

City Council Chamber, City Hall, Tuesday, June 24, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 24, 2003, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Mark Goldberg, Ada Edwards, Addie Wiseman, Bert Keller 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 Carol M. Galloway out of the city on personal business. Council Member Mark Ellis absent due to being ill.

At 2:07 p.m. Mayor Brown stated that Council would begin their presentations. Council Members Wiseman, Keller, Alvarado and Robinson absent.

Council Member Edwards stated that she was pleased to present awards to two educators who went past the ordinary and helped children develop who they were and invited Ms. Gwyn Muhammad and Ms. Gwen Graham to the podium. Council Member Edwards stated that both were from J. R. Reynold Elementary School and presented them with certificates recognizing them for their dedication, creativity and academic instruction. Ms. Muhammad thanked the Mayor and Council for the recognition of J. R. Reynold Elementary. Council Members Vasquez and Robinson absent.

Council Member Alvarado stated that she was going to commemorate the Bike to Work Day and invited representatives from Hewlett-Packard and the Texas Medical Center to the podium. Council Member Alvarado presented a certificate to the representative of Hewlett-Packard for contributing to the success of the Bike to Work Day corporate challenge and to the representative of the Texas Medical Center for being first place winner in the challenge. The spokesperson for Hewlett-Packard stated that Hewlett Packard promoted cycling, as it was an intricate part of a healthy lifestyle and healthy environment. Council Members Goldberg, Quan, Sekula-Gibbs and Robinson absent.

Council Member Alvarado stated that they would make presentations on behalf of the Mayor's Committee for Employment of People with Disabilities and invited Ms. Lillian Villareal and those with her to the podium. Council Member Alvarado stated that they would be presenting scholarships in the amount of \$1,000.00 to ten disabled high school seniors in the greater Houston area. Ms. Villareal stated that she was chair person of the Houston Mayor's Committee for Employment of People with Disabilities, an all volunteer organization which helped disabled find jobs and now they expanded to the scholarship program helping disabled high school graduates pursue their dreams and introduced the scholarship chairperson, Mr. Bill Miller who called on the students and presented them with their certificates. Council Members Goldberg and Edwards absent.

At 2:30 p.m. Mayor Brown called the meeting to order; and Council Member Vasquez led everyone in prayer and the pledge of allegiance. Council Members Goldberg and Edwards absent.

At 2:31 p.m. the City Secretary called the roll. Council Member Galloway out of the city on personal business. Council Member Ellis absent due to being ill. Council Member Edwards and Robinson absent.

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

Council Member Quan moved that the rules be suspended for the purpose of hearing Mr. Eric Lipper, Mr. Thomas Webb, Ms. Janice Walker, Mr. Sundearasan Balakrishnan, Mr. Leamon Green, Ms. Maria Munoz-Blanco, Mrs. Sally Reynolds and Mr. Richard Ellis Reyes out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway out of the city on personal business. Council Member Ellis absent due to being ill. Council Member Wiseman absent. MOTION 2003-0697 ADOPTED.

Mr. Eric Lipper, 4014 Ella Lee Lane, Houston, Texas 77027 (713-220-9181) appeared and stated that he was present on behalf of Caggin Nettleman Capital Funds Series 33 Limited who owned a shopping center on Beechnut across from Meyerland Plaza; that in 1996 the shopping center allowed a tenant in, a Chinese Restaurant, and Mr. Caggin applied for a wastewater reservation capacity permit from the City of Houston and it was granted by a letter which was dated May 30, 1996, and said the fee must be paid in 60 days and prior to the issuance of a building permit and that failure to pay within 60 days of the date of the letter would result in expiration of the reservation and attached to the letter was a copy of the city's conditional reservation and acknowledgement form which was what the city required to be signed before that capacity could be granted and it was never signed and the owner never got the money from the tenant and the city outside its own restriction and requirement issued a permit to the restaurant and now the city seven years later was still insisting that Mr. Caggin and Caggin Nettleman Capital Fund pay the reservation capacity and it was wrong, wrong by the terms of the letter and wrong by the ordinances passed by Council and he was directing Council to Ordinance No. 47-318 which said time of fee collection was to be collected at the time of the permit fee and it was not and he did not believe the city had any basis to continue to get them to pay for wastewater reservation it did not use and asked them to take it back. Council Members Edwards, Wiseman, Sekula-Gibbs and Robinson absent.

Mayor Brown stated that Mr. Paul Nelson with Public Works was present and he would ask him to meet with him and see what could be done. Council Members Edwards, Wiseman, Sekula-Gibbs and Robinson absent.

Council Member Goldberg stated that he spoke with Mr. Nelson and actually a city employee was negligent in not billing at the proper time and the tenant was long gone; and moved that the rules be suspended for the purpose of hearing Mr. Paul Nelson at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on personal business. Council Member Ellis absent due to being ill. Council Members Wiseman, Sekula-Gibbs and Robinson absent. MOTION 2003-0698 ADOPTED.

Upon questions by Council Member Goldberg, Mr. Nelson stated that he had not had the

opportunity to speak with the attorney or owner in this case, the bottom line was the reservation they issued was to the property owners and letters issued was for a restaurant in addition to other leased spaces and the attorney was correct there was a condition reservation, but the fact was in some manner the restaurant got a permit, built itself and several years later was still there and when the latest application was made they discovered it was there without having paid some \$8,000 in impact fees and they were now asking the owner to pay them retroactively to make the property whole and they pointed out to Mr. Litke that once paid it reserved capacity on the site so if the restaurant went away the capacity belonged to the property owner and it stayed with that land for the rest of the days; that right now he had just learned the facts and was wanting to meet with the owner, Mr. Litke and someone from Legal to go into it further and make the city whole as well as understand his position. Council Member Goldberg stated that the owner had benefit to this without ever having paid anything and upon questions, Mr. Nelson stated that this was not the first time such happened, some were bootlegged, some were there overnight, lots of circumstances led to the same and this case was inadvertent permitting, but the restaurant was there, the benefit was there and he believed the owner knew the benefit was there. Council Members Wiseman, Alvarado, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Quan, Mr. Lipper stated that the restaurant went in and had the benefit of it the owner did not; that the ordinance required the owner to apply for the wastewater reservation capacity which he did and submits the form to the tenant and collects the money, the tenant did not pay and the owner never submitted the letter but then the wastewater reservation capacity went through. Council Members Wiseman, Vasquez, Alvarado, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Quan, Mr. Bibler stated that he did not know of this before they did and it surprised him for someone to come to Council without sitting down to try and work it out, but he did not know all the facts and he did not want to comment on it. Council Members Wiseman, Vasquez, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Quan, Mr. Nelson stated that in a case of this nature he had never seen it addressed by letting it go; that it was done at the time it was permitted and he saw no easy payment plan and nothing was exempt. Council Members Wiseman, Vasquez, Sekula-Gibbs and Robinson absent.

Upon further questions by Council Member Quan, Mr. Lipper stated the tenant was still there, but the issue was the city was refusing to issue permits for new tenants trying to go in the center because of the 1996 issue. Council Member Quan stated the tenant was still there, the tenant had the benefit and should have paid in 1996 and didn't so why should he not pay today; and Mr. Lipper stated that he agreed the tenant should pay but it was not between the owner and the city it was the tenant; that the city was in effect making them the collection agency for the city; that in advance the owner would have collected, but in this context it was gone. Council Member Quan stated that it seemed there was a contractual issue between the owner and the tenant and the benefit was there and should have been paid and he did not see why the city should not receive the impact fee at this point in time from someone, but Mr. Nelson would meet with them. Council Members Wiseman, Vasquez, Sekula-Gibbs and Robinson absent.

Mr. Jerome Walton, 1203 Gregg Street, Houston, Texas 77020 (713-227-0032) had

reserved time to speak but was not present when his name was called. Council Members Wiseman, Vasquez, Sekula-Gibbs and Robinson absent.

Ms. Beneva Nyamu, 3617 Providence, Houston, Texas 77020 (713-225-4501) appeared and stated that she wanted to make sure leaders at the community centers were not dismissed. Council Members Wiseman, Vasquez, Sekula-Gibbs and Robinson absent.

Mr. Thomas Webb, 2608 Southerland, Houston, Texas 77023 (713-928-3738) appeared and stated that he was present representing the American Federation of State, County and Municipal Employees and there were rumors of a second layoff and they did not feel municipal employees were being treated fairly, but instead taking the burden of the budget control; that if layoffs and furloughs must be then everyone should share in it even the Mayor and Council, everyone should take days off and municipal employees should be given a break. Council Members Wiseman, Vasquez, Sekula-Gibbs, Berry and Robinson absent.

