreed on, it was Items 64.19, 64.26, 79.98 and 105, that those were the ones that had been agreed by the administration.

Matrix Tier 5 – Administration Agrees to amend the proposed ordinance adopting the FY04 Budget, etc., numbers 120 through 159 was before Council for consideration.

Council Member Parker moved to accept all of the Tier 5 – “Administration Agrees” amendments, Matrix Numbers 120 through 159 as posted, except for Matrix Numbers 128, 130, 120, 121 and 146 as follows:

Matrix No. 122 – Agenda Exhibit No. 1.7 - Designate funding for a basic (yes/no) deed restriction database for use by the Planning and Development Department and the general public.

Matrix No. 123 – Agenda Exhibit No. 1.8 - Identify funds for the design of the interior reconstruction of the Julia Ideson Building in the CIP.

Matrix No. 124 – Agenda Exhibit No. 1.9 - Identify all possible sources for increased HIV/AIDS and Hepatitis C funding.

Matrix No. 125 – Agenda Exhibit No. 3.18 - Identify city services that could be provided in a more efficient and cost-effective manner on a shared or regional basis with surrounding municipalities and counties. Initiate immediate dialogue with appropriate governmental entities to expedite this process. Such services may include libraries, parks, health services, solid waste collections, 911 calling system and the Houston Emergency Center (HEC).

Matrix No. 126 – Agenda Exhibit No. 14.12 - Establish a fair and balanced regional radio partnership with Harris County and surrounding entities. Form an independent governing body structure that is tied to asset investment of the participating entity.

Matrix No. 127 – Agenda Exhibit No. 2.1 - Resolution to require the health department master plan be devised in conjunction with Harris County Hospital District and other public health care providers to determine potential savings, reduction in duplication of services, and development of compatible/universal systems for access and delivery of services.

Matrix No. 129 – Agenda Exhibit No. 2.10 - Install light switches at 611 Walker to conserve energy (As recommended by Deloitte & Touche in Audit of May 1999. Savings \$60,000-\$180,000.)

Matrix No. 131 – Agenda Exhibit No. 3.5 - Develop policy for more efficient transportation by EMS units to nearest appropriate emergency room. Policy would cut back on individual trip times when a unit is deployed.

Matrix No. 132 – Agenda Exhibit No. 3.11 - Develop a centralized vendor database and centralized purchasing program to maximize savings by more efficient utilization of City's purchasing power within Strategic Purchasing.

Matrix No. 133 – Agenda Exhibit No. 3.12 - Reactivate a city employee recognition program to recognize those city employees who develop cost savings proposals that are innovative and practical.

Matrix No. 134 – Agenda Exhibit No. 3.13 - Sell off excess inventory in warehouses.

Matrix No. 135 – Agenda Exhibit No. 3.14 - Sell off unnecessary city-owned real estate.

Matrix No. 136 – Agenda Exhibit No. 3.15 - Implement the Land Assemblage Redevelopment Authority (LARA).

Matrix No. 137 – Agenda Exhibit No. 8.7 - Implement the Land Assemblage Program and restore property to the tax rolls by selling off all property to the highest bidder regardless of

selling price. Priority should be given to properties where over-due taxes are higher than the value of the property, since most revenue on these properties will be lost forever.

Matrix No. 138 – Agenda Exhibit No. 14.11 - Implement the land assemblage program.

Matrix No. 139 – Agenda Exhibit No. 3.16 - Continue to fund the Brownfield Redevelopment Program to enable abandoned or otherwise inactive properties to be reestablished as active commercial properties and reclaimed on the City's property tax roles.

Matrix No. 140 – Agenda Exhibit No. 3.19 - Increase shared services among the city departments to further reduce costs based on scale of operations, where possible and feasible.

Matrix No. 141 – Agenda Exhibit No. 12.5 - Request to have Finance & Administration and the Controller's office conduct an in-house audit investigating duplicative department services; such as purchasing, payroll, etc. Services that could be handled more economically if centralized.

Matrix No. 142 – Agenda Exhibit No. 14.3 - Centralize all COH Motor Pools except HPD & HFD.

Matrix No. 143 – Agenda Exhibit No. 14.4 - Consolidate all City Human Resource divisions of all departments.

Matrix No. 144 – Agenda Exhibit No. 14.5 - Centralize Payroll divisions of all COH Departments.

Matrix No. 145 – Agenda Exhibit No. 4.5 - Cap fees for temporary food vendors at events with a duration of 10 days or more at \$600.

Matrix No. 147 – Agenda Exhibit No. 6.18 - End all transfers from ALP to General Fund for non-water/sewer use.

Matrix No. 148 – Agenda Exhibit No. 6.19 - If any adjustments are made to water/sewer rates, they should be done to reflect a "cost of service" model.

Matrix No. 149 – Agenda Exhibit No. 7.3 – (Listed as No. 7.4 in error) - More aggressive Sale and Lease of City Assets (excluding park land) with the sale of these assets or land comes the non-recurring negotiated value we receive upon closing and the recurring property tax we receive thereafter. For the lease we receive the recurring lease payment year after year. (see my FY 01 '02',03' Budget Priorities)

Matrix No. 150 – Agenda Exhibit No. 7.5 – (Listed as No. 7.5 in error) - Any employee who retires, resigns or is terminated during Fiscal year 2004 would automatically be replaced with a qualified, laid off employee.

Matrix No. 151 – Agenda Exhibit No. 8.3 - Institute early-completion bonus incentives for most CIP projects with contemplated bids of over 3.5 million dollars.

Matrix No. 152 – Agenda Exhibit No. 12.6 - Implement a “Bonus — Penalty” plan for all major city construction projects.

Matrix No. 153 – Agenda Exhibit No. 12.3 - In an effort to improve the City of Houston’s homeland security and emergency preparations, the city is to seek additional grant funding in addition to the currently proposed \$8 million annually for security in and around city infrastructure sites. These infrastructures would include but are not limited to; airports, water! wastewater facilities and city buildings.

Matrix No. 154 – Agenda Exhibit No. 12.10 - Expedite the proposed merger of both the Harris County and City of Houston jails into one facility.

Matrix No. 155 – Agenda Exhibit No. 14.8 - Create a database of all COH parking meters & their rates and develop a master plan for the COH beginning with the Central Business District.

Matrix No. 156 – Agenda Exhibit No. 14.14 - No water and sewer rate increase.

Matrix No. 157 – Agenda Exhibit No. 14.15 - Create flexible hours for NPT inspectors to include weekends and early evenings.

Matrix No. 158 – Agenda Exhibit No. 14.16 - Create flexible hours for building inspectors to include weekends and early evenings.

Matrix No. 159 – Agenda Exhibit No. 14.17 - Improve collection rate of ambulance fees.

seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0658 ADOPTED.

Matrix Tier 6 – Administration Agrees to Study to amend the proposed ordinance adopting the FY04 Budget, etc., numbers 160 through 192 was before Council for consideration.

Council Member Parker moved that they accept all of the items showed as Tier 6 - Administration Agrees to Study amendments, Matrix Numbers 160 through 192, with the exception of Matrix No. 161, seconded by Council Member Vasquez.

Council Member Vasquez moved to add Matrix Numbers 223, 226 and 227 to Tier 6 for separate consideration, seconded by Council Member Keller.

Council Member Parker stated that she accepted that as a friendly amendment, but would look to the administration, and Mayor Brown stated that they wanted to vote on those separately, and Council Member Vasquez stated that he would withdraw the motion if the Mayor would like to deal with them separately.

Council Member Robinson moved to add Matrix Number 162 to Council Member Parker's motion for separate consideration.

Mayor Brown stated that what they would be voting on was Tier 6 with the exception of Matrix Numbers 161 and 162.

Council Member Parker stated that she though technically the motion would be to table the items to be brought back to the administration at a later date, or was it to refer back, that she believed the motion would be to table, that it was the appropriate motion, they were agreed to study by the administration and required future action. Council Member Berry absent.

Council Member Ellis moved to separate out from Tier 6 Matrix No. 183 for separate consideration.

Council Member Tatro moved to separate out from Tier 6 Matrix Numbers 175 and 176 for separate consideration.

Council Member Vasquez moved to separate out from Tier 6 Matrix Numbers 161, 162, 175, 176, 178 180 and 181 for separate consideration.

Council Member Keller stated that he had written an ordinance and Legal had been working on it and had said they would go to the TTI Committee meeting on June 23, 2003 and was hoping that they could get it done and then incorporate it into a vote in the budget.

Council Member Berry stated that Line Item 65.17 and 65.19 were listed as agreed to study by the administration, that he was not clear if they were moved because they were in the original Matrix that did not show up, and Council Member Parker stated that they were included in the Matrix that was passed out at the table and were in a different section, that they would get to them, and Council Member Berry stated that his point was that they were in Tier 2 and listed as agreed to study and he wanted them moved into Tier 6 and Council Member Parker stated that he may do that, but she tried to do that earlier and was told that Council Members would rather focus just on Tier 5 and Tier 6, that she would be happy to amend her motion that way but there was a request that they not do that.

Council Member Wiseman moved to separate from Tier 6 Matrix No. 182 for separate consideration.

Council Member Alvarado moved to separate from Tier 6 Matrix Numbers 190, 191 and 192 for separate consideration.

Council Member Vasquez moved to separate out from Tier 6 Matrix Numbers 187 and 189 for separate consideration.

Mayor Brown stated that the vote on the motion by Council Member Parker and seconded by Council Member Vasquez, would be to refer back to the administration for study all the items in Tier 6 with the exception of Item Numbers 161, 162, 175, 176, 178, 180, 181, 182, 183, 187,

189, 190, 191 and 192 as follows. All voting aye. Nays none. MOTION 2003-0659 ADOPTED.

Matrix No. 160 - Agenda Exhibit No. 1.3 - Review building permit fees and set them at a level to increase turn-around time, or create an expedited building permit process for those willing to pay for priority service.

Matrix No. 163 – Agenda Exhibit No. 2.11 - Re-organize and consolidate Signal Operations and Freeway Lighting Section. (Per Deloitte & Touche Audit in May 1999. Savings (77,000-\$308,000.)

Matrix No. 164 – Agenda Exhibit No. 2.12 - Consolidate delivery points at existing warehouses. (Per Deloitte and Touche Audit of May 1999. Savings \$100,000.)

Matrix No. 165 – Agenda Exhibit No. 3.1 - Conduct a performance audit of the Human Resources Department and personnel that would make recommendations on how to improve efficiency and effectiveness of the department in a cost-effective manner.

Matrix No. 166 – Agenda Exhibit No. 3.2 - Mandate that the Human Resources Department will contract with a health insurance provider(s) to offer City of Houston employees health insurance alternatives, especially a PPO. The extra cost of an alternative(s) would be borne by the employee.

Matrix No. 167 – Agenda Exhibit No. 3.3 - Create an efficient survey to measure utilization frequency of EMS units as utilized by geographic area. Survey funding would be sought from the Homeland Security grants as part of the assessment data needed by the Homeland Security Act.

Matrix No. 168 – Agenda Exhibit No. 3.6 - Mandate that \$1,030,000 be made available in Community Development Block Grants to support enhancement of health care services, including federally qualified health centers (FQHCs).

Matrix No. 169 – Agenda Exhibit No. 3.7 - Evaluate the hiring and promotion practices of Police Officers and Fire Fighters to insure equitable and fair personnel administration and management.

Matrix No. 170 – Agenda Exhibit No. 3.9 - Initiate a fee that will be charged to alarm permit owners if a false alarm activates police response at the same location. Fee would be based each false alarm when the number of false alarms at the same location exceeds five times within a twelve month period.

Matrix No. 171 – Agenda Exhibit No. 3.10 - Outsource the DNA laboratory of the City's crime lab to a FBI certified lab on a permanent basis reducing the City's liability exposure and capital expenditures for lab upgrades. Change the practice of evidence handling to allow for preserving only a sample and destroying the remainder of the evidence.

Matrix No. 172 – Agenda Exhibit No. 4.11 - Implement all cost-savings measures proposed by audits conducted in FY03 or before which are not yet fully executed, and reduce each

affected department budget to reflect this change.

Matrix No. 173 – Agenda Exhibit No. 4.27 - Eliminate the purchase of all City of Houston letterhead, direct the E.B. Cape Center to create letterhead macros, and reduce each affected department budget to reflect this change.

Matrix No. 174 – Agenda Exhibit No. 5.2 - Require performance contracts for Department Directors.

Matrix No. 177 – Agenda Exhibit No. 6.15 - Move the \$100,000 in the Housing and Community Development Department's Consolidated Plan for Day Labor Site on District A to District I.

Matrix No. 179 – Agenda Exhibit No. 8.2 - Develop guidelines and policies for below fair-market leases or rentals of city property. Develop guidelines and policies for the naming of city property, including but not limited to city parks, libraries and buildings.

Matrix No. 184 – Agenda Exhibit No. 12.1 - The creation and implementation of a privatization plan for the maintenance and operations of the City of Houston's five major Wastewater Treatment plants and the City's East Water Plant.

Matrix No. 185 – Agenda Exhibit No. 12.9 - Continue to develop partnerships with Federal, State and Local governmental agencies to address regional issues of clean air and water.

Matrix No. 186 – Agenda Exhibit No. 12.11 - Analyze the possible benefits of having the Harris County Hospital District absorb the City of Houston Health Department clinics.

Matrix No. 188 – Agenda Exhibit No. 13.18 - Softball-Baseball-Soccer Tournament Playoff Facility. The Parks Department shall conduct a feasibility study of a combined softball-baseball-soccer tournament playoff facility. Said study shall be prepared and presented to council no later than December 03.

Council Member Parker moved that the following be withdrawn:

Matrix No. 161 - Agenda Exhibit No. 1.5 - Mandate the use of a verifiable sliding-scale fee schedule and a residency test for services at City health clinics and for participation in the after school and Parks programs, etc.,

seconded by seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0660 ADOPTED.

Council Member Parker stated that if there were any other motions that Council Members wished to withdraw she would suggest that it might be the appropriate time.

Council Member Berry moved that the following be withdrawn:

Matrix No. 3 – Agenda Exhibit No. 4.3 - Reduce revenue projections for Current Year Delinquent Property Taxes from \$40,000,000 to \$31,000,000.

seconded by Council Member Quan.

Council Member Parker stated that the request was if there were any motions to withdraw and Council Member Berry was simply withdrawing his motion.

A vote was called on Council Member Berry's motion to withdraw Matrix No. 3 – Agenda Exhibit No. 4.3. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0661 ADOPTED.

Council Member Berry moved that the following be withdrawn:

Matrix No. 63 – Agenda Exhibit No. 4.62 - Eliminate expenditures from the general fund on Tuition Reimbursement (line item 3897), and reduce each affected department budget to reflect this change (savings: \$500,000).

seconded by Council Member Parker. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0662 ADOPTED.

Council Member Galloway moved that the following be withdrawn:

Matrix No. 8 – Exhibit 7.2 – Reduce salaries for all employees making over \$75,000 by various amounts approximately 6.7% to 7.25% reductions. (Listed in error as 7.2 was part of Exhibit 7.1)

seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0663 ADOPTED.

Council Member Edwards moved that the following be withdrawn:

Matrix No. 9 – Agenda Exhibit No. 9.3 - Five percent reduction in annual base pay salary for all city employees earning \$75,000.00 or more,

seconded by Council Member Quan. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0664 ADOPTED.

Mayor Brown stated that they would now move to the Tier 5 items that they agreed to consider separately.

Council Member Parker moved to adopt the following:

Matrix Item 120 – Agenda Exhibit No. 1.6 - Charge the owner of the junked motor vehicle or owner of the property from which it is removed for the costs of towing a junked motor vehicle.

seconded by Council Member Quan. Council Member Vasquez voting no, balance voting aye.

MOTION 2003-0665 ADOPTED.

Council Member Quan moved to adopt the following:

Matrix No. 121 – Agenda Exhibit No. 14.2 - Amend Budget to include junk car owner fee towards owner of property.

seconded by Council Member Parker. All voting aye. Nays none. MOTION 2003-0666 ADOPTED.

Council Member Quan moved to adopt the following:

Matrix No. 128 – Agenda Exhibit No. 2.7 - Institute the technology outsourcing recommendations suggested by IT Outsourcing Plan, February 2003.

After discussion by Council Members, Council Member Robinson moved to refer Matrix No. 128 – Agenda Exhibit No. 2.7 back to the administration, seconded by Council Member Ellis.

Council Member Quan stated that he was willing to refer it back to the administration for the administration to consider, he just did not want it to languish and be another study that they stuck on the shelf, and Council Member Robinson stated that they looked at it a couple of times and in fact the projects that they had been moving had all come out of the plan that had been out there, that they had been implementing pieces, as the Mayor pointed out and would be glad to put it on the agenda for July and they would talk about it again. Council Member Galloway absent.

A vote was called on Council Member Robinson motion to refer Matrix No. 128 – Agenda Exhibit No. 2.7, back to the administration. All voting aye. Nays none. Council Member Galloway absent. MOTION 2003-0667 ADOPTED.

Council Member Quan moved to adopt the following:

Matrix No. 130 – Agenda Exhibit No. 2.13 - Implement Building Services Department Strategic Property Portfolio Review Plan. Recognize in excess of \$2 million in projected savings on a one-time basis but recognize long-term savings by consolidation.

seconded by Council Member Parker.

After discussion by Council Members, a vote was called on Matrix No. 130 – Agenda Exhibit No. 2.13. Council Member Vasquez voting no, balance voting aye. Council Member Galloway absent. MOTION 2003-0668 ADOPTED.

Council Member Robinson moved to adopt the following:

Matrix No. 146, Agenda Exhibit No. 4.7 - Prohibit travel expenditures on first class, business class, or any similar type of class offered by an airline.

seconded by Council Member Alvarado.

After discussion by Council Members, a vote was called on Matrix No. 146, Agenda Exhibit No. 4.7. All voting aye. Nays none. Council Member Galloway absent. MOTION 2003-0669

ADOPTED.

Council Member Quan moved to adopt the following:

Matrix No. 162 – Agenda Exhibit No. 2.2 - Resolution to authorize Solid Waste Department to begin or to establish a garbage fee and to make this department an enterprise fund.

Mayor Brown stated that he had tried three times and there was no second and Council Member Parker stated that she seconded the motion.

After discussion by Council Members, Mayor Brown stated that one thing they could do was to refer Matrix No. 162 back to the administration as well, and Council Member Quan stated that he was willing to amend his motion as far as “to study” as opposed “to establish” if that helped in any way.

After discussion by Council Members, Council Member Quan moved to refer Matrix No. 162 – Agenda Exhibit No. 2.2, back to the administration to study the item for future consideration, seconded by Council Member Goldberg.

After further discussion a roll call vote was called on Council Member Quan’s motion to refer Matrix No. 162 – Agenda Exhibit No. 2.2, back to the administration.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0670 FAILED

Mayor Brown stated that the motion was to refer it back to the administration and now they had to vote on the item itself, which was to establish a garbage fee and make the Solid Waste Department an enterprise fund, that Council Member Quan withdrew his motion and they voted on a substitute motion so they did not need to vote on Item No. 162.

Matrix No. 175 – Agenda Exhibit No. 6.7 - Privatize the concrete trucks currently in use in PWE – was presented.

After a lengthy discussion by Council Members, Mayor Brown asked Council Member Tatro to restate his motion and Council Member Tatro moved to amend Matrix No. 175, Agenda Exhibit No. No. 6.7 “to moved forward with a competitive RFP to look at the privatization aspect or outsourcing aspect of the concrete truck function”.

After further discussion a roll call vote was called on Council Member Tatro’s motion to

amend Matrix No. 175 – Exhibit No. 6.7 - “to move forward with a competitive RFP to look at the privatization aspect or outsourcing aspect of the concrete function”.

ROLL CALL VOTE:

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

Council Member Vasquez voting aye
Council Member Alvarado voting no
Council Member Parker voting aye
Council Member Quan voting no
Council Member Sekula-Gibbs voting

Council Member Berry voting aye
Council Member Robinson voting no
MOTION 2003-0671 FAILED

Matrix No. 176 – Agenda Exhibit No. 6.8 - Issue a request for proposals for organizations to operate a portion of the Parks Department’s 58 recreational facilities and programs – was presented, moved by Council Member Tatro, seconded by Council Member Vasquez. Council Member Goldberg absent.

After a lengthy discussion by Council Members, a roll call vote was called on Council Member Tatro motion to adopt Matrix No. 176 – Agenda Exhibit No. 6.8.

ROLL CALL VOTE:

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

Council Member Vasquez voting aye
Council Member Alvarado voting no
Council Member Parker voting no
Council Member Quan voting no
Council Member Sekula-Gibbs voting aye
Council Member Berry voting aye
Council Member Robinson voting no
MOTION 2003-0672 FAILED

Matrix No. 178 - Agenda Exhibit No. 7.2 (Listed as No. 7.3 in error) - Advertising in City Structures or in City owned assets— a contract similar to that which exists at our Airports could be entered into, maybe with the same vendor. We do not have to recreate the wheel (see my FY 01’,02’,03’ Budget Priorities) – was presented.

Council Member Galloway moved to refer Matrix No. 178 – Agenda Exhibit No. 7.2 - back to the administration for further study, seconded by Council Member Robinson.

After discussion by Council Members a vote was called on the motion to refer Matrix No. 178 – Agenda Exhibit No. 7.2 to the administration for further study. Council Members Keller, Vasquez, Parker and Berry voting no, balance voting aye. MOTION 2003-0673 ADOPTED.

Matrix No. 180 – Agenda Exhibit No. 8.6 - Develop Pre-Qualification requirements for all prime contractors performing work on city infrastructure projects having a contemplated bid of over one million dollars – was presented, moved by Council Member Ellis, seconded by Council Member Tatro.

After discussion by Council Members, Council Member Robinson offered a substitute

motion to refer Matrix No. 180 – Agenda Exhibit No. 8.6 back to the administration to refer it to the TTI Committee, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Tatro absent. SUBSTITUTE MOTION 2003-0674 ADOPTED.

Matrix No. 181 – Agenda Exhibit No. 12.2 - Implementation of a city ordinance to address a criteria or standard for a “Pre-Qualification” ordinance for the financial competency of city PWE contractors – was presented, moved by Council Member Keller, seconded by Council Member Vasquez.

After discussion by Council Members, Council Member Ellis moved to postpone Matrix No. 181 – Agenda Exhibit No. 12.2 for one week, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0675 ADOPTED.

Council Member Alvarado moved to recess for lunch at 12:00 p.m. and reconvene in the Council Chamber at 1:00 p.m. to continue the meeting, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0676 ADOPTED.

Matrix No. 182 - Agenda Exhibit No. 10.7 - Outsource all Parks Department seasonal color installations and landscape maintenance and installations at all city parks and facilities – was presented, moved by Council Member Goldberg, seconded by Council Member Ellis.

After discussion by Council Members, Council Member Wiseman offered a substitute motion for Matrix No. 182 - Agenda Exhibit 10.7 as follows:

“Create a competitive bid process for the public and private sector for landscape installation and maintenance services provided by the Parks Department”, seconded by Council Member Ellis.

After a lengthy discussion by Council Members, a roll call vote was called on Council Member Wiseman’s substitute motion for Matrix No. 182.

ROLL CALL VOTE ON SUBSTITUE MOTION

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg aye	Council Member Quan voting no
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 voting aye
Council Member Keller voting aye	SUBSTITUTE MOTION 2003-0677
	ADOPTED

At 12:00 p.m. upon motion by Council Member Vasquez, seconded by Council Member Tatro, the City Council recessed for lunch until 1:00 p.m., seconded by Council Member Tatro. All voting aye. Nays none. MOTION ADOPTED.

At 1:12 p.m. Mayor Brown reconvened the meeting of the City Council. Council Members

Goldberg, Wiseman, Keller, Alvarado and Sekula-Gibbs absent.

Matrix No. 183 - Agenda Exhibit No. 11.2 - MWBE Reciprocal Certification

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

The Affirmative Action Division shall only determine that the company has a local presence as required by Section 15-84 and the size of the company as required by Section 15-87. Approval of this amendment could result in a 50% reduction in the budget of the Certification and Outreach Section of the Affirmative Action Division.

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

Mayor Brown stated that he was going to ask Mr. Hall to address that item because there were some implications.

Mr. Hall stated that the Director and Assistant Director of Affirmative Action were present if they would allow them to make some remarks because they had the technical information, that in discussion with some of the Council Members it could seem to be fairly intricate which was why he wanted to give the Council some background, that the amendment proposed to allow for what was called reciprocal certification, meaning that some one who wanted to do business with the City could be certified by any one of several certifying agencies and the City would accept that certification for purposes of doing business with the City, and that seemed on its face a good idea because obviously one could argue that they could eliminate the City's certification process in its entirety and save all of the money, they would not have to do it at all, that the problem with that had to do with a good deal of history, that as they knew they were presently in litigation that had as its object and purpose to strike down all of their Affirmative Action activities and efforts, that the principle claim in that litigation was that they should not be doing that at all and it was their considered belief that it weakened their position in the litigation for the following reason, that it was acknowledged throughout the United States that the City of Houston had pioneered the area of certification, they had three principle tests for a business to be certified and that was that it had to be owned, had to be managed and had to be operated by one of the protected groups, and what he meant by that was those groups that they listed in the ordinance, minority groups, women, etc., that they had recently included disabled persons in those categories, that the courts had said that in order for the City to justify an Affirmative Action Program they had to have had discrimination against those groups and probably more importantly they had to have a narrowly tailored remedy to fix it, meaning that they had to fix the groups, that for those of them that had been involved in the Affirmative Action discussion for any length of time would understand that one of the great problems, particularly early on, was what was called front companies and that kind of thing, meaning that people got certified, who at least if they took the object of the program, what he just explained, and they should not have been,

they should not have been given those certifications for participation in those programs, they had not been attacked on that basis as some other programs had, that they were in fact not narrowly tailoring their remedy to the people that the Crowsant Study suggested they were trying to assist or address remediate, so the lawyers had told them that it was their belief, they had outside counsel on it, that they could expose themselves to those arguments that they had been immuned from thus far if they change it to allow that they do not control who it was that got an opportunity to participate in the program and he would hasten to add that they were not talking about prohibiting them from doing business with the City, that no minority company was prohibited from doing business with the City, the question was did they participate with the advantages of the expressed purpose of the Affirmative Action Program, that it was his strong belief that they would be best advised if they did not want to kill the entirety of the Affirmative Action Program to keep the narrowly tailored program so that people who they had said specifically they wanted to assist were the ones who got the designation, that it cut against a lot of people who were friends with a lot of people on both sides, that there were people that they would all recognize who had problems, who were Democrats and Republicans, liberals, conservatives or otherwise, who had been denied certification on the basis that it did not meet the test of ownership, and independently, ownership, management and control, that there were other administrative tests that they had available, and required, and that was that they had a going business, their business actually went out and inspected when many of them did not, to make certain that there was a business in existence physically, those kinds of things, that he would like to defer now to the Assistant Director of Affirmative Action to give them some practical problems they had, because of their program, some very special designations that probably over time could get around, but they were the only ones designated for some programs because of their certification process and obviously they would lose that advantage, that he would ask Ms. Velma Laws to speak to those specific issues. Council Member Sekula-Gibbs absent.