Mayor Brown stated that the Administration placed before Council a balanced budget which did call for layoffs and the Police Department took a hit and the Fire Department contributed about \$6,000,000 to balance the budget, but it was the amendments being made to the budget he needed to address. Council Members Wiseman, Vasquez, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that she agreed and of the 184 employees who had been laid off at least 91 were in pay grade 14 and below and she would not vote for a budget where the burden was placed on the employees at the bottom of the pay grade scale and she hoped the Administration would work with her; that she had an amendment to address those issues and she hoped her colleagues would be supportive. Council Members Wiseman, Vasquez, Sekula-Gibbs and Berry absent.

Council Member Parker stated if furloughs were done she did believe it should be shared by all and if it was voted to dock employees pay a day or two her pay would be right there also. Council Members Wiseman, Sekula-Gibbs and Berry absent.

Council Member Edwards stated she concurred with her colleagues, but she was concerned with proposed amendments to privatize parts of the city and cause even more burden on the lower ranked; and asked Mr. Webb to also look at the amendments that would marginalize and place at risk those employees he represented. Council Members Wiseman, Sekula-Gibbs and Berry absent.

Mr. Webb thanked Council Members Alvarado, Parker and Edwards and stated they were very supportive of amendments that supported their people. Mayor Brown stated that amendments did not support his people; that a balanced budget was put together and now they were going through Council's amendments which many of them were to cut from the budget and they would end up with furloughs or layoffs and that was the dilemma they were in now. Council Members Wiseman, Sekula-Gibbs and Berry absent.

Ms. Janice Walker, 6321 Chickering, Houston, Texas 77026 (713-675-5982) appeared and stated that she was present to appeal for Wiley Henry; that the community center needed

him and she was urging Council to keep him in his position. Council Members Wiseman, Sekula-Gibbs and Berry absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared and stated that he was present today regarding Agenda Item 23 concerning community block grant money; that under the appropriations rules of receiving HUD money Section 412 said they could not spend government money, HUD money, if they had knowledge they were not in compliance of federal rules and they should be aware that one or more of the programs spending HUD money was not in compliance, specifically the lead based paint risk assessments; that last week the state fined another company \$2,500 for submitting deficient reports to the administrator of the HUD Program which violated several state and federal rules and no other money should be spent until those matters were corrected. Council Members Wiseman, Sekula-Gibbs and Berry absent.

Council Member Quan stated at their last meeting Mr. Keith Alexander of the Texas Department of Health Environmental Lead Branch was present and he mentioned to Mr. Alexander his concerns and he had no complaint and thought the city was doing a good job on lead based painting; and Mr. Bazan stated the city had very competent people but they were not the ones examining and testing homes in the program, it was an individual private market situation where HUD money went through the city and was administered and paid for the loan guarantees and down payment assistance and one requirement was the dwelling had to meet property requirements such as being lead safe and there was little concern to monitor the bogus lead certifications submitted and accepted. Mayor Brown, Council Members Tatro, Wiseman, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Wilson Windle, 13167 Barryknoll, Houston, Texas 77079 (713-465-7792) appeared and stated that he was present asking that funding be provided for the disabled in the Consolidated Plan, the disabled and mentally retarded was a population overlooked and he was asking and urging that the funding be provided. Mayor Brown, Council Members Tatro, Wiseman, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Terry Crocker, 1106 Flowerwood Court, Houston, Texas 77062 (713-525-8410) appeared and stated that he worked at the center serving people with mental retardation and was present to encourage funding be provided for the disabled and mentally retarded; that it was crucial to them and their families. Mayor Brown, Council Members Tatro, Wiseman, Vasquez, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Crocker stated that the city had supported a full time dentist and chair side assistant from his location which were cut and he believed the governor just signed a bill cutting intermediate care facilities for mental retardation by 3 1/2% plus Medicaid waived a program 2 1/2% and other cuts would probably come to them through Harris County general revenue dollars. Mayor Brown, Council Members Tatro, Wiseman, Vasquez, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Jane Cahill, 2112 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and

stated that she was present representing EEC Zone 1 on the Consolidated Plan's advisory task force and was asking for funding for the development of the disabled which was a neglected population with an estimated 15,000 plus with mental disabilities in Harris County and 6,500 with severe to moderate mental retardation. Mayor Brown, Council Members Wiseman, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Mayor Pro Tem Quan, Ms. Cahill stated that the staff on the task force made the entire prioritization; that the task force was asked to document need in the community. Mayor Brown, Council Members Wiseman, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Parker, Ms. Cahill stated that the advisory task force never met as a group to make recommendation they only had one organizational meeting and the staff divided the task force into committees and she attended two of the three meetings in her group and there were always more staff present than members of the task force; that they were told the difference between high and low priorities were that high priorities were funded, but how they made the decision was not based on need. Mayor Brown, Council Members Wiseman, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Ms. Cahill stated that it was too early to know how much money was lost from state funding but 11% of the general revenue funds previously used on such services were lost and it may be that more funds will be lost through the state and county; that the need in the area was so great that any amount of money placed there would be appreciated but the public services portion of the Consolidated Plan would fund the \$1.6 million needed and since there were public services funds being cut there were other public services portions providing the same types of funding to the elderly and very young; that she was not asking for money for housing services but for services for care during the day. Mayor Brown, Council Members Wiseman, Keller, Vasquez and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Richard Quoyeser, 7814 Redding, Houston, Texas 77036 (713-774-7259) appeared, presented information and stated that he was present asking that funding be placed in the Consolidated Plan for the disabled and mentally retarded; that his son and many others would lose a great deal of independence without it. Mayor Brown, Council Members Wiseman, Keller and Robinson absent. Mayor Pro Tem Quan presiding.

Ms. Chung-Yen Chen, 8919 Haverstock, Houston, Texas 77031 appeared and stated that she was a member of the Mental Retardation Advisory Council and present asking that funding for day services for the mentally disabled be placed in the Consolidated Plan; that once children completed their schooling they needed the opportunity to interact with others and retain their skills; that it also gave their parents time to carry out their other duties and also recharge. Mayor Brown, Council Members Wiseman, Keller and Robinson absent. Mayor Pro Tem Quan presiding.

Upon questions by Mayor Pro Tem Quan, Ms. Yen-Chen stated that day services was where the person went somewhere and they provided six hours of program for the individual;

that at this time she did not believe the city funded this but because of cuts in funding from the state it was so important. Mayor Brown, Council Members Wiseman, Keller and Robinson absent. Mayor Pro Tem Quan presiding.

Mr. Sundearasan Balakrishnan, 16309 Smith, Houston, Texas 77040 (713-896-9753) appeared and stated that many handicapped were treated in prisons instead of upfront and that cost even more; that Harris County was as big as many states and did not get equally funded and it was necessary that they now come to the city and ask for help; that he was urging Council to please help in funding the mentally handicapped. Mayor Brown, Council Members Wiseman, Keller, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Leamon Green, 1319 W. 22nd, Houston, Texas 77008 (713-863-8806) appeared and stated that he was an artist in Houston and professor at Texas Southern and present on behalf of the Civic Art Program; that he had a project funded through that program and had received much recognition and wanted to say he was in support of it. Mayor Brown, Council Members Wiseman, Keller, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Maria Munoz-Blanco, 1339 Allston, Houston, Texas 77008 (713-527-9330) appeared and stated that she was executive director of the Cultural Arts Council and was present to speak on behalf of the Civic Art Program; that for 26 years the Cultural Arts Council partnered with the City of Houston and now they had one of the most flourishing and exciting art communities which made Houston a better place to live. Mayor Brown, Council Members Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker thanked Ms. Munoz-Blanco for all she did in the community to promote the arts; that two of the three Council Members who put in budget amendments to do away with the program were not present and perhaps they did not understand art was included as a part of the built environment, it was not an add on or extra, it was not the icing on the cake but instead a part of the cake and that included the environment for everyone. Mayor Brown, Council Members Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that there was a budget amendment regarding the percentage for civic arts and there was a civic arts component for Aviation which was enterprise fund and C & E which was enterprise fund and the rest general fund and they could not benefit by reducing the Aviation Civic Arts Fund and he would like a breakdown of exactly how much money would be saved with that amendment; and Ms. Munoz-Blanco stated that they would work on that and get the information to him. Mayor Brown, Council Members Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Sally Reynolds, P. O. Box 22146, Houston, Texas 77227 appeared and stated that she was chairman of the Municipal Art Commission and it had come to her attention that some Council Members were concerned about continuing with the civic art ordinance, which Council