Council Member Galloway moved to suspend the rules to hear from Ms. Velma Laws, Assistant Director, Affirmative Action, at this time, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2003-0678 ADOPTED.

Ms. Laws stated that there were four brief points that she wanted to make with regards to the amendment, that as they all were familiar every year they had to vote on the Department of Transportation DBE goals for the airport, those were based on changes that the Department of Transportation implemented in 1999, that another component of those 1999 changes was a unified certification program, which stated that all DOT funding recipients within the State of Texas must enter into a unified certification program, and the date was by March 2003, that she along with the representatives from five other certifying entities in the State of Texas had been working for the past two year to implement the Texas Unified Certification Program, that it was now operational and hosted on the Department of Transportation website, that the way that the program worked was that the State of Texas had been divided into regions with each certifying entity being responsible for a particular region in the State of Texas, that the City of Houston was responsible for certifying all disadvantaged enterprises in the same eight county area that their MWBE Program covered, so that meant that a business that was headquartered in San Antonio could not come to the City of Houston for DBE Certification, they had to go to the South Central Texas Regional Certification Agency for certification, likewise agencies that were headquartered in Houston could not go to TXDOT to get certified, they could not go to the North Central Texas

Regional Certification Agency or the Corpus Christi Regional Transit Authority, they had to come to the City of Houston, that it had eliminated a lot of duplication for them and streamlined the procedures, so once a company got certificated as a DEB in the City of Houston they were certified statewide for participation not only on airport contracts, they were certified not only for participation on Federal Aviation contracts like the airport, they were also certified for federal highway projects as well as Federal Transit Authority projects, so that meant their certification covered DBE's that may be on Metro or Via or Austin's transit agency as well as all of the State's highway projects, so they were the only agency that did that, the Legal Department had assisted them in putting together a memorandum of understanding with the five other certifying entities to implement the agreement and it was currently before the Federal Department of Transportation for approval, that it was something that they had worked long and hard on for the past two years, that it was a big concern, there was no one else in the area authorized to do that, additionally both of the agencies, the Houston Minority Business Counsel and the Women's Business Enterprise Alliance, as it was now called, were agencies that they had worked hand in hand with for years, that they co-sponsored their events and supported each other and they had entered into common certification agreements with those agencies, that the reason they were common certification agreements and not total reciprocity agreements was because there were differences in the certification criteria for each agency, for example, neither of those agencies would certify a business that was 50% owned by a minority male and 50% owned by a non minority female, there was no 51% male or female ownership there, that the Houston Minority Business Council certified minority businesses in Houston but Women's Business Enterprise Alliance certified women owned business and they both had to have a 51% majority in order to qualify for those, that both of those agencies charged fees because they provided very valuable services to the people that they certified, they assisted them in getting contracts in the private sector, so that meant that if they had a company that wanted to be certified to participate on a public utility contract and the City says that they had to go to another agency for certification they would be paying for fees that they might not even need just to get the certification that they could get free of charge in City of Houston for participation on their own contracts, that neither of those agencies certified individuals that were not residents, they had citizenship requirements, so that would be another population that would have no where to go for certification, that all of those things were taken into consideration when they created the agreements that they had, that they did accept individuals that were certified by the Houston Minority Business Council as well as by the Women's Business Enterprise Alliance, that the reason that the agreements were implemented was to minimize the paperwork that the companies had to go through when they were seeking certification with the different agencies, so to the letter of the law they had done what it was that they were asking. Council Member Sekula-Gibbs absent.

Mr. Hall stated that he wanted to close it out by suggesting that Council Members needed to understand that if they did it, the amendment, it was folly for them to ever again consider criteria, because their criteria would not matter, they would go somewhere else and get the certification and they would be required to accept it no matter what it said in the amendment, they would not then control who participated in the Houston Minority Business Enterprise Program and process. Council Members Keller and Sekula-Gibbs absent.

After a lengthy discussion by Council Members, Council Member Vasquez moved to call the question on Matrix No. 183 – Agenda Exhibit No. 11.2, seconded by Council Member Ellis.

A roll call vote was called on Council Member Vasquez's motion to call the question.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0679 FAILED

After a lengthy discussion by Council Members, Mayor Brown asked Council Member Ellis why it was that he wanted to destroy the City's effective Affirmative Action program, and Council Member Ellis stated he did not feel that he would be destroying the Affirmative Action Program, and Mayor Brown stated that if a person could go to another certifying agency, get qualified and then come back and automatically be qualified for the City of Houston then that destroyed their program, and Council Member Ellis stated that he would allow them to do the study and come and show him the differences and the restrictions and hurdles that they had to overcome, but when he calls Mr. John DeLeon in the Affirmative Action Division he would like a little response next time and Mayor Brown stated that they would make sure it would happen.

Council Member Ellis moved to allow the study and would also request that the Mayor bring the study back within 15 days showing the different restrictions and so forth, seconded by Council Member Keller.

Mayor Brown stated that it was a substitute motion "to refer back and come back with an answer within 15 days". All voting aye. Nays none. MOTION 2003-0680 ADOPTED.

Council Member Vasquez moved to adopt the following:

Matrix No. 187 - Agenda Exhibit No. 13.12 Storage Lots for Towed Vehicles. The Finance and Administration Department shall conduct a study to determine the feasibility of the city taking over the task of storage lots for vehicles involved in police tows. Said study shall be completed and presented to council no later than December 03.

seconded by Council Member Keller.

After discussion by Council Members, Council Member Vasquez offered a substitute motion to refer Matrix No. 187 - Agenda Exhibit No. 13.12 to the Regulatory Affairs Committee, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0681 ADOPTED.

Council Member Vasquez moved to adopt the following and an ordinance implementing some be placed on the City Council agenda in thirty days.

Matrix No. 189 - Agenda Exhibit No. 13.19 - 401(a) Qualified Retirement Plan. The City of Houston shall implement a 401(a) Qualified Retirement Plan for accumulated sick leave, annual leave, vacation pay, incentive pay, and special pay. Said plan shall be implemented no later than December 03,

seconded by Council Member Parker.

After discussion by Council Members, Mr. Haines stated that they would come back with a full analysis and all implications and would be presented to Council as well as how to go forward if the decision was to go forward.

A vote was called on Council Member Vasquez's motion to adopt Matrix No. 189 - Agenda Exhibit 13.19. All voting aye. Nays none. MOTION 2003-0682 ADOPTED.

Matrix No. 190 - Agenda Exhibit 14.1 - Create a fee for valet companies to utilize city right of way in the Central Business District - was presented.

Council Member Alvarado moved to refer Matrix No. 190 - Agenda Exhibit 14.1 to the Regulatory Affairs Committee for their next July meeting, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0683 ADOPTED.

Council Member Alvarado moved to adopt Matrix No. 191 - Agenda Exhibit 14.9 as follows:
Matrix No. 191 - Agenda Exhibit 14.9 - Amend the budget to increase green fees for non-city residents using COH golf courses - was presented.

seconded by Council Member Robinson.

After discussion by Council Members, Council Member Alvarado stated that she was not saying to set the fee at the Council table, that she was saying to say yes that there would be an additional fee but they did not have to determine what that would be, and Council Member Ellis asked if Council Member Alvarado would accept a friendly amendment where "City of Houston employees could show their employment cards or badges and be considered residents of the City", which was accepted as a friendly amendment.

A vote was called on Matrix No. 191 - Agenda Exhibit 14.9 as amended. Council Members Edwards and Quan voting no, balance voting aye. Council Member Vasquez absent. MOTION 2003-0684 ADOPTED.

Matrix No. 192 - Agenda Exhibit No. 14.10 - Require any establishment or organization that provides meals to the homeless, to obtain appropriate permits from the Health Department - was presented. Council Member Vasquez absent.

After discussion by Council Members, Council Member Alvarado offered a substitute motion to refer Matrix No. 192 - Agenda Exhibit No. 14.10 to the Neighborhood Protection Quality of Life Committee to consider at the next scheduled committee meeting, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2003-0685 ADOPTED.

Matrix No. 1 - Agenda Exhibit No. 4.1 - Reduce the 2003 property tax rate by one cent to \$.645/\$ 100 of assessed value - was presented.

Council Member Quan moved to postpone Matrix No. 1 - Agenda Exhibit No. 4.1 until consideration of the tax rate in September 2003.

After a lengthy discussion by Council Members, a vote was called on Council Member Quan's motion to postpone Matrix No. 1 - Agenda Exhibit No. 4.1 until September 2003. Council Members Tatro and Berry voting no, balance voting aye. MOTION 2003-0686 ADOPTED.

Council Member Berry moved to adopt the following:

Matrix No. 2 - Agenda Exhibit No. 4.2 - Reduce sales tax revenue projections from \$331,657,218 to \$321,657,218 (FY03 Estimate)

seconded by Council Member Tatro.

After a very lengthy discussion by Council Members, a roll call vote was called on Council Member Berry's motion to adopt Matrix No. 2 - Agenda Exhibit No. 4.2.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2003-0687 FAILED

Matrix No. 4 - Agenda Exhibit No. 6.11 The General Fund Operating Budget should be adjusted to use no more than \$0.48 of the ad valorem tax base for Operations & Maintenance Expenses (O&M) and the remaining \$0.175 should be reserved for debt service – was presented.

Council Member Tatro moved to postpone Matrix No. 4 – Agenda Exhibit No. 6.11 for one week, seconded by Council Member Wiseman. All voting aye. Nays none. MOTION 2003-0688 ADOPTED.

Matrix No. 5 - Agenda Exhibit No. 11.1 - Pass an ordinance to require voter approval before the City can increase ad valorem property tax revenues by more than five (5) percent – was presented.

SUBSECTION ONE - LIMITATION ON GROWTH IN AD VALOREM TAX REVENUES

City Council shall not, without the prior approval of a majority of those voting at a regular election, increase the City's "Ad Valorem Property Tax Revenues" (see SUBSECTION FIVE for definition) for any fiscal year in an amount greater than five (5) percent for the immediate preceding fiscal year.

SUBSECTION TWO - CERTIFICATION OF CITY COMPLIANCE.

Before each year's adoption of the *ad valorem* tax rate by City Council, the City Controller must finish written verification that the *ad valorem* tax rate complies *with* the requirements of SUBSECTION ONE of this ordinance.

SUBSECTION THREE - REQUIRED ELECTION NOTICES

Before any election required for voter approval under SUBSECTION ONE, City Council shall: (a) have published in the major Houston newspaper, at least six weeks prior to the election date, analysis of anticipated increased revenues and (b) hold at least three public hearings thereon at least ten days before the election, each at least a week apart from the other hearing. Two of such required public hearings would be held in the evening and one during the day.

SUBSECTION FOUR - EFFECTIVE DATE OF THIS ORDINANCE

This Ordinance shall become effective for City of Houston Fiscal Year 2004.

SUBSECTION FIVE - DEFINITION

Within this Ordinance: "AD VALOREM PROPERTY TAX REVENUES" means all revenues produced by the taxation and collections from real and personal property values in the City of Houston.

SUBSECTION SIX - ANNEXATIONS

Any annexed properties after calendar year 2002 will be excluded from subsection one.

SUBSECTION SEVEN — SEVERABILITY

If a court of proper jurisdiction declares any provision or paragraph of this Ordinance unlawful, then such portion shall be deleted from the Ordinance and the remainder of this Ordinance will remain in effect.

After a lengthy discussion by Council Members, Council Member Tatro moved that the ordinance be brought forward in the next thirty days and agreed as a friendly amendment by Council Member Ellis. Council Member Quan absent.

Mayor Brown stated that they needed a second on Council Member Ellis motion to adopt Matrix No. 5 – Agenda Exhibit No. 11.1, and Council Member Keller stated that he would second the motion.

A roll call vote was called on Council Member Ellis's motion to adopt Matrix No. 5 – Agenda Exhibit No. 11.1.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0689 ADOPTED.

Council Member Alvarado moved to adopt the following:

Matrix No. 6 – Agenda Exhibit No. 14.13 - No property tax rate increase,

Seconded by Council Member Vasquez.

After discussion by Council Members, a vote was called on Matrix No. 6 – Agenda Exhibit No. 14.13. Council Member Quan voting no, balance voting aye. MOTION 2003-0690 ADOPTED.

Council Member Tatro moved to adopt the following:

Matrix No. 7 - Agenda Exhibit No. 6.2 - Remove the transfer of \$4.1 million from the Water/Sewer Enterprise fund to General Fund Revenues (Miscellaneous/Other Revenues — line item — Other Operating Transfers). This transfer is being proposed by the administration as for “water and wastewater reimbursement to the General Fund for infrastructure purchased through the TIRZ financing mechanism” – was presented.

seconded by Council Member Sekula-Gibbs.

After discussion by Council Members a roll call vote was called on Council Member Tatro's motion to adopt Matrix No. 7 – Agenda Exhibit No. 6.2.

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 no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0691 FAILED.

Council Member Parker stated that as a point of procedure she knew by 5:00 p.m. they were going to have to make a motion as to whether to continue in session or not, they had a discussion and the recommendation was that they try to get out of Council by 4:30 p.m. so that

by 4:00 p.m. they would need to start delaying the remaining Matrix items until next week so that they could get all the amendments in by the end of the day, that she would move that at whatever point they were at 4:00 p.m. that they delay the rest of the items for one week that had been received today and start hearing the amendments so that they could run through them and get out of Council timely. Council Member Keller absent.

Mayor Brown stated that they would follow Council Member Parker's suggestion and at 4:00 p.m. they would introduce the amendments. Council Member Keller absent.

Matrix No. 10 - Agenda Exhibit No. 14.21 - Amend the budget to reduce all non-classified COH salaries by 10% who make \$80,000 or more a year for FY04 – was presented.

Council Member Alvarado moved to postpone Matrix No. 10 – Agenda Exhibit No. 14.21 for one week, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Galloway and Keller absent. MOTION 2003-0692 ADOPTED.

Council Member Berry moved to adopt the following:

Matrix No. 11 - Agenda Exhibit No. - 4.6 - Eliminate expenditures from the general fund on Travel — Training Related (line item 3910) and Travel — Non-training Related (line item 3950) in all departments except Police and Fire, reduce each affected department budget to reflect this change, and require any travel to be approved by City Council (savings: \$204,675).

seconded by Council Member Sekula-Gibbs. Council Members Galloway and Keller absent.

After discussion by Council Members a roll call vote was called on Matrix No. 11- Agenda Exhibit No. 4.6.

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 no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0693 FAILED.

Council Member Berry moved to adopt the following:

Matrix No. 12 – Agenda Exhibit No. 4.9 - Eliminate expenditures from the general fund on magazines and newspapers in all departments with the exception of (1) expenditures made by the Library Department for magazines and newspapers made available to library patrons, and (ii) expenditures made by the Office of the City Controller and the Finance & Administration Department for current subscriptions to financial publications, and reduce each affected department budget to reflect this change.

Matrix No. 12 – Agenda Exhibit No. 4.9.1 - Eliminate duplicate subscriptions to magazines and newspapers that exist in each department, and develop a routing system making each magazine and newspaper available to any department employee requesting same – was presented.

seconded by Council Member Tatro.

After further discussion by Council Members, a roll call vote was called on Council Member Berry moved to adopt Matrix No. 12 – Agenda Exhibit No. 4.9 and 4.9.1.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0694 ADOPTED.

Council Member Parker moved to postpone the balance of the budget matters for one week, seconded by Council Member Keller. All voting aye. Nays none. MOTION 2003-0695 ADOPTED.

Council Member Robinson stated that he wanted to release his tag on Item No. 19, and Mayor Brown stated that they would do that right now and also that Item No. 24 was in.

19. ORDINANCE authorizing issuance of City of Houston, Texas, Water and Sewer System Junior Lien Revenue Bonds, Series 2003C-1, Series 2003C-2, and Series 2003C-3, prescribing the terms and conditions thereof; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing Bond Insurance, a Reserve Fund Surety Bond, and a Bond Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency – was again before Council. All voting aye. Nays none. ORDINANCE 2003-0602 ADOPTED.

24. ORDINANCE approving and authorizing contract between the City of Houston and **NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER, INC** for Comprehensive Management, Quality Assurance and Employee Competency Testing Services relating to the Houston Police Department Crime Laboratory - \$169,400.00 - General and Asset Forfeiture Funds – was presented, and tagged by Council Members Edwards, Tatro, Vasquez, Keller, Sekula-Gibbs, Parker, Alvarado and Goldberg.

Council Member Vasquez stated that he knew there was going to be either Regulatory Affairs or Fiscal Affairs meeting next week and asked that Item No. 24 be discussed in one of those committees because he thought it was an important meeting, or during the Mayor's Report

as well, that he thought there needed to be some additional discussion other than just the RCA and backup, and Council Member Parker stated that it was technically a Public Safety Committee meeting issue and did not mind posting it, that maybe they could just segue from one into the other, like do a joint posting, and Council Member Edwards stated that she did not mind do that but would really like for it to be a full discussion and would like to suggest that it be in a Mayor's Report because people did not all come to committee meetings and thought it was important to have a full discussion, and Mayor Brown stated that they could do that. Council Member Quan absent.

85c. ORDINANCE related to the Fiscal Affairs of the City; approving the Annual budgets of the City of Houston, Texas, for Fiscal Year 2004 for the General, Enterprise, Special Revenue, Internal Service, Revolving, Debt Service and Tax Increment Reinvestment Zone Funds; providing for future adjustment to the beginning fund balances; making various amendments to the proposed budgets; re-designating a cash reserve in the fund balance; transferring appropriations to the Municipal Courts Technology Fee Fund; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – **(This was Item 57a on Agenda of June 11, 2003, TAGGED BY ALL COUNCIL MEMBERS)** – was presented.

Council Member Wiseman stated that she had circulated an amendment that she would like to introduce at this time and offered the following written motion to amend the budget, which was tagged by Council Members Robinson and Vasquez. See Exhibit No. 19. Council Member Quan absent.

Council Member Galloway stated that she had amendments that were distributed to all of the Council Members and offered the following written motion to amend the budget, which was tagged by Council Members Vasquez and Robinson. See Exhibit No. 20. Council Member Quan absent.

Council Member Ellis stated that earlier he had circulated a budget amendment regarding the Water and Sewer Enterprise Fund and offered the following written amendment, which was tagged by Council Members Vasquez and Galloway. See Exhibit No. 21. Council Members Parker and Berry absent.

Council Member Keller stated that he wanted to enter an amendment into the record for Building Services and offered the following written amendment, which was called by Council Member Robinson. See Exhibit No. 22. Council Members Parker and Berry absent.

Council Member Edwards stated that she wanted to submit the following written amendment, which was tagged by Council Member Robinson. See Exhibit No. 23. Council Member Berry absent.

Council Member Vasquez stated that he and Council Member Keller were adding a second amendment and offered the following written amendment, seconded by Council Member Keller and tagged by Council Member Robinson. See Exhibit No. 24. Council Member Robinson absent.

Council Member Quan stated that he was getting back to the budget amendment that was presented to them earlier, that as Council Member Robinson indicated they did not know what the sales taxes were going to be and he agreed that they would look at anywhere from \$2 million to \$5 million and was presented it as amended. Council Members Keller and Vasquez.

Council Member Sekula-Gibbs stated that she had a friendly amendment, that she had discussed the option with Dr. Scheps and he had indicated that it would not be a problem to bring it up so if Council Member Quan would accept it as a friendly amendment to just say on point number 4, "when the ordinance regarding furloughs was brought in for discussion and a vote that it would include language to include voluntary furloughs and include language to include voluntary early retirement and Council Member Quan stated that he accepted the friendly amendment, seconded by Council Member Vasquez, and tagged by Council Member Robinson. See Exhibit No. 25. Council Member Berry absent.

After further discussion by Council Members, Council Member Parker moved to postpone Item No. 85c for one week, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Alvarado and Berry absent. MOTION 2003-0696 ADOPTED.

Council Member Parker stated that for the new amendments she would request that they be numbered consecutively to the current Matrix rather than any renumbering for next week so that they would begin with Matrix No. 230, and Mayor Brown stated that they would be added to the Matrix, that they did not want to create any confusion, and Council Member Parker stated that she was having a special Fiscal Affairs meeting specifically for Council Member Ellis's item but it would be posted so they could discuss any of the new budget amendments and would encourage them to come and discuss them as well. Council Members Alvarado and Berry absent.

Mayor Brown stated that he would ask them all to clear their calendars for next Wednesday and probably next Thursday morning to make sure that they were free to get the budget done so that they could get it done on time.

Council Member Galloway stated that after they had passed the Prostitution Ordinance she had been out in the field and she did not think that their police officers were even aware of it and asked Mayor Brown if he had signed the ordinance because none of them had been briefed on it, and Mayor Brown stated that he would check with the police chief to see what was going on.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS – None

There being no further business before Council, the City Council adjourned at 4:30 p.m. upon MOTION by Council Member Quan, seconded by Council Member Wiseman. Council Members Keller and Robinson absent. NO QUORUM PRESENT INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

Anna Russell, City Secretary

EXHIBIT #1

- 1.1 Mandate the development of a charter amendment to require a two-thirds super-majority vote of Council to spend Rainy Day Funds.
- 1.2 Mandate the development of a charter amendment to clarify that the Controller can provide a range of audit functions including performance audits.
- 1.3 Review building permit fees and set them at a level to increase turn-around time, or create an expedited building permit process for those willing to pay for priority service.
- 1.4 Develop a special events ordinance to establish a schedule of fees and reimbursable costs, as well as consistent guidelines for the City waiving its fees.
- 1.5 Mandate the use of a verifiable sliding-scale fee schedule and a residency test for services at City health clinics and for participation in the after school and Parks programs, etc.
- 1.6 Charge the owner of the junked motor vehicle or owner of the property from which it is removed for the costs of towing a junked motor vehicle.
- 1.7 Designate funding for a basic (yes/no) deed restriction database for use by the Planning and Development Department and the general public.
- 1.8 Identify funds for the design of the interior reconstruction of the Julia Ideson Building in the CIP.
- 1.9 Identify all possible sources for increased HIV/AIDS and Hepatitis C funding.
- 1.10 Identify CDBG or other grant funding to replace General Fund funding for the SEARCH mobile outreach van.

EXHIBIT #2

Health Department:

- 2.1 Resolution to require the health department master plan he devised in conjunction with Harris Country Hospital District and other public health care providers to determine potential savings, reduction in duplication of services, and development of compatible/universal systems for access and delivery of services.

Solid Waste Department:

- 2.2 Resolution to authorize Solid Waste Department to begin or to establish a garbage fee and to make this department an enterprise hind.
- 2.3 Amend the Solid Waste Management Department budget for Keep Houston Beautiful from \$100,000 to \$250.000 per year.

Public Works and Engineering Department:

- 2.4 Amend the Public Works and Engineering budget to restore funds for ROW mowing to four times per year. \$392,000
- 2.5 Amend the Public Works and Engineering budget to restore S500.000 fur shoulder maintenance.

Fire Department

- 2.6 Amend the Fire Department budget to remove the purchase of Quints and instead maintain four on a truck by keeping only one apparatus in operation. The savings would be put towards the purchase of more squad cars for EMS. Savings would still remain in budget.

Information Technology Department:

- 2.7 Institute the technology outsourcing recommendations suggested by IT Outsourcing Plan, February 2003.

Housing and Community Development:

- 2.8 Amend budget to include \$200,000 as incentive funds for development of visitable, affordable homes.

Revenue Generation Recommendations

- 2.9 Conduct RFP for mowing services with emphasis on non-profit organizations, i.e., Goodwill Industries, Cenikor, etc., to privatize services.
- 2.10 Install light switches at 611 Walker to conserve energy (As recommended by Deloitte & Touche in Audit of May 1999. Savings \$60,000-\$180,000.)

- 2.11 Re-organize and consolidate Signal Operations and Freeway Lighting Section. (Per Deloitte & Touche Audit in May 1999. Savings \$77,000-\$308,000.)
- 2.12 Consolidate delivery points at existing warehouses. (Per Deloitte and Touche Audit of May 1999. Savings \$100,000.)
- 2.13 Implement Building Services Department Strategic Property Portfolio Review Plan. Recognize in excess of \$2 million in projected savings on a one-time basis but recognize long-term savings by consolidation.