passed in 1999; that a percentage of the ordinance addressed restoration and maintenance of the art the city owned and she was urging that they maintain this as it was so important. Mayor Brown, Council Members Edwards, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that in the current budget the funds for the Municipal Art Conservation Office were cut dramatically and this was literally the office that maintained the art work and she would hate to think that the Mayor and Council were willing to allow public art heritage to begin to decay as it was about maintaining an asset of the City of Houston; and Mrs. Reynolds stated that the Municipal Art Conservation Office received the first SOS Award from the Smithsonian Institution and the city's conservation efforts would be highlighted in Historic Preservation next month; that their efforts were recognized by the country and needed to be supported at the very least by the city. Mayor Brown, Council Members Edwards, Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Richard Ellis Reyes, 306 King, Houston, Texas 77022 (713-222-1213) appeared, presented information and stated that he wanted to thank the City of Houston and Houston Parks and Recreation Department for the wonderful support and cooperation shared at Guadalupe Park and today was present with the concern that their park services was to be cut 100% and they were the only park being cut by that much; that their park had no structure for programming or storage and no restrooms or weather safe area and many times patrons moved into their area for safe coverage; that they believed their budget was very small compared to other parks and with so many still drinking in the park, one arrested recently for exposing himself and one stabbed two weeks ago it was not the time to be cutting services. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that TBH was located next to Guadalupe Park and they shared a parking space and the City of Houston had been able to leverage the dollars spent on activities in the park by contracting with his organization instead of having a community center, clubhouse and park personnel on site and it was much more cost effective in just putting up funds for personnel and she would like to visit with the District Council Member for that area and see if there were any opportunities as she did not see what would fill the gap. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that she had supported TBH and she too wanted to echo Council Member Parker's comment; that the city seemed to be happy with his contribution; and upon questions, Mr. Reyes stated that the city had always seemed satisfied with them and it seemed to be a budget concern; that they were to continue until the end of June. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Alvarado, Mayor Pro Tem Quan stated that the Convention and Entertainment Facilities would take over in their place. Upon questions by Mayor Pro Tem Quan, Mr. Reyes stated that they had applied for a grant application through



CDBG and they said they would be eligible in 2005 and could not apply until 2004 and they were asking for a year to regroup. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Alvarado, Mr. Reyes stated that Mr. Fraga had met with Roy Wilson two weeks before and was told that cutting funding was under consideration and if the three year contract could not be implemented they were asking for at least one year to regroup and find the funding. Council Member Alvarado stated that she would ask the Administration to consider that whether it was Parks or C&E or whoever but to give them more time. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they could take it under review and see what they could come up with and Ms. Marene Gustin with Parks was present and could speak with him. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Zandra Harold, 4622 Arlington, Houston, Texas 77022 (713-894-0628) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Ruby Mosley, 862 S. Victory, Houston, Texas 77088 (281-447-6095) appeared and stated that hopefully tomorrow Council would be through with the budget and back to the regular city business and she was asking that they not forget the two directors at the multi service centers and consider Council Member Galloway's amendments and leave those directors and to consider the housing budget. Mayor Brown, Council Members Goldberg, Edwards, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Keller thanked Ms. Mosley for coming and stated that he did intend to vote for Council Member Galloway's amendment. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she just met with Ms. Stiner on the Consolidated Plan; and upon questions, Ms. Mosley stated that they were asking for an increase in the home repairs. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. R. W. Blocker, P. O. Box 91435, Houston, Texas 77291 (281-260-8111) appeared and stated that he was present on behalf of Acres Homes citizens and the Acres Homes Advisory Committee asking that they reconsider the dismissal of their directors of the center and if they

did not see fit to reverse the decision to then send someone to their center to explain why. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Kathryn Dorsey, 7359 Athlong Sr., Houston, Texas 77088 (281-447-0194) appeared and stated that she was chair of the Advisory Committee for the Acres Homes Multi Service Center and was present asking that Council also reconsider the laying off of Ms. Patricia Lindsey who had done a commendable job in running the center and was asking that Council consider Council Member Galloway's amendment. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Michael Berger, 6530 Westview, Houston, Texas 77055 (713-686-7034) appeared and stated that he was asking for the Mayor and Council to support Council Member Keller's amendment to add additional funding to the Planning Department for enforcement of signs and billboards and with the extra funding he would be glad to help with the enforcement. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Gail McGee, 5407 John Dreaper, Houston, Texas 77056 (713-623-6074) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

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

Mr. John St. Louis, 1930 Mosa Creek Ct., Houston, Texas 77017 (713-941-4443) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Twilight Freeman, 3002 Triway Lane, Houston, Texas 77043 (713-939-7534) appeared and stated that she was present just asking for support on the Bike Program which would be coming before Council in a couple of weeks; that it was so important to the community and all would appreciate the project being completed in a timely manner. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan thanked Ms. Freeman for coming and upon questions, Ms. Freeman stated that they had volunteered on the committee and she believed the project was not what everyone envisioned but believed it would be well used. Mayor Pro Tem Quan stated that he hoped the Advisory Committee was getting the message out that this project was not new and had been well thought up and he was supportive of it. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan

presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she had concerns about the Memorial Park bike lane; that this had been going on for 10 years and her concern was that those who designed it were not bicyclist. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address, no phone appeared and stated that he wanted to speak to the City Attorney, as he needed to know how the Greater Houston Partnership received money from the City of Houston, which department it was. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Mr. Williams could file a freedom of information request to get a copy of the contract and it would be provided. Upon questions by Mayor Pro Tem Quan, Mr. Bibler stated that the original of all contracts were kept in the City Controller's Office and he could make a request there in writing. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Sandra Massie Hines, 4421 Alvin, Houston, Texas 77051 (713-731-9806) appeared and stated that she and those present with her were present to express their disgust to Council Members who spoke on behalf of citizens without consulting them and to inform Council they were in full support of Chief Bradford. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she thought Chief Bradford had a broader and bolder purpose to serve and she applauded his stand and did support him. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Skipper Lee Frazier, 4606 Wilmington, Houston, Texas 77051 (713-644-1166) appeared and stated that he was present in support of Chief Bradford and congratulated Council Members for doing a good job. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Robinson thanked everyone for coming and stated that there was no need to step on Chief Bradford to standup for what was right across the community; that the issue was not whether he should be chief but in making sure the criminal justice system was fair and to fix the real issue. Mayor Brown, Council Members Tatro, Goldberg, Wiseman, Keller, Vasquez, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she thought the Chief could take a punch and come

back and she was not going to be sidetracked as his work spoke for itself and if they were going to rally they should rally around him in getting the bigger question opened up and suggested that he speak with the Chief in seeing how that could be done. Mayor Brown, Council Members Goldberg, Wiseman, Keller, Vasquez, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that the important thing was that the Court of Inquiry look not just at the Police Department but also at the Prosecutors Office, to put all the dirty laundry out there and let it be looked at together. Mayor Brown, Council Members Goldberg, Wiseman, Keller, Vasquez, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Olene Kelly, 8827 Westplace, Houston, Texas 77071 (713-995-6501) appeared and stated that the media did not point to a certain Council Member but instead said the Council so they were misled by the media into thinking they wanted the Chief's resignation, but they were afraid this would hurt the Chief later after leaving this position and she felt much needed to be said. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker, and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the media did say the Council and he had never said one way or the other; that the Chief would be present to answer questions tomorrow and he expected him to be forthright and answer them as to what he knew, when he knew it and what action he took once he knew it, but he believed most Council Members were willing to listen to his answers before making a decision. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Alvarado, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that this was not just a Black issue but also a poor people's issue and she was glad they came but wanted to make sure they would also help in making sure the police got a fair hearing and a better system. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Parker, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Margaret Covington, 2001 Ojeman #2510, Houston, Texas 77080 (713-461-1807) appeared and stated that she was present in support of Chief Bradford and if he ran for Mayor she would support him. Mayor Brown, Council Members Goldberg, Wiseman, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Linda Gamble, 1306 Homer, Houston, Texas 77091 (713-817-4977) appeared, presented pictures for Council to view of dead animals and stated that she was asking Council to revisit the ordinance dealing with stables and the Health Department; that her parents lived in Acres Homes and it was not fair for them to be threatened and have people blocking the streets and intimidating the residents; that Ms. Sandra Price was an activist with a group of trail riders and she was alleging that Council Member Berry was funding what she was doing; that she also wanted the animals tested for West Nile and she wanted Council to finally listen to her after two years and do something about the various problems. Mayor Brown, Mayor Pro Tem Quan,