EXHIBIT #3

- 3.1 Amend the budget to conduct a performance audit of the Human Resources Department and personnel that would make recommendations on how to improve efficiency and effectiveness of the department in a cost-effective manner.
- 3.2 Amend the budget to mandate that the Human Resources Department will contract with a health insurance provider(s) to offer City of Houston employees health insurance alternatives, especially a PPO. The extra cost of an alternative(s) would be borne by the employee.
- 3.3 Amend the budget to create an efficient survey to measure utilization frequency of EMS units as utilized by geographic area. Survey funding would be sought from the Homeland Security grants as part of the assessment data needed by the Homeland Security Act.
- 3.4 Amend the budget to fund an alternate pilot transport program within the Fire Department for nonemergency EMS callers utilizing Homeland Security Grant funds.
- 3.5 Amend the budget to develop policy for more efficient transportation by EMS units to nearest appropriate emergency room. Policy would cut back on individual trip times when a unit is deployed.
- 3.6 Amend the budget to mandate that \$1,030,000 be made available in Community Development Block Grants to support enhancement of health care services, including federally qualified health centers (FQHCs).
- 3.7 Amend the budget to evaluate the hiring and promotion practices of Police Officers and Fire Fighters to insure equitable and fair personnel administration and management.
- 3.8 Amend the budget to eliminate staff psychologist positions from the Police Department and outsource this function.
- 3.9 Amend the budget to initiate a fee that will be charged to alarm permit owners if a false alarm activates police response at the same location. Fee would be based each false alarm when the number of false alarms at the same location exceeds five times within a twelve month period.
- 3.10 Amend the budget to outsource the DNA laboratory of the City's crime lab to a FBI certified lab on a permanent basis reducing the City's liability exposure and capital expenditures for lab upgrades. Change the practice of evidence handling to allow for preserving only a sample and destroying the remainder of the evidence.
- 3.11 Amend the budget to develop a centralized vendor database and centralized purchasing program to maximize savings by more efficient utilization of City's purchasing power within Strategic Purchasing.

- 3.12 Amend the budget to reactivate a city employee recognition program to recognize those city employees who develop cost savings proposals that are innovative and practical.
- 3.13 Amend the budget to sell off excess inventory in warehouses.
- 3.14 Amend the budget to sell off unnecessary city-owned real estate.
- 3.15 Amend the budget to implement the Land Assemblage Redevelopment Authority (LARA).
- 3.16 Amend the budget to continue to fund the Brownfield Redevelopment Program to enable abandoned or otherwise inactive properties to be reestablished as active commercial properties and reclaimed on the City's property tax roles.
- 3.17 Amend the budget to fill 26 Animal Control Officer (ACO) positions to provide 50 active ACOs. Fifty ACOs are required to achieve City of Houston compliance as required by the State of Texas Writ of Mandamus that has been in effect since 1975.
- 3.18 Amend the budget to identify city services that could be provided in a more efficient and cost-effective manner on a shared or regional basis with surrounding municipalities and counties. Initiate immediate dialogue with appropriate governmental entities to expedite this process. Such services may include libraries, parks, health services, solid waste collections, 911 calling system and the Houston Emergency Center (HEC).
- 3.19 Amend the budget to increase shared services among the city departments to further reduce costs based on scale of operations, where possible and feasible.

EXHIBIT #4

Reduce Revenue Projections

- 4.1 Reduce the 2003 property tax rate by one cent to \$.645/\$ 100 of assessed value.
- 4.2 Reduce sales tax revenue projections from \$331,657,218 to \$321,657,218 (FY03 Estimate).
- 4.3 Reduce revenue projections for Current Year Delinquent Property Taxes from \$40,000,000 to \$31,000,000.
- 4.4 Repeal fees for second garbage can and occasional excess trash.
- 4.5 Cap fees for temporary food vendors at events with a duration of 10 days or more at \$600.

Reduce General Fund Expenditures by an Additional \$35 Million

- 4.6 Eliminate expenditures from the general fund on Travel — Training Related (line item 3910) and Travel — Non-training Related (line item 3950) in all departments except Police and Fire, reduce each affected department budget to reflect this change, and require any travel to be approved by City Council (savings: \$204,675).
- 4.7 Prohibit travel expenditures on first class, business class, or any similar type of class offered by an airline.
- 4.8 Prohibit expenditures on travel to a location outside of the U.S. without prior approval of City Council.
- ~~4.9 Eliminate expenditures from the general fund on magazines and newspapers in all departments with the exception of expenditures made by the Library Department for magazines and newspapers made available to library patrons, and reduce each affected department budget to reflect this change.~~
- 4.10 Eliminate expenditures from the general fund on take home vehicles in all departments except Police and Fire, and reduce each affected department budget to reflect this change.
- 4.11 Implement all cost-savings measures proposed by audits conducted in FY03 or before which are not yet fully executed, and reduce each affected department budget to reflect this change.
- ~~4.12 Eliminate expenditures by the Legal Department on Education & Training (line item 3900), require all attorneys to obtain CLE through free seminars offered by the Houston Bar Association and other organizations, and reduce the Legal Department budget to~~

~~reflect this change (savings: \$61,200).~~

- 4.13 Reduce expenditures by the Health & Human Services Department on Education & Training to \$10,000 (line item 3900), require doctors and nurses to obtain CE through free seminars offered by pharmaceutical companies and other organizations, and reduce the Health & Human Services Department budget to reflect this change (savings: \$55,900).
- 4.14 Eliminate expenditures by the Municipal Courts — Administration Department on Education & Training (line item 3900), and reduce the Municipal Courts —Administration Department budget to reflect this change (savings: \$5,500).
- ~~4.15 Eliminate expenditures by the Municipal Courts — Justice Department on Education & Training (line item 3900), and reduce the Municipal Courts — Justice Department budget to reflect this change (savings: \$5,500).~~
- 4.16 Eliminate expenditures by the Building Services Department on Education & Training (line item 3900), and reduce the Building Services Department budget to reflect this change (savings: \$23,850).
- ~~4.17 Eliminate expenditures by the Public Works and Engineering Department on Education & Training (line item 3900), and reduce the Public Works and Engineering Department budget to reflect this change (savings: \$91,600).~~
- 4.18 Eliminate expenditures by the Solid Waste Management Department on Education & Training (line item 3900), and reduce the Solid Waste Management Department budget to reflect this change (savings: \$3,000).
- ~~4.19 Eliminate expenditures by the Library Department on Education & Training (line item 3900), and reduce the Library Department budget to reflect this change (savings: \$17,800).~~
- ~~4.20 Eliminate expenditures by the Parks & Recreation Department on Education & Training (line item 3900), and reduce the Parks & Recreation Department budget to reflect this change (savings: \$23,000)~~
- 4.21 Eliminate expenditures by Affirmative Action on Education & Training (line item 3900), and reduce the Affirmative Action budget to reflect this change (savings: \$3,000).
- 4.22 Eliminate expenditures by City Council on Education & Training (line item 3900), and reduce the City Council budget to reflect this change (savings: \$2,281).
- ~~4.23 Eliminate expenditures by the Office of the City Controller on Education & Training (line item 3900), and reduce the Office of the City Controller budget to reflect this change (savings: \$24,500).~~

- ~~4.24 Eliminate expenditures by the Finance & Administration Department on Education & Training (line item 3900), and reduce the Finance & Administration budget to reflect this change (savings: \$7,500).~~
- 4.25 Eliminate expenditures by the Human Resources Department on Education & Training (line item 3900), and reduce the Human Resources Department budget to reflect this change (savings: \$17,446).
- 4.26 Eliminate expenditures by the Mayor's Office on Education & Training (line item 3900), and reduce the Mayor's Office budget to reflect this change (savings: \$1,000).
- 4.27 Eliminate the purchase of all City of Houston letterhead, direct the E.B. Cape Center to create letterhead macros, and reduce each affected department budget to reflect this change.
- 4.28 Reduce each departmental budget for FY04 by the amount, if any, by which each department exceeded its total budget in FY03 (savings: \$2.5 million).
- 4.29 Eliminate expenditures from the general fund on Vehicle Allowance (line item 1155), and reduce each affected department budget to reflect this change (savings: \$293,652).
- 4.30 Reduce expenditures from the general fund on Cleaning and Sanitary Supplies (line item 2135) from \$575,180 to \$300,000, and reduce each affected department budget to reflect this change (savings: \$275,180).
- 4.31 Reduce expenditures from the general fund on Audio-Visual Supplies (line item 2300) from \$329,413 to \$200,000, and reduce each affected department budget to reflect this change (savings: \$129,413).
- 4.32 Reduce expenditures from the general fund on Computer Supplies (line item 2305) from \$1,178,629 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$678,629).
- 4.33 Reduce expenditures from the general fund on Paper & Printing Supplies (line item 2306) from \$754,651 to \$300,000, and reduce each affected department budget to reflect this change (savings: \$454,651).
- ~~4.34 Reduce expenditures from the general fund on Postage (line item 2323) from \$1,069,214 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$569,214).~~
- 4.35 Reduce expenditures from the general fund on Miscellaneous Office Supplies (line item 2325) from \$1,919,171 to \$800,000, and reduce each affected department budget to reflect this change (savings: \$1,119,171).
- 4.36 Reduce expenditures from the general fund on Fuel (line item 2600) from \$7,374,165 to \$6,500,000, and reduce each affected department budget to reflect this change (savings:

\$874,165).

- 4.37 Reduce expenditures from the general fund on Clothing (line item 2701) from \$2,911,324 to \$2,538,524, and reduce each affected department budget to reflect this change (savings: \$372,800).
- 4.38 Reduce expenditures from the general fund on Publications & Printed Materials (line item 2315) from \$563,690 to \$100,000, and reduce each affected department budget to reflect this change (savings: \$463,690).
- 4.39 Reduce expenditures from the general fund on Food Supplies (line item 2702) from \$34,000 to \$20,000, and reduce each affected department budget to reflect this change (savings: \$14,000).
- 4.40 Reduce expenditures from the general fund on Recreational Supplies (line item 2704) from \$266,300 to \$100,000, and reduce each affected department budget to reflect this change (savings: \$166,300).
- 4.41 Reduce expenditures from the general fund on Landscaping & Garden Supplies (line item 2708) from \$133,000 to \$52,000 (FY03 Estimate of expenditures), and reduce each affected department budget to reflect this change (savings: \$81,000).
- 4.42 Reduce expenditures from the general fund on Miscellaneous Parts & Supplies (line item 2738) from \$1,911,606 to \$800,000, and reduce each affected department budget to reflect this change (savings: \$1,111,606).
- 4.43 Reduce expenditures from the general fund on Janitorial Services (line item 3100) from \$2,684,809 to \$1,300,000, and reduce each affected department budget to reflect this change (savings: \$1,384,809).
- 4.44 Reduce expenditures from the general fund on Temporary Personnel Services (line item 3107) from \$1,162,073 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$662,073).
- 4.45 Reduce expenditures from the general fund on Advertising Services (line item 3305) from \$433,609 to \$200,000, and reduce each affected department budget to reflect this change (savings: \$233,609).
- 4.46 Reduce expenditures from the general fund on Computer Info/Contracting Svc (line item 3321) from \$2,985,756 to \$1,500,000, and reduce each affected department budget to reflect this change (savings: \$1,485,756).
- 4.47 Reduce expenditures from the general fund on Legal Services (line item 3330) from \$1,218,660 to \$800,000, and reduce each affected department budget to reflect this change (savings: \$418,660).
- 4.48 Reduce expenditures from the general fund on Management Consulting Services (line

- item 3335) from \$763,774 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$263,774).
- 4.49 Reduce expenditures from the general fund on Miscellaneous Support Services (line item 3345) from \$5,549,730 to \$3,000,000, and reduce each affected department budget to reflect this change (savings: \$2,549,730).
 - 4.50 Reduce expenditures from the general fund on Real Estate Lease/Office Rental (line item 3400) from \$12,123,641 to \$8,000,000, and reduce each affected department budget to reflect this change (savings: \$4,123,641).
 - 4.51 Reduce expenditures from the general fund on Vehicle/Equipment Rental/Lease (line item 3405) from \$323,000 to \$200,000, and reduce each affected department budget to reflect this change (savings: \$123,000).
 - 4.52 Reduce expenditures from the general fund on Office Equipment Rental (line item 3409) from \$642,200 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$142,200).
 - 4.53 Reduce expenditures from the general fund on Other Rental (line item 3420) from \$977,870 to \$500,000, and reduce each affected department budget to reflect this change (savings: \$477,870).
 - 4.54 Reduce expenditures from the general fund on Communication Lines (line item 3515) from \$3,015,732 to \$2,500,000, and reduce each affected department budget to reflect this change (savings: \$515,732).
 - 4.55 Reduce expenditures from the general fund on Building Maintenance Services (line item 3600) from \$4,315,999 to \$3,000,000, and reduce each affected department budget to reflect this change (savings: \$1,315,999).
 - 4.56 Reduce expenditures from the general fund on Land and Grounds Maintenance (line item 3605) from \$832,953 to \$600,000, and reduce each affected department budget to reflect this change (savings: \$232,953).
 - 4.57 Reduce expenditures from the general fund on Vehicle & Motor Equip Services (line item 3626) from \$4,913,413 to \$4,000,000, and reduce each affected department budget to reflect this change (savings: \$913,413).
 - 4.58 Reduce expenditures from the general fund on Other Equipment Services (line item 3635) from \$571,084 to \$471,000, and reduce each affected department budget to reflect this change (savings: \$100,084).
 - 4.59 Reduce expenditures from the general fund on Print Shop Services (line item 3794) from \$329,494 to \$100,000, and reduce each affected department budget to reflect this change (savings: \$229,494).