Council Members Tatro, Goldberg, Wiseman, Parker, Sekula-Gibbs, Berry and Robinson absent. Vice Mayor Pro Tem Keller presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she was disturbed her parents were intimidated and would like to speak with her; that they did have similar problems in her district and hopefully she and Council Member Galloway could work on it together and come to a reasonable solution. Mayor Brown, Mayor Pro Tem Quan, Council Members Tatro, Goldberg, Wiseman, Parker, Sekula-Gibbs, Berry and Robinson absent. Vice Mayor Pro Tem Keller presiding. (NO QUORUM PRESENT)

Mr. Murlin Johnson, 6245 Brookhill #5, Houston, Texas 77087 (713-641-0777) had reserved time to speak but was not present when his name was called. Mayor Brown, Mayor Pro Tem Quan, Council Members Tatro, Goldberg, Wiseman, Parker, Sekula-Gibbs, Berry and Robinson absent. Vice Mayor Pro Tem Keller presiding. (NO QUORUM PRESENT)

Ms. Polly Ledvina, 2375 Bolsover, Houston, Texas 77005 (713-524-4578) appeared and stated that she was with the Katy Corridor Coalition and yesterday the Transportation Technology Infrastructure Committee voted to recommend a resolution supporting the Katy Corridor Coalition goals be brought before Council and she brought copies for Council Members; that there were many ways the city could help, but it was the goals they wanted them to endorse; that she understood that resolution approved by Spring Valley was walked to Legal yesterday; that in their plan they were not asking METRO to do anything for that Katy Corridor but since METRO had indicated future rail for them they were asking them to put their money where their mouth was and if it was future rail they would like included in the November referendum money for the necessary studies necessary for that next stage to happen and they were also asking them to aggressively pursue funding so it would not be the year 2025 before they got to that stage but instead 2015. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Vasquez, Parker, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he received information and his understanding was that the Katy Corridor Coalition wanted to depress the freeway; and upon questions, Ms. Ledvina stated that was correct and if there was another way to address concerns they would be open to discuss it, but it was to depress it for noise and aesthetics and because combined with the trees and leveling of the freeways it would mitigate air pollution; that they had the help of transportation professionals and she understood there was a range of what was acceptable and if their concept was accepted they would be willing for their attorney to help move it through the environmental phases. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Robinson stated that procedurally the Legal Department in coordination with the Mayor and Agenda Office would have to make a decision as to whether or not to put the resolution on the Agenda for a vote, but the committee sent the resolution to the appropriate people for the evaluation process and he believed the Coalition would like something that happened along 59 in the Montrose area when they did Spur 527, TXDOT brought in experts who listened to all sides and offered their thoughts on how it could be done. Mayor Brown,

Council Members Tatro, Goldberg, Edwards, Wiseman, Vasquez, Parker and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that some were wanting to get it done fast; and upon questions, Ms. Ledvina stated that it was better to spend time and have the project done correctly and take care of future mobility for a long time. Council Member Sekula-Gibbs stated that she appreciated the work Ms. Ledvina was doing and would encourage her to keep communications open between the County, Toll Road Authority and the Congressman's office; and Ms. Ledvina stated that was just it they were not getting that and perhaps the city could help. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. George Dawson, 8610 Woodland, Houston, Texas 77028 (713-631-5112) appeared and stated that he was still trying to get his property repaired after six years; that he had selected his contractor and Housing and Community Development and the bank approved him. Mayor Pro Tem Quan stated that Mr. Dawson and his wife were present before and in April he and Council Member Galloway met with them and Housing; that they were building 130 units in Northeast Houston for low income affordable housing and Chase Bank was involved in the financing along with Housing; that a good amount of money had already been spent and there were difficulties along the way; that one general contractor defaulted and they were in litigation and he sought a second one and there were questions as to whether he could continue and in their meeting Housing and Community Development and the bank said they had to have a contract agreed on; that the budget was also an issue because there was now a shortage and the city may need to come up with more money because the project had gone on so long there was deterioration of what had gone on; that the bank was now calling in on their loan and the city called the loan in default. Mr. Dawson stated that all conditions were met that were presented and they had the records to prove it; that he and his wife bought the property with no assistance and they came to the city looking for fairness and justice and they still had not gotten it so he came today to get a fair hearing. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Mr. Dawson stated that he and his wife had personally invested over \$250,000; that they were given 30 days to meet the conditions of a contractor, which they did, and they approved the contractor; that Chase wanted the money in 60 days from June 18th if the city did not reinstate the grant. Council Member Sekula-Gibbs stated that she knew Mayor Pro Tem Quan wanted to do the right thing and they would do what they could. Mayor Pro Tem Quan stated after the budget was behind them tomorrow he would see what could be done, Thursday or Friday. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Mary Willet, 7215 Orlando, Houston, Texas 77016 (713-633-7338) appeared and stated that the East Houston Estate Apartments had been vacant a longtime and many needed housing; that Mr. Dawson submitted everything asked for and she urged that Council Members provide assistance and get them revitalized. Mayor Brown, Council Members Tatro, Goldberg,

Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that if they did not believe in the project they would not have kept it around since 1998, they knew the need and had been working with Mr. Dawson quite awhile. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Johnny Ullrich, 7844 Belroit, Houston, Texas 77028 (713-633-6148) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. James Dunn, 11246 S. Post Oak #113, Houston, Texas 77035 (713-721-7276) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Cheryl Dawson, 8610 Woodlyn, Houston, Texas 77028 (713-633-5255) appeared and stated that she was present regarding the East Houston Estate Apartments and she and her husband had submitted all the necessary documents and were wanting a meeting; that Mayor Pro Tem Quan had already said he would meet with them to get this off the ground and moving once again and she appreciated all his efforts. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Selena Tipston, 6509 Letcher, Houston, Texas 77028 (713-635-3452) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Joe Rodriguez, 250 Uvalde #56, Houston, Texas 77015 (713-451-5634) appeared and stated that he had a big opportunity to reach out to the youth, he was told he would be given a rent free apartment and while doing negotiations they came up with they needed three months rent before they could give it to him rent free; that he was working with the Christian Tabernacle Church and the Constables Office and he was already working and committed and since he lived one block outside the city limits he was told he could get guidance as how to get what he needed. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that it sounded like he was talking of Housing and Community Development funds and the city did not fund anything outside the City of Houston, but the county did have a program; and upon questions, Mr. Rodriguez stated that he was to reach out to the children as a minister. Mayor Pro Tem Quan stated that he believed he needed to go to the Commissioner Garcia and the Commissioners Court since he was not in the City of

Houston; that he believed they did have discretionary funds to work in that area. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Harold R. Edwards, 5923 Willow Glen Dr., Houston, Texas 77053 (713-734-8118) appeared and stated that he was present over an incident with him and police officers, particularly one officer, June 18th at 2:00 a.m.; that he was returning home and noticed an officer following him but never put his lights on; that when he started to get out the officer put the lights on him and told him to stay in the car and then several other officers arrived on the scene; that he then told him to get out and put his hands on his head and he did and asked if there was a problem and then the officer said get on the ground face down with hands behind his back and he did and was tightly cuffed; that after the officer ran his ID he took the cuffs off... Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that if Mr. Edwards was making a complaint against a specific officer he should be sworn in; and the City Secretary swore him in. Upon questions by Mayor Pro Tem Quan, Mr. Edwards stated that he did have the officer's name and badge number. Mayor Pro Tem Quan stated that would get it from him later and allowed Mr. Edwards to continue. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Edwards stated that he took the patrol car numbers off the other cars that showed and he was offered a couple of ridiculous reasons as to why he was stopped with the first being he was driving a suspicious car; that when the plate was run it came back with a different model car and the next excuse was the officer must have typed in a wrong character when putting in the plate number. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Council was very concerned when people were mistaken by police to be other people and present was Executive Assistant Chief Oettmeier who could meet with him; that he had been in charge of investigating those episodes and would take the information. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Gerardo Peter, 12311 White River Dr., Tomball, Texas 77375 (281-356-3030) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Andrea Delgado, 1300 Chimney Rock #49, Houston, Texas 77035 (713-298-2559) appeared and stated that she was a victim of crime at her house; that she called police and was given a case number of 0731319003; that the person stole more than \$5,000 in jewelry and she



had a witness and the parents address; that the girl was on probation and the probation number was 0304231322; that she was afraid to continue living in the same place and now she felt she was victimized two times because the apartments made her pay \$500.00 to move out. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Executive Assistant Chief Oettmeier was present and could meet with her. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Jacqueline Bostic, 4410 Roseneath Dr., Houston, Texas 77021 (713-747-1969) appeared and stated that if you hear something often enough you would believe it even if it were not true and what the Council Members said and did spoke volumes about what this great city was all about; that some were concerned about what they were hearing through the media about the city representatives making character assassinations and it belittled the whole city; that she came in support of the Police Chief and she was asking Council to be the people of wisdom and vision they were elected to be. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Johnnie McFarland, 1900 North Loop West #540, Houston, Texas 77018 (713-864-2925) appeared and stated that he was present to express gratitude to all Council Members who were instrumental in allowing the telecommunicators who were to be laid off to continue their service to the public; that he wanted to discuss today the mismanagement and poor working conditions at the Houston Emergency Center; that they had tried to resolve operational and personnel issues for over 1 1/2 years and they wanted Council to know the deputy director at the Houston Emergency Center had not worked to guarantee the citizens and officers had the best emergency telecommunication money had already bought and they were asking for the immediate removal of Ms. Barbara Evans from her position in the interest of the public and officers safety. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he would like Mr. McFarland to put his statement in writing; that it was the first he heard of this problem and he knew they had gone to a great expense to make sure they had the best equipment available in a state of the art center and he would follow-up. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Jerline Mason, 2526 Copper Valley Court, Houston, Texas 77067 (832-372-7604) appeared and stated that Council Members Edwards and Parker initiated a meeting regarding consolidation of 911 and Fire and they began having meetings with Mr. Vara and she felt he showed a true desire to help; that the meetings ended soon after Assistant Chief Defoor was placed in charge and a lot of employees felt abandoned; that she transferred to 911 for the

money and shifts offered but not long after they were changed and apparently they knew it before she went but they had neglected to say anything; that Ms. Evans had said they would be offered five shifts but then it was three shifts and employees floated from shift to shift and were very fatigued. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Mason stated that they had constructive meetings before and she also felt some federal guidelines regarding the medical leave act may be being violated. Mayor Pro Tem Quan stated that if she would place her statement in writing also they would follow-up. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Don Seributra, 7023 Dickson Way, Missouri City, Texas 77489 (281-437-4931) appeared and stated that he was present regarding the Westheimer Festival back on Westheimer; that Mr. Flores was holding the festival on private property and his fear was whether or not it would be like the K-Mart raid; that he was also running for City Council At-Large Position I and would be using the festival as his kickoff for City Council. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. John Thompson, 201 FM 2917, Alvin, Texas 77511 (832-473-5463) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-408-8181) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

President Joseph Charles, 8034 Antoine, Texas 77086 (713-203-7736) appeared and stated that he was the official U. S. President and continued expressing his personal opinions until his time expired. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and expressed his personal opinions until his time expired. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 5:47 p.m. City Council recessed until 9:00 a.m., Wednesday, June 25, 2003. Council Member Galloway out of the city on personal business. Council Member Ellis absent due to being ill. Mayor Brown, Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

(NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 25, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, June 25, 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 and stated that he would use his Mayor's Report time to hear from Police Chief C. O. Bradford and Mr. David Epstein, National Forensic Science Technology Center, Inc. regarding the crime lab. Council Members Goldberg, Wiseman and Quan absent.

**MAYOR'S REPORT** - Briefing on proposed contract with National Forensic Science Technology Center, Inc. for Comprehensive Management, Quality Assurance and Employee Competency Testing Services relating to the Houston Police Department Crime Laboratory

Mayor Brown stated that he had been monitoring all that had been going on with their lab and it was now clear that there were no other labs in the Houston area that could handle the volume of forensic evidence to be analyzed in criminal cases, that the Houston Police Department needed to continue providing forensic science services to the citizens of their City so they were addressing an agenda item that he would hoped the City Council would pass because if they did not proceed they would have a backup in the court system, they were relying on evidence, so they had to move ahead and get the evidence analyzed so they could proceed with the entire process, that on May 14, 2003 they had representatives from National Forensic Science Technology Center who presented a preliminary summary to Council regarding the HPD Crime Lab and it was reported at that time that the crime lab was indeed salvageable, that the proposal before Council today would allow them to effectively manage and supervise the processing of incoming evidence while preparing the lab to pursue accreditation, that his objective was to make sure they had an accredited lab that provides the services necessary for their City and the area, that also the experts would provide input into the future of DNA testing in Houston and whether or not that testing should occur in a new accredited HPD DNA Laboratory or an outside private facility, that he wanted to stress that the question on DNA was still an open issue as to whether they would do it in house or contract it out to a private facility, that to help them facilitate the discussion they had Mr. David Epstein of the National Forensic Science Technology Center and he would turn the discussion over to Chief Bradford and Mr. Epstein and wanted to suggest to Council that after they made their presentation on the agenda item if there were other questions they had, particularly of the Chief, he would be present to answer any of their questions on the issues that were of concern, that he also wanted to remind them

also that they had a rather large agenda and if they could limit the discussion to no more than an hour, that they wanted to not overlook the fact that they had a large agenda. Council Members Goldberg, Ellis, Keller and Robinson absent.

Chief Bradford stated that regarding Item No. 24 on the Agenda, an interim proposal regarding HPD's Crime Lab, he wanted to take a little bit of time to talk about why the interim proposal was necessary and let Mr. Epstein explain in detail what the interim proposal, Item No. 24 on Agenda, would do for the Houston Police Department Crime Lab, that the annual workload was as follows, based on 2002 data, the toxicology section of the crime lab received 223 cases with over 400 items being analyzed regarding those 223 cases, that there were 974 fire debris cases received with over 1,300 items analyzed in the crime lab, that there were 26 cases of trace cases received and 26 analyzes conducted, that the firearms and tool mark section received over 1,000 cases last year with over 10,000 items being analyzed, that the control substance section received over 15,000 cases last year with 52,000 items being analyzed, that biology screening area received 742 cases last year with over 10,000 items being analyzed last year, that the DNA section, where there were no suspects for comparison, it was primarily the backlog of sexual assault cases, that they put in place a contract with an outside vendor recently and an analyzes of those cases was under way, it was a million dollar contract via grant funds, that the DNA cases where suspects were available for comparison they received 175 of those last year and 175 cases were analyzed last year, that the workload of the Houston Police Department Crime Lab was horrendous, last year there were 22,944 cases received by the Houston Police Department Crime Laboratory, there were 76,855 analyses completed within the Houston Police Department Crime Lab last year, that no other area crime lab currently possessed the operational capacity to assume the total work being performed by the Houston Police Department Crime Lab, no other laboratory in the area, it included the DPS Houston Lab, the Medical Examiner's Office lab and private labs, that in a typical case evidence is collected, examined by an employee in the appropriate laboratory section, a report is rendered and the respective analyst prepares to offer testimony in court if needed, that in some cases the District Attorney's Office, the presiding judge or other entities, may make requests for additional work, that the Texas State Legislature passed a law that was in affect and State law required, effective September 1, 2005, that all laboratories presenting evidence in court must be accredited, however effective September 1, 2003 any evidence being presented in a criminal case in court must preserve a residual amount of evidence for secondary testing if need be, and what could be done to continue the process of moving evidence through the criminal justice in Harris County was a two part component and the Houston Police Department's overall laboratory and the DNA section of the Houston Police Department Laboratory, that Item No. 24 was an interim proposal that he thought would allow them to move toward accreditation while not backlogging the criminal justice process in Houston, Harris County, Texas and giving them an opportunity to decide what they were going to do regarding the DNA section of the lab.