- 4.60 Reduce expenditures from the general fund on Claims & Judgments (line item 3875) from \$6,000,000 to \$5,000,000, and reduce each affected department budget to reflect this change (savings: \$1,000,000).
- 4.61 Reduce expenditures from the general fund on Misc Other Services & Charges (line item 3895) from \$4,138,920 to \$2,000,000, and reduce each affected department budget to reflect this change (savings: \$2,138,920).
- 4.62 Eliminate expenditures from the general fund on Tuition Reimbursement (line item 3897), and reduce each affected department budget to reflect this change (savings: \$500,000).
- 4.63 Reduce expenditures from the general fund on Parking Space Rental (line item 3402) by total savings resulting from reduced costs from the parking contract with the Hobby Center, and reduce each affected department budget to reflect this change.
- 4.64 Reduce expenditures from the general fund on Telephone (line item 3510) from \$6,621,369 to \$5,000,000, and reduce each affected department budget to reflect this change (savings: \$1,621,369).
- 4.65 Reduce all executive level and administrative staffing above FY1998 levels in the Library Department, and reduce each affected department budget to reflect this change (savings: approximately \$1 million).
- 4.66 Require all City departments to end FY04 at or under budget unless extraordinary circumstances occur and excess expenditures are approved by City Council (savings based upon FY03: \$2.5 million).
- 4.67 Implement a freeze on the purchase of all new City of Houston vehicles, except for those purchased by Police, Fire or Public Works, and reduce each affected department budget to reflect this change.
- 4.68 Reduce through layoffs the total number of public information officers citywide, with the exception of those working for the Police and Fire Departments, to 3 positions.
- 4.69 Eliminate all expenditures on cell phones, and reduce each affected department budget to reflect this change.
- 4.70 Reduce administrative staffing citywide by 15%, and reduce each affected department budget to reflect this change.
- 4.71 Reduce management staffing citywide by 20%, and reduce each affected department budget to reflect this change.
- 4.72 Eliminate all positions currently classified as messengers, outsource messenger service to a private company, and reduce each affected department budget to reflect this change.

- 4.73 Eliminate expenditures on interoffice holiday cards, and reduce each affected department budget to reflect this change.
- 4.74 Implement a freeze on purchases of equipment and supplies for Polaroid and 35 mm photography products, use current inventory of digital cameras in a shared pool, and reduce each affected department budget to reflect this change.
- 4.75 Implement a freeze on pager and PDA purchases, and reduce each affected department budget to reflect this change.
- 4.76 Implement a freeze on furniture and fixture purchases, and reduce each affected department budget to reflect this change.
- 4.77 Implement a freeze on all expenditures on the acquisition and planting of annual ornamental flowers, and reduce each affected department budget to reflect this change.
- 4.78 Implement a freeze on purchase of promotional items, including, without limitation, shirts, caps, koozies, trading cards, and frisbees, and reduce each affected department budget to reflect this change.

Reduce Certain Expenditures Under Other Funds

- 4.79 Terminate SimHouston Contract (savings: \$2.5 million).

Add Certain Programs and Performance Measures

- 4.80 Add enforcement of City of Houston Code of Ordinances Section 2-13 8 (right to setoff amounts owed to the City) to the Office of the City Controller's budget as a program, and direct the Office of the City Controller to develop program performance measures for this program.
- 4.81 Add the examination of the feasibility and potential cost savings of entering into a joint purchasing agreement for prescription drugs and health insurance with other local taxing entities to the Human Resources Department's budget as a program, and direct the Human Resources Department to develop program performance measures for this program.
- 4.82 Add the program adopted under the Whitmire Administration offering rewards to City employees who offer cost savings suggestions that are implemented by the City to the Finance & Administration Department's budget as a program, and direct the Finance & Administration Department to develop program performance measures for this program.
- 4.83 Add bringing a veterans' museum to Houston by (i) determining how to enter into a lease with the Veterans' Museum in Texas for 35 acres, more or less, at Ellington Field at a rental rate that is less than fair market value; and (ii) entering into such a lease with the Veterans' Museum in Texas if it is determined that the lease will not jeopardize federal

funding to the Aviation Department's budget as a program, and direct the Aviation Department to develop program performance measures for this program.

- 4.84 Add a pilot program to provide taxi vouchers for non-emergency transports to the Fire Department's budget as a program, and direct the Fire Department to develop program performance measures for this program.

Re-institute Certain Reduced and Discontinued Core Services

- 4.85 Restore operating hours at all library branches to FY02 level.
- 4.86 Restore the expansion joint/crack sealing program in the Public Works and Engineering Department.
- 4.87 Continue with the proper staffing of four firefighters on engine and ladder trucks. Do not substitute quints in fire stations under renovation.
- 4.88 Continue HPD response to all accidents.

Other

- 4.89 Prohibit transfers from the ALP fund for purposes not related to water/sewer.

EXHIBIT #5

- 5.1 Amend the Budget to create a Transportation Czar position in the Mayor's Office funded out of existing funds. The Transportation Czar's sole responsibility is to coordinate all transportation construction inside the city to ensure that it gets done on time or sooner without unduly burdening mobility.
- 5.2 Amend the budget to require performance contracts for Department Directors.
- 5.3 Amend the Budget to consolidate the Affirmative Action, Human Resources, City Secretary, Information Technology and Municipal Courts Departments into the Finance and Administration Department.
- 5.4 Amend the Budget to consolidate the Housing and Community Development and Planning Departments into a new Department of Housing, Economic Development and Neighborhood Empowerment.
- 5.5 Amend the Budget to consolidate 311 and the Mayor's Citizens Assistance Office into a new Department of Community Services Assistance.
- 5.6 Amend the Budget to consolidate The Parks and Recreation and Library Departments into a new Quality of Life Department.
- 5.7 Amend the Budget to eliminate the 2n~~ garbage can fee.
- 5.8 Amend the Budget to remove the Zoo privatization fee and Miller Outdoor Theater funding from the General Fund.
- 5.9 Amend the Budget to eliminate the Special Events Division of the Parks and Recreation Department.
- 5.10 Amend the budget to eliminate the Building Services Department and return its functions to the Public Works and Engineering Department.
- 5.11 Amend the budget to mandate the development of a Charter Amendment for a public vote as soon as legally possible that would require a two-third super majority vote of Council to spend Rainy Day Funds.
- 5.12 Amend the budget to mandate the development of a Charter Amendment for placement on the ballot for a public vote as soon as legally possible that would consolidate the Police and Fire Departments along with relevantly related areas of the Health and Human Services Department into a new Public Safety Department.

EXHIBIT #6

- 6.1 End the D.A.R.E. Program and return all officers to regular duty.
- 6.2 Remove the transfer of \$4.1 million from the Water/Sewer Enterprise fund to General Fund Revenues (Miscellaneous/Other Revenues — line item — Other Operating Transfers). This transfer is being proposed by the administration as for “water and wastewater reimbursement to the General Fund for infrastructure purchased through the TIRZ financing mechanism”.

Information:

Typically the General Fund would receive no additional revenues from a TIRZ's until the TIRZ was dissolved, regardless of what infrastructure is constructed (Streets or Water/Sewer). The City receives a fixed ad valorem tax base from the TIRZ regardless of the TIRZ's increased evaluations. Therefore regardless of the increase in property values or what infrastructure or expenditures the TIRZ pays for, the General Fund receives no more revenue or loses any revenues until the TIRZ is dissolved and the General Fund once again receives the full ad valorem tax base.

If the Water/Sewer Enterprise is to contribute for the water/sewer infrastructure that is built within the TIRZ, then it should be handled in the same manner as the current “Developer Reimbursement Agreement”. This is when the Water/Sewer Enterprise system partially reimburses the developer for “public lines” that are constructed. The proper Water/Sewer reimbursement for the cost of infrastructure should be to the TIRZ so that the TIRZ could pay down their total debt burden sooner, therefore helping to retire all TIRZ debt sooner and dissolve the TIRZ sooner than would otherwise occur.

- 6.3 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) (SIMDesk Technologies, mc) for Software Licensing and Support, awarded pursuant to Ordinance No. 2002-0460. The Mayor is hereby authorized and requested to take all actions necessary to effectuate the “Termination for Convenience by City” provision (Section V.C.) of the aforementioned agreement.
- 6.4 Draft and submit ballot language for the November 2003 ballot to conduct a Public Referendum for the creation of a Storm Drainage Utility Fee.
- 6.5 Restore operating hours at all City libraries to FY 02 levels.
- 6.6 Move the Building Services Department back into the Public Works Department and eliminate redundant administrative positions.
- 6.7 Terminate the city use of concrete trucks (currently 17), and privatize the operation.
- 6.8 Issue a request for proposals for organizations to operate a portion of the Parks Department's 58 recreational facilities and programs.

- 6.9 Continue with the proper staffing of four (4) firefighters on engine and ladder trucks. Do not run "Task Force" concept for engine and ladder trucks.
- 6.10 Do not take any fire engine companies off line (three planned) for FY04 budget year.
- 6.11 The General Fund Operating Budget should be adjusted to use no more than \$0.48 of the ad valorem tax base for Operations & Maintenance Expenses (O&M) and the remaining \$0.175 should be reserved for debt service.
- 6.12 Reduce the number of Public Works employees' salaries paid for by General Obligation bond debt by 15%.
- 6.13 Police will continue to respond to non-injury traffic accidents.
- 6.14 End the General Fund contribution of \$250,000 for the SEARCH Homeless Program. Continue the funding through grant funding.
- 6.15 Move the \$100,000 in the Housing and Community Development Department's Consolidated Plan for Day Labor Site on District A to District I.
- 6.16 End the "Tag for Bag" program.
- 6.17 Suspend the 1.75-% debt contribution to fund Public Art from Capital Projects in Fiscal year 2004.

Water and Sewer Fund

- 6.18 End all transfers from ALP to General Fund for non-water/sewer use.
- 6.19 If any adjustments are made to water/sewer rates, they should be done to reflect a "cost of service" model.
- 6.20 Reduce the number of Public Utilities employees' salaries paid for by bond debt by 15% (from FY2003 levels), and pick-up as current operating expense.

EXHIBIT #7

7.1 No layoffs of City employees

For those Departments (excluding Mission Critical Departments) recommending layoffs of City employees, in an effort to reduce their respective budgets, I suggest the following course of action:

- If the employee's salary is between \$75,000 and \$85,000 - - - - reduce salary by \$5,000
- If the employee's salary is between \$85,001 and \$90,000 - - - - reduce salary by \$5,500
- If the employee's salary is between \$90,001 and \$95,000 - - - - reduce salary by \$6,000
- If the employee's salary is between \$95,001 and \$100,000 - - - - reduce salary by \$7,000
- If the employee's salary is between \$100,001 and \$110,000 - - - - reduce salary by \$7,500
- If the employee's salary is between \$110,001 and \$115,000 - - - - reduce salary by \$8,000
- If the employee's salary is between \$115,001 and \$120,000 - - - - reduce salary by \$8,500
- If the employee's salary is between \$120,001 and \$125,000 - - - - reduce salary by \$9,000
- If the employee's salary is between \$125,001 and \$130,000 - - - - reduce salary by \$9,200
- If the employee's salary is between \$135,001 and \$145,000 - - - - reduce salary by \$10,000
- If the employee's salary is between \$145,001 and above - - - - reduce salary by \$10,500

The money generated from the aforementioned salary cuts would then be placed in a specially created fund for unclassified employees who were identified to be laid off

I am fully aware that these saving alone would not prevent layoffs, but in concert with my many revenue generating proposals over the years (that have not been considered or implemented), it may be possible. Allow me to repeat them.

- 7.2 Advertising in City Structures or in City owned assets— a contract similar to that which exists at our Airports could be entered into, maybe with the same vendor. We do not have to recreate the wheel (see my FY 01',02',03' Budget Priorities)
- 7.3 More aggressive Sale and Lease of City Assets (excluding park land) with the sale of these assets or land comes the non-recurring negotiated value we receive upon closing and the recurring property tax we receive thereafter. For the lease we receive the recurring lease payment year after year. (see my FY 01 ',02',03' Budget Priorities)
- 7.4 Garage Sale Permit Fees — most other municipalities charge for this service. We do not. The fees in Texas municipalities range between \$5.00 and \$10.00. For example, Victoria, Texas, with a population of 60,000 residents, charges \$5.00. I think we can use this as a basis for how we determine our fee structure. (see my FY 01',02',03' Budget Priorities)

All the revenue that would invariably be generated by the implementation of these proposals would be deposited into the aforementioned "Special Fund" created for unclassified employees.

- 7.5 Last, I suggest that any employee who retires, resigns or is terminated during Fiscal year

2004 would automatically be replaced with a qualified, laid off employee.

EXHIBIT #8

- 9.1 Health Department -- Restore full funding for the re-opening and operation of the Riverside Health Clinic to ensure the continuing offering of necessary preventive health care services to the Third Ward and surrounding communities.
- 9.2 Houston Department — Continue the practice of having HPD officers respond to street accidents.
- 9.3 Public Works & Engineering Department — Restore full funding for Right of Way Mowing and Expansion Joint/Crack Sealing programs.