Mr. Epstein stated that he wanted to thank the Mayor for inviting him to the Council Meeting to answer questions and brief the Council, that as they remembered he was present on May 14, 2003 to give preliminary findings of their needs assessment about the Houston Police Department Crime Laboratory, that in that verbal report and the written document they handed out they noted some very important gaps in the laboratory, specifically in the area of leadership and management, that following up on that presentation and following on some very good questions by the Council, the Houston Police Department contacted them and asked if the

NFSTC could provide a written proposal to quickly fill some of the gaps in management of the laboratory, that they did provide that document on May 28, 2003 to the Houston Police Department, that in that proposal they listed six specific tasks that the NFSTC could perform for the Houston Police Department, that the number one proposal, and the one that was pointed out at the Council meeting on May 14, 2003, was the lack of experienced leadership to operate the laboratory, so they proposed crime laboratory management services and listed 14 different duties or tasks that would be performed under the contract, but number one was to perform the normal duties of the crime lab manager on a day to day basis, that the other 13 were involved with planning and developing systems, including quality assurance systems that could allow the laboratory to provide timely fault free services to the citizens of the City, that the individual who had stepped forward to take on the role of Acting Laboratory Manager was Mr. Frank Fitzpatrick, that Frank was the current Laboratory Director for Orange County, California, Sheriff's Department Crime Laboratory, that laboratory filled four floors of an office building much like Houston's Police Department building and had approximately 150 scientists working in all areas of forensic science covered by Houston's lab and then some, that Frank had been in the field going on 30 years and had been the Laboratory Manager in Orange County through at least two accreditation cycles, that he was also a past president of the American Society of Crime Laboratory Directors and was the current Chairman of the Board of Directors of the ASCLAD Lab Program, which was the accreditation board that accredited more crime labs in the County than any other accreditation program, that Frank was highly qualified and if he had to pick somebody to lead his crime lab, Frank would be one of just a handful of people, that he had stepped forward and said that he could start as of next Monday, if the Council so chooses, that the next area that they proposed was in the area of Biology Technical Management Services, that whether they performed DNA testing in the future or not they still had hundreds of items, maybe thousands according to the Chief, that came into the laboratory and had to be handled to determine were there biological stains present on those items of evidence, what was it and what would they do with it, before they could even outsource it, so if they were going to do that part of the job properly they were going to need an experienced Biological Technical Manager and they had at least two different people that they could choose from who could provide that service for Houston as well, that should they choose to move forward with DNA the proposal had a separate section for DNA Technical Management Services to work with the staff to develop the protocols, procedures, training programs, validation exercises and experiments that must be run to demonstrate that they were getting the right answer, that a fourth point was a provision of leaders to oversee the trained staff members through the first internal audit of their laboratory to get an accurate gauge of where they stood versus the accreditation program, that the last two items were provision of materials and written tests to establish the level of competency of the current staff, it would be an objective measure of both hands on materials and written exams so that they would know what the level of competency was of their staff, and that was the jest of his report.

Mayor Brown asked Chief Bradford if he had anything to add or did he want to open it up for questions, and Chief Bradford stated that he just wanted to reiterate that the interim proposal before Council allowed for moving to accreditation with the overall crime lab and not backlogging the criminal court process while still allowing for an opportunity for a decision to be made concerning the DNA section and how they were going to analyze or handle DNA evidence in the Houston Police Department's crime lab, that DNA was but one section within the crime lab and the National Forensic Science Technology Center group was prepared in a matter of a

few weeks to give them a final report, that an initial summary was provided on May 14, 2003 and in about three weeks or so they would have a final report concerning the assessment and at that point and time they could make a decision concerning the specifics of the DNA section.

Chief Bradford and Mr. Epstein were questioned at length by Members of Council, and Council Member Vasquez requested to see some type of road map, either from the Chief or F&A, of how they envisioned the long term for the overall crime lab and the DNA, and Council Member Edwards stated that she would really like to see some information on timelines and work plans, what were the specs what were they looking for. An audio tape is available in the City Secretary's Office for review.

Council Member Quan moved to suspend the rules to consider Item No. 24 at this time, seconded by Council Member Edwards. Council Members Ellis, Vasquez and Parker absent. All voting aye. Nays none. MOTION 2003-0699 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 - **(This was Item 24 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS, TATRO, VASQUEZ, KELLER, SEKULA-GIBBS, PARKER ALVARADO and GOLDBERG)** – was presented.

Council Member Berry moved to postpone Item No. 24 for one week, seconded by Council Member Tatro.

Council Member Quan asked Council Member Berry if there was a specific question he had, that they had Mr. Epstein present, and Council Member Berry stated that he understood that but they had just heard the report a few minutes ago and he would like a little time to digest it, that it was a major move for the City, that he would like to have at least one week to consider it.

Council Member Vasquez stated that if the motion passed he would ask that they take the one week's time and get some clarity on what the policy direction was and what the policy roadmap was overall for the DNA crime lab.

A roll call vote was called on Council Member Berry's motion to postpone Item No. 24 for one week.

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 aye
Council Member Goldberg voting 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	MOTION 2003-0700 ADOPTED.

Council Member Keller moved to suspend the rules to consider Item No. 33 out of order, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0701 ADOPTED.

33. 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 – **(This was Item 39 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, QUAN and TATRO)** – was presented.

Council Member Sekula-Gibbs moved to postpone Item No. 33 for one week, seconded by

Council Member Ellis. Council Member Sekula-Gibbs stated that there had been some issues and she passed out a handout for the Council Members and stated that she had a long term concern about adding operational duties to the City's bond debt and if they looked at the Separation of Responsibilities and referred to the backup there were several items that brought up the issue of what were they really doing, putting employee salaries into long term debt.

Mayor Brown stated that the only consequence of delaying was that they would also delay some of their CIP projects.

After further discussion by Council Members a roll call vote was called on Council Member Sekula-Gibbs's motion to postpone Item No. 33 for one week.

**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 aye
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0702 FAILED

A vote was called on Item No. 33. All voting aye. Nays none. ORDINANCE 2003-0603 ADOPTED.

**CONSENT AGENDA NUMBERS 1 through 19**

**PURCHASING AND TABULATION OF BIDS** – NUMBER 5

5. **INDUSTRIAL ELECTRICAL SERVICES, INC** for One Emergency Generator Set for Solid Waste Management Department - \$84,400.00 and contingencies for a total amount not to exceed \$88,620.00 - Solid Waste Consolidated Construction Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2003-0703 ADOPTED.

**ORDINANCES** - NUMBERS 7 through 19

7. ORDINANCE appropriating \$1,583,000.00 out of Airport System 2000B NON-AMT Construction Bond Fund and approving the purchase of approximately 43.73 acres of land and an avigation easement on 8 acres of land, each out of the Oskar Meyer Survey, Abstract 1542, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024-101) and approving Purchase and Sale Agreement with **F.A.S.H. FAMILY PARTNERSHIP 1992** to acquire the land for a purchase price, including closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2003-0604 ADOPTED.
13. ORDINANCE appropriating \$2,232,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **JALCO, INC** for Gulf Freeway No. 2



Lift Station and Force Main Improvements, GFS R-2011-33-3 (WW4841-01); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2003-0605 ADOPTED.

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

**MISCELLANEOUS**

1. **AMEND MOTION #2003-49, 1/22/03**, to amend schedule for presentation of Monthly Financial and Operations Report for May 2003 – was presented, moved by Council Member Quan, seconded by Council Member Robinson.

Council Member Tatro stated that it was his understanding that the way the item read the monthly report would not be presented for May at Council and if that was the case he would like to amend it, that if they did not want to bring it in front of Fiscal Affairs that was fine to make that delay, but he would like to amend it to have it simply brought back to Council on July 16, 2003, and Council Member Parker stated that she was fine with that, that there was Council break week that fell on the sort of statutory scheduling date, that she really did not want to have a meeting just for it.

Council Member Tatro moved to substitute that the Monthly Financial and Operations Report for May 2003 be brought back to Council on July 16, 2003, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0704 ADOPTED.

2. ORDINANCE appropriating \$218,748.10 out of Storm Sewer Consolidated Construction Fund and approving and authorizing amendment to construction contract with **TEXAS STERLING CONSTRUCTION, LP** for Construction of Knollwood Village Drainage Improvements, (passed by Ordinance No. 2002-0588), CIP M-0252-01-3 (SM5016) - **DISTRICT C – GOLDBERG** – was presented, and tagged by Council Member Galloway. Council Member Berry absent.
- 2a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$238,955.32 on contract with **TEXAS STERLING CONSTRUCTION, LP** for Construction of Knollwood Village Drainage Improvements, CIP M-0252-01-3 (SM5016) - **DISTRICT C - GOLDBERG** – was presented, and tagged by Council Member Galloway. Council Member Berry absent.

**PROPERTY**

3. RECOMMENDATION from Director Department of Public Works & Engineering to Rescind Motion #2000-656, 5/24/00, which authorized purchase of Parcel A97-327, located at 7410 Ley Road, owned by Associates Financial Services Company, Inc., c/o City Financial Mortgage, Regina Lancaster McKinney, Vice President, for the **LEY ROAD PAVING PROJECT**, CIP N-0587A-00-1; **TO AUTHORIZE** condemnation of said parcel - **DISTRICT**

**B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0705 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS**

4. **JERSEY EQUIPMENT CO. OF HOUSTON, INC** for Pump Repair Service at Acres Home Water Plant for Department of Public Works & Engineering - \$41,365.00 and contingencies for a total amount not to exceed \$43,433.25 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0706 ADOPTED.
6. ORDINANCE appropriating \$36,750.00 out of Parks Consolidated Construction Fund to Furnish and Install a HVAC System and Intruder Alarm System at Edgewood Park Community Center for the Building Services Department, CIP F-0504-D - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0606 ADOPTED.
- 6a. **PARALLAX SERVICES, INC** for Edgewood Park Community Center HVAC and Intruder Alarm System for Building Services Department - \$35,000.00 and contingencies for a total amount not to exceed \$36,750.00 – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0707 ADOPTED.

#### **ORDINANCES**

8. ORDINANCE approving and authorizing professional services contract between the City of Houston and **SOUTH TEXAS ARCHAEOLOGICAL RESEARCH SERVICES, LLC** for Archaeological Investigation for portions of Blocks 119 and 120, SSBB - \$98,850.00 - Enterprise Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0607 ADOPTED.
9. ORDINANCE appropriating \$1,352,617.48 out of Street & Bridge Consolidated Construction Fund, and \$586,542.52 from Water & Sewer System Consolidated Construction Fund, and \$800,000.00 from C & E Construction Fund, awarding contract to **CONRAD CONSTRUCTION COMPANY, INC** for Avenida de las Americas, GFS N-0691-01-3 (SB9111); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund, and the Water & Sewer System Consolidated Construction Fund and the C & E Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0608 ADOPTED.
10. ORDINANCE appropriating \$2,000,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Installation and Maintenance of Permanent Flow Meters and Rain Gauges under contract with **ADS ENVIRONMENTAL SERVICES** (approved by Ordinance No. 99-0313), CIP R-0019-29-4 - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0609

ADOPTED.

11. ORDINANCE appropriating \$3,033,718.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-S9-3 (WW4257-41); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0610 ADOPTED.
12. ORDINANCE appropriating \$693,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **JIMERSON UNDERGROUND, INC** for Water Lines and Sanitary Sewers in Vernon Place, GFS R-2011-32-3 (WW4809-02); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0611 ADOPTED.
14. ORDINANCE approving and authorizing amendments to professional engineering services and construction management services contracts between the City of Houston and **PATE ENGINEERS, INC** (approved by Ordinance Nos. 00-0006, 00-1099 and 02-0503), GFS S-0600-05-2, S-0600-25-2 and S-1002-00-3 - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - ELLIS; G - KELLER and H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0612 ADOPTED.
15. ORDINANCE appropriating \$215,646.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to professional engineering services contract between the City and **CARTER & BURGESS, INC** for Design of Water Lines and Street Reconstruction in the Freedmen's Town Area, CIP S-0455-01-2 and N-1315-01-2 (10378); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0613 ADOPTED.
16. ORDINANCE appropriating \$1,842,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROJAN INDUSTRIAL COATINGS, INC** for Rehabilitation of Three Elevated Storage Tanks, GFS S-0600-30-3 (WA10596-30); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - TATRO and B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0614 ADOPTED.
17. ORDINANCE appropriating \$2,582,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION, L.L.P.** for Rehabilitation to Large Diameter Water Lines Package 2, GFS S-0900-88-3 (WA10700-2);

providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0615 ADOPTED.

18. ORDINANCE appropriating \$1,090,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** for Architectural Renovations to Ground Water Pumping Stations, GFS S-1000-FS-3 (WA10619); providing funding for Civic Art Program, engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0616 ADOPTED.
19. ORDINANCE appropriating \$3,446,500.00 out of Water & Sewer Consolidated Construction Fund, (\$2,064,000.00, Number R-0019-RE-1 and \$1,382,500.00, Number S-0019-RE-1); approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees for and in connection with and finding a public necessity for the Wastewater and Water Capital Improvement Projects identified in the body of this ordinance - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0617 ADOPTED.

**MATTERS HELD** - NUMBERS 20 through 38

20. RECEIVE nominations for Position 6 of the **SMALL BUSINESS DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, terms for three years from date of appointment – (**This was Item 70 on Agenda of June 11, 2003, POSTPONED BY MOTION #2003-615**) – was presented.

Council Member Vasquez named Ms. Norma Velasquez Harris for Position 6 of the Small Business Development Corporation Board of Directors. Council Member Vasquez had circulated to Council Members Ms. Harris's resume. Council Member Berry absent.

Council Member Vasquez moved to close nominations for Position 6 of the Small Business Development Corporation Board of Directors, seconded by Council Member Keller. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0708 ADOPTED.

21. 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 – **(This was Item 18 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS ELLIS, KELLER, ROBINSON and WISEMAN)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0618 ADOPTED.

22. 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 - **(This was Item 20 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS ELLIS, WISEMAN and KELLER)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0619 ADOPTED.
23. 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 - **(This was Item 21 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS QUAN, SEKULA-GIBBS and ALVARADO)** – was presented.

Council Member Parker stated that there was a lot of discussion yesterday about the fact that the City did not fund any services for the developmentally disabled and after discussion with the director and because they were nearing the end of their extension for submitting it she did not want to delay the item, but would request that they prioritize those services if there was any reprogramming money available, and Mayor Brown stated that he would agree with her. Council Member Berry absent.

Council Member Sekula-Gibbs stated that she dittoed Council Member Parker's request that the Department Director Ms. Stiner look very closely at the public services area for the consolidated plan and do her very best to find some funding for housing for those with developmental disabilities as well as mental health problems. Council Member Berry absent.

Council Member Quan stated that he would also like to express his concerns for those persons with mental disabilities and the day services, that he wished they could provide those services and was willing to work with that group to see what they could do in the future, that unfortunately they were at a point and time where their consolidated plan needed to be submitted, that he had talked with other community leaders and they were will to see what they could do jointly to work on it. Council Member Berry absent.

Council Member Edwards stated that in theory she agreed but what she did not know were any numbers regarding what it meant number wise, that the issue of humanity was a very interesting one on the Council, but she would like to see some numbers to see what kind of monies were they talking about, and Mayor Brown stated that the amount of money available they did not know it. Council Member Berry absent.

A vote was called on Item No. 23. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0620 ADOPTED.

25. 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 - **(This was Item 26 on Agenda of June 26, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0621 ADOPTED.
26. 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 - **(This was Item 30 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0622 ADOPTED.
27. 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** - **(This was Item 31 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS and ELLIS)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0623 ADOPTED.
28. 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** - **(This was Item 32 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0624 ADOPTED.
29. 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 - **(This was Item 33 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS ELLIS and EDWARDS)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCD 2003-0625 ADOPTED.

30. 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 – (This was Item 34 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCD 2003-0626 ADOPTED.
31. 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 – (This was Item 35 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS ELLIS, WISEMAN, SEKULA-GIBBS, ALVARADO, QUAN and ROBINSON)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCD 2003-0627 ADOPTED.
32. 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 – (This was Item 36 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. Council Member Berry absent.

Council Member Ellis moved to postpone Item No. 32 for one week, seconded by Council Member Vasquez, that he would hope that the CDC would address the issues of the taxes they owed, whether they believed they owed them or not they needed some type of response from them. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0709 ADOPTED.

Council Member Galloway stated that she wanted to record her no vote on the delay and wanted to know about the delinquent taxes and would like for her colleague to share the information with her, and Mayor Brown stated that with the consensus from the entire Council they would record her vote as no. Council Member Berry absent.

34. 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 – **(This was Item 40 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBERS VASQUEZ, QUAN, ELLIS, GOLDBERG and KELLER)** – was presented. Council Member Berry absent.

Council Member Ellis moved to refer Item No. 34 back to the administration, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0710 ADOPTED.

35. 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** – **(This was Item 55 on Agenda of June 18, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Berry absent.

Council Member Wiseman moved to postpone Item No. 35 for one week, seconded by Council Member Tatro. Council Member Galloway voting no, balance voting aye. Council Member Berry absent. MOTION 2003-0711 ADOPTED.

36. 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 75 on Agenda of June 18, 2003, POSTPONED BY MOTION #2003-651) – was presented.

Council Member Ellis moved to postpone Item No. 36 for one week, seconded by Council Member Tatro. Council Member Galloway voting no, balance voting aye. Council Member Berry absent. MOTION 2003-0712 ADOPTED.

37. 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 N-0663-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 76 on Agenda of June 18, 2003, POSTPONED BY MOTION #2003-652)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2003-0628 ADOPTED.