EXHIBIT #9

- 12.1 The creation and implementation of a privatization plan for the maintenance and operations of the City of Houston's five major Wastewater Treatment plants and the City's East Water Plant.
- 12.2 Implementation of a city ordinance to address a criteria or standard for a "Pre-Qualification" ordinance for the financial competency of city PWE contractors.
- 12.3 In an effort to improve the City of Houston's homeland security and emergency preparations, I propose the city seek additional grant funding in addition to the currently proposed \$8 million annually for security in and around city infrastructure sites. These infrastructures would include but are not limited to; airports, water! wastewater facilities and city buildings.
- 12.4 Implement a Zero-Based budget for all city departments, with the exception of Police and Fire.
- 12.5 Request to have Finance & Administration and the Controller's office conduct an in-house audit investigating duplicative department services; such as purchasing, payroll, etc. Services that could be handled more economically if centralized.
- 12.6 Implement a "Bonus — Penalty" plan for all major city construction projects.
- 12.7 Fund six FTE's in Public Works Department to properly implement and enforce codes and ordinances, plan review, permitting and inspection.
- 12.8 Fund two FTE's in the Planning Department to help properly enforce sign and billboard ordinances.
- 12.9 Continue to develop partnerships with Federal, State and Local governmental agencies to address regional issues of clean air and water.
- 12.10 Expedite the proposed merger of both the Harris County and City of Houston jails into one facility.
- 12.11 Analyze the possible benefits of having the Harris County Hospital District absorb the City of Houston Health Department clinics.
- 12.12 Eliminate the Civic Arts appropriations and have the savings go into the Capital Improvement Plan.

EXHIBIT #10

- 13.1 Position Control Task Force. The City of Houston shall implement a Position Control Task Force to (1) review and approve any new hires, (2) monitor the process and possibilities of placement for city employees laid off during the fiscal year, (3) review and approve all promotions. The Position Control Task Force shall be comprised of the Chief Administrative Officer, the Director of Finance and Administration, and the Director of Human Resources.
- 13.2 Travel Control Committee. The City of Houston shall implement a Travel Control Committee to review and approve all general fund related travel. The Travel Control Committee shall be comprised of the Chief Administrative Officer and the Director of Finance and Administration.
- 13.3 Elimination of Second Garbage Can Fee. The City of Houston shall eliminate the second garbage can fee.
- 13.4 Reinstatement of Tire Pick Up Service. The Solid Waste Department shall reinstate the abandoned tire pick up service. Any funds required to reinstate this service shall be added to the Solid Waste budget. As a last resort, the department should reduce administrative personnel and the director's office staff by an amount sufficient enough to cover this.
- 13.5 Elimination of Building Services. The Building Services Department shall be eliminated. The major functions of said department shall be assigned as follows: janitorial services to the Finance and Administration Department, energy management to the Finance and Administration Department, and contract management and compliance to the Public Works and Engineering Department. City employees shall be retained at the discretion of the respective director. Each Building Services city employee shall have an opportunity to be placed with an existing opening given proper qualifications. The Director of Human Resources or his designee shall actively assist in the placement of any building services city employee.
- 13.6 Recapture Funds to the Library Materials Budget. Increase the libraries materials budget by \$500,000.
- 13.7 Reinstatement Police Response to Accidents. The Houston Police Department shall reinstate police officer response to non-injury accidents where vehicles are drivable. Any funds to reinstate these services shall be derived from the police department budget.

EXHIBIT #11

- 14.1 Create a fee for valet companies to utilize city right of way in the Central Business District.
- 14.2 Amend Budget to include junk car owner fee towards owner of property.
- 14.3 Centralize all COH Motor Pools except HPD & HFD.
- 14.4 Consolidate all City Human Resource divisions of all departments.
- 14.5 Centralize Payroll divisions of all COH Departments.
- 14.6 Amend the budget to include 15% of the admission revenue from the Houston International Festival to Fund 1700 (Recreation Operations) of the Parks and Recreation Department. Also, include 4% of the Food & Beverage Revenue from the International Festival to Fund 1800 (Grounds Maintenance) of the Parks and Recreation Department.
- 14.7 Raise the parking meter rates under the Pierce Elevated.
- 14.8 Create a database of all COH parking meters & their rates and develop a master plan for the COH beginning with the Central Business District.
- 14.9 Amend the budget to increase green fees for non-city residents using COH golf courses.
- 14.10 Require any establishment or organization that provides meals to the homeless, to obtain appropriate permits from the Health Dept.
- 14.11 Implement the land assemblage program.
- 14.12 Establish a fair and balanced regional radio partnership with Harris County and surrounding entities. Form an independent governing body structure that is tied to asset investment of the participating entity.
- 14.13 No property tax rate increase.
- 14.14 No water and sewer rate increase.
- 14.15 Create flexible hours for NPT inspectors to include weekends and early evenings.
- 14.16 Create flexible hours for building inspectors to include weekends and early evenings.
- 14.17 Improve collection rate of ambulance fees.
- 14.18 Continue \$200,000 for SEARCH out of the Department of Housing budget for their mobile outreach van services.

- 14.19 Amend the budget to eliminate any proposed fee increase to little leagues using COH parks.
- 14.20 Amend the budget to increase deed restriction violations and building code violations.
- 14.21 Amend the budget to reduce all non-classified COH salaries by 10% who make \$80,000 or more a year for FY04.
- 14.22 Amend the budget to dedicate any revenue received by the city as a result of collection of over due fines and fees and accounted for by the general fund up to \$1.2 million and that such excess funds be budgeted for use by the Library Department for the purchase of library books and/or materials.

Exhibit #12

- 10.1 Reduce total of 2000 accounts for all department and all funds by 3%.
- 10.2 Reduce Management, Supervisory and Administrative civilian FTE's by 5% in Parks and Recreation, Library, Health, Building Services, Planning and Development, Solid Waste, Municipal Courts, Police, Fire, Legal, Information Technology, Human Resources, Finance and Administration and Affirmative Action.
- 10.3 Reduce Temporary Personnel Services in all funds by 25%.
- 10.4 Reduce Overtime pay for all civilians in general fund by 25%.
- 10.5 Eliminate second garbage can fee and Tags for Bags Program for the Solid Waste Department.
- 10.6 Privatize PWE Right-of-Way Maintenance and Parks Department Esplanade Maintenance.
- 10.7 Outsource all Parks Department seasonal color installations and landscape maintenance and installations at all city parks and facilities.
- 10.8 Prohibit General Fund line item expenditures for Management Consulting Services.
- 10.9 Prohibit Capital Equipment Acquisition funding for the purchase of Quint Apparatus.
- 10.10 Require the continuation of four firefighters for all engine and ladder companies in all instances, to include any and all policy proposals affecting the dispatching procedures of all apparatus.
- 10.11 Eliminate Quint Task Force Concept and continue four on a truck policy.
- 10.12 Terminate SimHouston contract.
- 10.13 Eliminate Take Home Vehicle privileges in all departments, begin the sale of all such vehicles, and reduce fuel and vehicle maintenance line items for all affected departments to reflect associated reductions in goods and services.
- 10.14 Implement a three-year moratorium on the appropriation and expenditure of PIB's for Civic Art.
- 10.15 Proposed Budget for Fiscal Year Ending June 30, 2004 shall be amended to allocate all revenue increases as a result of approved budget reductions for the continuation of Houston Police Department police officer response to non-injury accidents policy and to the continuation of four firefighters per apparatus and the elimination of the Quint Task Force Concept.

Exhibit #13

New FY04 Budget Amendment 4.9.lis hereby added and FY04 Budget Amendments 4.9,4.12, 4.15, 4.17, 4.19, 4.20,4.23,4.24,4.34 are hereby deleted in their entirety and replaced as follows:

- 4.9 Eliminate expenditures from the general fund on magazines and newspapers in all departments with the exception of (1) expenditures made by the Library Department for magazines and newspapers made available to library patrons, and (ii) expenditures made by the Office of the City Controller and the Finance & Administration Department for current subscriptions to financial publications, and reduce each affected department budget to reflect this change.
- 4.9.1 Eliminate duplicate subscriptions to magazines and newspapers that exist in each department, and develop a routing system making each magazine and newspaper available to any department employee requesting same.
- 4.12 Reduce expenditures by the Legal Department on Education & Training (line item 3900) to \$1,000, require all attorneys to obtain CLE through free seminars offered by the Houston Bar Association and other, organizations, and reduce the Legal Department budget to reflect this change (savings: \$60,200).
- 4.15 Reduce expenditures by the Municipal Courts — Justice Department on Education & Training (line item 3900) to \$1,700, and reduce the Municipal Courts — Justice Department budget to reflect this change (savings: \$3,800).
- 4.17 Reduce expenditures by the Public Works and Engineering Department on Education & Training (line item 3900) to \$5,000, and reduce the Public Works and Engineering Department budget to reflect this change (savings: \$86,600).
- 4.19 Reduce expenditures by the Library Department on Education & Training (line item 3900) to \$1,000, and reduce the Library Department budget to reflect this change (savings: \$16,800).
- 4.20 Reduce expenditures by the Parks & Recreation Department on Education & Training (line item 3900) to \$750, and reduce the Parks & Recreation Department budget to reflect this change (savings: \$22,250).
- 4.23 Reduce expenditures by the Office of the City Controller on Education & Training (line item 3900) to \$20,000, and reduce the Office of the City Controller budget to reflect this change (savings: \$4,500).

- 4.24 Reduce expenditures by the Finance & Administration Department on Education & Training (line item 3900) to \$7,000, and reduce the Finance & Administration Department budget to reflect this change (savings: \$500).
- 4.34 Reduce expenditures by the general fund on Postage (line item 2323) .to \$500,000, and reduce each affected department budget to reflect this change; provided, however, that any portion of a department's postage budget that is used for mailings required by law or to meet the City's financial obligations and duties shall not be affected by this amendment.

EXHIBIT #14

11.1 Pass an ordinance to require voter approval before the City can increase ad valorem property tax revenues by more than five (5) percent

SUBSECTION ONE - LIMITATION ON GROWTH IN AD VALOREM TAX REVENUES

City Council shall not, without the prior approval of a majority of those voting at a regular election, increase the City's "Ad Valorem Property Tax Revenues" (see SUBSECTION FIVE for definition) for any fiscal year in an amount greater than five (5) percent for the immediate preceding fiscal year.

SUBSECTION TWO - CERTIFICATION OF CITY COMPLIANCE.

Before each year's adoption of the *ad valorem* tax rate by City Council, the City Controller must furnish written verification that the *ad valorem* tax rate complies with the requirements of SUBSECTION ONE of this ordinance.

SUBSECTION THREE - REQUIRED ELECTION NOTICES

Before any election required for voter approval under SUBSECTION ONE, City Council shall: (a) have published in the major Houston newspaper, at least six weeks prior to the election date, analysis of anticipated increased revenues and (b) hold at least three public hearings thereon at least ten days before the election, each at least a week apart from the other hearing. Two of such required public hearings would be held in the evening and one during the day.

SUBSECTION FOUR - EFFECTIVE DATE OF THIS ORDINANCE

This Ordinance shall become effective for City of Houston Fiscal Year 2004.

SUBSECTION FIVE - DEFINITION

Within this Ordinance: "AD VALOREM PROPERTY TAX REVENUES" means all revenues produced by the taxation and collections from real and personal property values in the City of Houston.

SUBSECTION SIX - ANNEXATIONS

Any annexed properties after calendar year 2002 will be excluded from subsection one.

SUBSECTION SEVEN — SEVERABILITY

If a court of proper jurisdiction declares any provision or paragraph of this Ordinance unlawful, then such portion shall be deleted from the Ordinance and the remainder of this Ordinance will remain in effect.

11.2 MWBE Reciprocal Certification

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

those organizations.

The Affirmative Action Division shall only determine that the company has a local presence as required by Section 15-84 and the size of the company as required by Section 15-87. Approval of this amendment could result in a 50% reduction in the budget of the Certification and Outreach Section of the Affirmative Action Division.

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

EXHIBIT #15

- 8.1 Implement revenue program for the Affirmative Action Division whereby this division will be mostly self-sustaining within 3 years as follows:

Through the institution of re-certification fees, costs of seminars, educational sessions and training and contract compliance achieve the following revenue goals:
1st year - in FY2004, produce revenue that will equal 25% of the expenditures, 2nd year - 55% of FY 2005 expenses, 3rd year - 90% of FY 2006 expenditures.

- 8.2 Develop guidelines and policies for below fair-market leases or rentals of city property. Develop guidelines and policies for the naming of city property, including but not limited to city parks, libraries and buildings.
- 8.3 Institute early-completion bonus incentives for most CIP projects with contemplated bids of over 3.5 million dollars.
- 8.4 Reduce every department's cost of Parking Space Rental (item 3402) that utilizes the newly leased spaces at the Hobby Center Parking Garage Facility. Approximate savings for all departments is \$248,760.00.
- 8.4-1 Create a parking program whereby city employees that prefer to retain their current parking space may do so by paying the difference in cost.
- 8.5 Remove from all departments, any positions that are redundant or duplicated by the Building Services Department.
- 8.6 Develop Pre-Qualification requirements for all prime contractors performing work on city infrastructure projects having a contemplated bid of over one million dollars.
- 8.7 Implement the Land Assemblage Program and restore property to the tax rolls by selling off all property to the highest bidder regardless of selling price. Priority should be given to properties where over-due taxes are higher than the value of the property, since most revenue on these properties will be lost forever.

And finally,

- 8.8 Utilize shipping crates and used boxes in lieu of purchasing any new city furniture. (This idea inspired by Councilman Michael Berry)
- 8.9 Eliminate any city expenditure for city employee birthday cakes, birthday cards, flowers, or anything else from which a city employee may derive any pleasure. (Another Berry inspiration).

EXHIBIT #16

- 9.1 Health Department — Restore full funding to FY02 levels for the re-opening and Operation of the Riverside Health Clinic to ensure the continuing offering of necessary preventive health care services to the Third Ward and surrounding communities.
- 9.2 Restore \$100,000.00 to the Health Department's budget for the State of Emergency HI V/AIDS Task Force.
- 9.3 Five percent reduction in annual base pay salary for all city employees earning \$75,000.00 or more.
- 9.4 Houston Department — Continue the practice of having HPD officers respond to street accidents.
- 9.5 Public Works & Engineering Department — Restore full funding for Right of Way Mowing and Expansion Joint/Crack Sealing programs.

EXHIBIT #17

- 13.8 Reform of the Police Department. The City shall conduct a Management and Staffing Performance Review for the Houston Police Department. The purpose of the review shall be to determine and make recommendations with regards to public safety and efficiency as follows:

Staffing:

- Establish appropriate staffing levels for line officers, line supervisors, administration, and command levels.
- Identify strategies that promote a productive work environment that takes into account personnel issues and concerns.
- Identify strategies of increased safety and service to the officers and citizens of Houston.

Management Processes:

- Increase management accountability and efficiency in the department.
- Identify polices that contribute to inefficiency and low productivity.
- Identify strategies to reduce duplication of effort.

Fiscal Savings:

- Identify budget savings.
- Identify cost saving strategies through the use of non-classified personnel.

Implementation:

- Identify strategy to follow up and implement recommendations.

- 13.9 Elimination of Class C Misdemeanor Reports. The Houston Police Department shall eliminate departmental Class C misdemeanor reports.
- 13.10 Elimination of D.A.R.E. Program. The Houston Police Department shall eliminate the D.A.R.E. program and re-assign all officers to regular duty.
- 13.11 Reinstate Inspectors Division. The Houston Police Department shall reinstate the Inspectors Division to reflect FY'02 organization, staffing, and budget.
- 13.12 Storage Lots for Towed Vehicles. The Finance and Administration Department shall conduct a study to determine the feasibility of the city taking over the task of storage lots for vehicles involved in police tows. Said study shall be completed and presented to council no later than December 03.

13.13 Reform of the Fire Department. The City shall conduct a Management and Staffing Performance Review for the Houston Fire Department. The purpose of the review shall be to determine and make recommendations with regards to public safety and efficiency as follows:

Staffing:

- Establish appropriate staffing levels, job responsibilities, policies and procedures regarding staffing.
- Identify policies and common practices that encourage abuse of sick time, particularly unlimited use with no restrictions during a calendar year.

Management Processes:

- Increase management accountability and efficiency in the department.
- Identify current policies that may be outdated and inefficient as well as identifying available modern technology in response to fire fighting and hazardous assignments.
- Identify and determine issues pertaining to the safety of citizens, firefighters, and EMS personnel in reference to of twenty-four hour shifts and the ability to make sound and clear decisions.

Savings:

- Identify budget savings.
- Identify cost saving strategies through the use of non-classified personnel.
- Identify strategies that could result in cost savings regarding scheduling and extra board, working out of grade, and overtime.

Implementation:

- Identify strategy to follow up and implement recommendations.

13.14 Maintain Four Firefighters to a Truck. The Fire Department budget shall maintain four (4) firefighters on all apparatus. The Task Force concept and purchase of Quints shall be abandoned. Any apparatus that is out of service for renovation shall be returned to active service. Any savings shall be utilized to fund manpower needs of the Houston Fire Department.

- 13.15 Reform of the Public Works Department. The City shall conduct a Management and Staffing Performance Review for the City of Houston Public Works and Engineering Department. The purpose of the review shall be to determine and make recommendations with regards to public safety and efficiency as follows:

Staffing:

- Evaluate whether staffing levels are appropriate for the service level requirements in each of the major areas of responsibility.
- Evaluate the economy and effectiveness of the department's use of consultants particularly in areas other than design.
- Evaluate the appropriateness of the levels of staff training in both technology and management.
- Evaluate whether detailed salary comparability studies should be performed for technical! professional positions.

Technology:

- Evaluate appropriate use of Technology in the management and control of the various functional areas.
- Evaluate the appropriate use of technology for (1) Treatment of water and wastewater, (2) Repair of distribution and collection system, and (3) Repair of Streets.

Management Processes:

- Evaluate whether there are functions performed within the department that would better be performed by other departments.
- Recommend any re-alignment of functions with the County in the area of flood control or with either Metro or the County in the area of traffic control and planning.
- Evaluate the interface between the ROW Maintenance and Water/ Wastewater operations and maintenance functions, with the design and construction functions.
- Evaluate whether current levels of support provided from other departments are adequate to facilitate PWE missions in a timely manner.
- Evaluate whether administrative procedures and processes can be made more efficient and timely both within the department and within other departments, organizations, and agencies. Further, recommend changes within the department and in polices, procedures ordinances of other elements outside of the department that would enhance the effectiveness, efficiency and timeliness within the Department of Public Works & Engineering.

- 13.16 Restore Library Hours and Materials. Any budget savings derived from council action shall be applied first to restore operating hours at all city libraries and the library materials budget to FY02 levels, second to the Health Department, and third, to reinstate the CIP as a five year plan.

- 13.17 Change the Term Lengths. Draft and submit ballot language to conduct a Public Referendum for the purposes of changing term limits to two (2) four (4) year terms. Council members, controller, and mayor are eligible to run again for office after sitting out a term.

- 13.18 Softball-Baseball-Soccer Tournament Playoff Facility. The Parks Department shall conduct a feasibility study of a combined softball-baseball-soccer tournament playoff facility. Said study shall be prepared and presented to council no later than December 03.
- 13.19 401(a) Qualified Retirement Plan. The City of Houston shall implement a 401(a) Qualified Retirement Plan for accumulated sick leave, annual leave, vacation pay, incentive pay, and special pay. Said plan shall be implemented no later than December 03.
- 13.20 Matricula Consular. The City of Houston shall recognize the Matricula Consular as a form of identification as per attached resolution.
- 13.21 Electric Deregulation Accountability: The City shall terminate the electric supply contract and with Reliant Energy Solutions for non-performance of material obligations and re-bid said services to achieve savings.

Exhibit #18

- 3.20 Amend the budget to restore funding to the Fire Department to allow four firemen to staff a truck. Funding would come from grant revenue from Homeland Security.

EXHIBIT #19

- 10.16 Proposed Budget for Fiscal Year ending June 30, 2004 shall be amended to exclude single dwelling residential security systems from Fire Alarm Permit requirements and associated fees.

EXHIBIT #20

The amendments will hereafter be designated as numbers 7.6 through 7.11. They are as follows:

- 7.6 Amend the Fiscal Year 2004 Budget to reflect no reduction of Health Department personnel costs such that City of Houston Health Department Fifth Ward/Kashmere Gardens Multi Service Center Director otherwise known as Mr. Wiley Henry and City of Houston Health Department employee otherwise known as Acres Homes Multi Service Center Director Ms. Pat. Lindsey will maintain their respective employment with the pre June 16, 2003 job, duties, obligations and respective classification codes and salaries associated with their respective positions of directors of these respective multi-service centers.

This amendment is written with the express purpose and unwavering intention to prevent either Wiley Henry or Pat Lindsey from being released, laid-off, furloughed, or terminated from the employ of the City of Houston in their current capacities, salaries, job titles and/or job codes as previously described.

- 7.7 Amend the Public Works and Engineering budget to have Harris County pay 30% and The Texas Department of Transportation pay 10% of the line item identified in the Public Works and Engineering budget as account number 3500 also known as electric utility cost for underwriting street and freeway lighting.
- 7.8 Reduce budgets of all five at-large city council offices by 1/9 or 0.11111% per city council district due to duplication of service and unquantifiable evidence of performance by those offices.
- 7.9 \$450,000 of the savings realized by amendment 7.8 should be distributed evenly among the single-member district council office budgets.
- 7.10 Add any additional funds realized by the resulting reduction of at-large city council budgets to increase the Mayor Pro-Tern's budget by 2% for additional staffing to assist at-large city council members for phone messages, mail distribution, copies, agenda preparation etc.
- 7.11 All remaining savings resulting from amendments 7.7 and 7.8 would be allocated to the Health and Human Services Department.

EXHIBIT #21

An Amendment to Item 85-C, City Council Agenda of June 18, 2003 Regarding the Water and Sewer Enterprise Fund

This amendment is to restructure the Water and Sewer Enterprise Fund to include a Water, Sewer and Storm Drainage Enterprise Fund by refunding the City's outstanding water and sewer revenue bonds.

All outstanding bonds will be refunded except for bonds held by the Texas Water Development Board.

The restructuring will include the creation of a new bond ordinance for the Water, Sewer and Storm Drainage Enterprise Fund.

Effects of the Amendment

- Create a Water, Sewer and Storm Drainage Fund and System.
- Discontinue the Any Lawful Purpose account, provide for a general purpose account and a closed end Fund/System.
- Mitigate storm drainage fees.
- Provide \$50 million per year (to have a Sunset provision of 15 years) for storm drainage CIP projects.
- Restore \$20 million to the street and bridge CIP projects.
- Transfer \$8 million of storm drainage debt service from the General Fund to the newly created Water, Sewer and Storm Drainage Enterprise Fund.
- Use Water and Sewer Enterprise Fund balances, together with proceeds from refunding bonds, to defease all outstanding bonds of the Water and Sewer Enterprise Fund.
- The proposed new bond ordinance for the new Water, Sewer and Storm Drainage Fund will include the following provisions:

City of Houston Summary of Proposed Bond Ordinance		
Item	Proposed Ordinance	Comments
Definition of System	Will consist of water, sewer and drainage	Current ordinance provides for water and sewer.
Pledged Revenue	Will consist of water, sewer and other fees approved by City Council	Current ordinances provides for water and sewer fees.
Renewal And Replacement Fund	Set at 50% of MADS	Reduced from 100% MADS
Rate Stabilization Account	Eliminated	Not necessary; City had immediate access to capital via commercial paper
Flow of Funds (See Attached)	Streamlined this is a closed indenture	Current ordinance permits transfers for any lawful purpose
Additional Bonds Test (Senior Lien)	1.20 X MADS (Senior Lien) 1.10 X MADS (Junior Lien)	Existing test is 1.20 x MADS on a historical basis. New test includes prospective revenues.
Rolling Coverage	Include General Purpose Account balance(s) in the Additional Bonds Test calculation	Effective use of funds. Rolling coverage limited to .2 or .1 with actual rates providing 1.0X coverage
Variable Rate Debt Limit	Interest rates to be certified by financial advisor	Same as current ordinance
Variable Rate Debt (Interest Calculation for Add Bonds Test)	Interest rates to be certified by financial advisor	Current Ordinance rate of 9.2%
Swaps/Financial Products	Periodic payments on parity with debt service; termination payments at subordinate lien level	Not provided in existing ordinance
Rate Increases	Increases will occur automatically (to meet coverage and additional Bonds Tests) and be based upon CIP requirements	Formulaic approach to rate making; rates adjusted as needed

Financial Working Group Objectives

1. The credit ratings for the new System will be at or above the current ratings the City has for its Water and Sewer Enterprise Fund.
2. The refunding will provide for present value savings, as certified by the City's Financial Advisor.
3. The new bond ordinance will be an automatic rate adjustment mechanism that is tied to the issuance of additional bonds.
4. There will be full disclosure of all fees.

EXHIBIT #22

- 12.13 Anytime the Building Services Department uses outside Real Estate brokerage representation or services they are to henceforth require said brokerage firm to pay the city fifty percent of all commissions paid by the landlord or owner to the brokerage firm. This is to include representation on raw land and developed properties that the city may possess. May it further be stated that this is to include the current agreement between Cushman Wakefield and Building Services. Therefore, this agreement is to be modified immediately or the city and Building Services Department should exercise their rights of termination or cancellation with any uncooperative parties.

EXHIBIT #23

- 9.6 Collect a 0.1% fee of the total amount of all construction contracts, payable by the contractor to the city to offset the costs of contract administration.
- 9.7 Collect a registration fee from all businesses seeking to do business in the city limits.

EXHIBIT #24

- 12.14 Transfer the Neighborhood Protection Division from the Planning & Development Department to the Solid Waste Department.

EXHIBIT #25

- 2.14 The estimate for sales tax revenue is reduced by \$2 to \$5 million to \$329,657,218
- 2.15 The estimate for property tax revenue is reduced by \$2 million to \$662,741,000
- 2.16 The estimate for gas franchise fees is increased by \$1 million to \$17,000,000
- 2.17 The General Government account is reduced by \$3 million, with the understanding that a furlough ordinance will be brought to City Council in July, and, if approved, the \$3 million reduction will be apportioned among the General Fund departments based on final decisions relative to the individuals identified for furlough.

Friendly amendment accepted by Council Member Quan to include language to include voluntary furloughs and include language to include voluntary early retirement