38. 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 Item 80 on Agenda of June 18, 2003, POSTPONED BY MOTION #2003-655)** – was presented.

Council Member Ellis moved to refer Item No. 36 back to the administration, seconded by Council Member Wiseman. Council Member Galloway voting no, balance voting aye. Council Member Berry absent. MOTION 2003-0713 ADOPTED.

### **FISCAL YEAR 2004 BUDGET MATTERS HELD**

39. Consideration of amendments to Agenda Item 39D 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 39C)
- 39a. Consideration of proposed amendments to Agenda Item 39D 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 39C)
- 39b. Consideration of proposed amendments to Agenda Item 39D below, that were submitted on June 18, 2003 by Council Members Wiseman, Galloway, Ellis, Keller, Edwards, Vasquez and Quan as set forth in the attached Exhibits 19 through 25. (Council will consider amendments according to a matrix prepared by the Finance & Administration Department and listed as Item 39C)
- 39c. Budget Amendment Matrix referred to in Items 39, 39A and 39B: (Following 1-19 pages [click here](#))

Council Member Keller moved to suspend the rules to consider Matrix No. 230, Agenda Exhibit No. 11.3 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0714 ADOPTED.

Council Member Galloway moved to suspend the rules to consider Matrix No. 240, Agenda Exhibit No. 7.6 out of order, seconded by Council Member Keller. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0715 ADOPTED.

Matrix No. 230 – Agenda Exhibit No. 11.3 – 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 Revenues	Will consist of water, sewer and other fees approved by City Council	Current ordinances provides for water and sewer fees.
Debt Service Reserve Fund	Set at 50% of MADS	Reduced from 100% MADS
Renewal And Replacement Fund	Eliminated	Not necessary; City has immediate access to capital via commercial paper
Rate Stabilization Account	New Account	Provides a cushion for interest rate fluctuations and unexpected expenditures
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 an 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	Removed	Currently restricted to 20% of total debt
Variable Rate Debt (Interest Calculation for Add Bonds Test)	Interest rates to be certified by financial advisor	Same as current ordinance
Commercial Paper Rates (For Coverage Requirements)	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.

Mayor Brown requested Mr. Haines to address the item and Mr. Haines stated that the item was dealing with the restructuring of the Water and Sewer Enterprise Fund, particularly and especially to consider a redefining of that system to incorporate a drainage utility element as part of the Water and Waste Water System to consider a restructure of the City's water and waste water debt of approximately \$3.6 million and to also through that refunding to create capacity for a capital program for drainage, that they should have in front them a memorandum that was a summary of a presentation that they submitted to the Fiscal Affairs on Tuesday regarding their response to the amendment, basically understanding that also would be a minimal fee established for storm water maintenance, NPDES mandates and a reimbursement to the General Fund for the storm water assets that they would concur subject to conditions that they had outlined in the last paragraph of the memorandum.

Council Member Ellis stated that the amendment was in no way adopting a drainage fee, that was something that would be a second vote that the administration would be bringing forward, it was separate from the amendment, and Mr. Haines stated that was correct, but the assumption was, that it was coming forward, and Council Member Ellis asked if that would be something that the administration would bring forth.

Council Member Ellis moved to adopt Matrix No. 230 – Agenda Exhibit No. 11.3, seconded by Council Member Keller.

After discussion by Council Members, Council Member Alvarado moved to call the question, seconded by Council Member Vasquez. Council Member Tatro voting no, balance voting aye. Nays none. Council Member Robinson absent. MOTION 2003-0716 ADOPTED.

A vote was called on the motion to adopt Matrix No. 230 – Exhibit No. 11.3. Council Members Tatro and Berry voting no, balance voting aye. Council Member Robinson absent. MOTION 2003-0717 ADOPTED.

Council Member Alvarado moved to recess for lunch after consideration of Matrix No. 240 and reconvene at 1:00 p.m. to continue the meeting, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2003-0718 ADOPTED.

Matrix No. 240 – Agenda Exhibit No. 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 – was presented.

Council Member Galloway moved to adopt Matrix No. 240 – Agenda Exhibit No. 7.6, seconded by Council Member Quan.

Council Member Tatro stated that he planned to wholeheartedly support the amendment

but was just curious with Legal about the wording of it to specifically identify personnel as opposed to fund two positions, did it make a difference adding the personnel names or would it make a difference removing them and just funding two positions, obviously having that known.

Ms. Taylor stated that for purposes of the budget, the fiscal impact, what Council would actually be doing was adding the funding back for those two positions, that as she understood that Council Member's request though was that there be some reference to the fact that it was these two specific individuals that she was wishing to have removed from the layoff list and added back, and so she thought that would be appropriate to include that in the motion, that it just would be reflected more in the motion as read as opposed to the budget itself.

Council Member Galloway moved to call the question, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0719 ADOPTED.

A vote was called on the motion to adopt Matrix No. 240 – Agenda Exhibit No. 7.6. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0720 ADOPTED.

At 11:55 a.m. upon motion by Council Member Vasquez, seconded by Council Member Tatro, the City Council recessed for lunch. All voting aye. Nays none. Council Members Goldberg, Wiseman, Alvarado and Berry absent. MOTION ADOPTED.

At 1:13 Mayor Brown reconvened the meeting of the City Council. Council Member Goldberg absent.

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.

Mayor Brown requested Mr. Haines to give a response to the item, and Mr. Haines stated that again as they had in presentations in the past for several months identified the reality of a very tight budget, a shift in the magnitude of about \$15 million would mean a real reduction in revenue to the General Fund, they would have to reduce operating budgets by another \$15 million and he would remind Council that they were already at a structural imbalance based on revised projections as well as on amendments that were offered last week. Council Members Goldberg, Vasquez and Berry absent.

Council Member Robinson moved to adopt Matrix No. 4, Agenda Exhibit No. 6.11, seconded by Council Member Tatro. Council Member Alvarado absent.

A roll call vote was called on the motion to adopt Matrix No. 4, Agenda Exhibit No. 6.11.

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 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 aye	MOTION 2003-0721 FAILED

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

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that their review of the proposal, they believed, would represent a significant and onerous impact on employees, not just as it related to their current compensation levels but also going forward, particularly those that were eligible for retirement, that it had a long lasting and long term impact on employees and their surviving spouses and heirs going forward, it was a significant amount of money, they would be concerned for that and for other reasons they would recommend against that.

Council Member Alvarado offered the following substitute for Agenda Exhibit No.14.21:

1. The budget be amended to reflect reduced funding for all departments equivalent to the total aggregate amount related to a 5 day mandatory furlough for all city employees in pay grade 30 and above, including equivalent positions in the Police and Fire Departments whether classified or municipal as set forth in the attachment hereto marked as Exhibit A (currently estimated at approximately \$700,000 of which \$470,000 would be credited to the General Fund); and
2. Within 30 days of the date the Budget is passed by City Council, the Human Resources Director will present an ordinance to City Council to amend existing City Ordinances to authorize mandatory furloughs of City employees. Furloughs mandated for FY04 will be in pay grades 30 and above, including equivalent appointed positions in Police and Fire Departments whether classified or municipal as set forth in the attachment hereto marked as Exhibit A, or in the alternative, departments may identify other budget savings of an equivalent amount in lieu of all or part of the mandatory furlough.

Seconded by Council Member Robinson.

Note: Fore Exhibit "A" see original motion No. 2003-0724 on file in the office of the City Secretary.

After a lengthy discussion by Council Members, Council Member Galloway moved to call the question, seconded by Council Member Ellis. All voting aye. Nays none. MOTION

2003-0722 ADOPTED.

Council Member Alvarado moved to allow her to offer a substitute amendment for Matrix No. 10, Agenda Exhibit No. 14.21, seconded by Council Member Keller. Council Member Sekula-Gibbs voting no, balance voting aye. Nays none. MOTION 2003-0723 ADOPTED.

A roll call vote was called on the motion to adopt the substitute amendment for Matrix 10, Agenda Exhibit No. 14.21.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting no
Council Member Goldberg aye	Council Member Quan voting no
Council Member Edwards voting aye	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 2003-0724 ADOPTED

Matrix No. 13 - Agenda Exhibit No. 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 – was presented.

Mayor Brown requested that Dr. Scheps explain his handouts and Dr. Scheps stated that Mr. Haines would cover Matrix No. 13 – Agenda Exhibit No. 4.10 and then they would be into the two new documents that were given to the Council, which he thought would make things much easier to follow, that one was a two page handout which was the response to Council Member Berry's amendments, all directed toward Education and Training for different departments and different amounts and that was a smaller document, that once they got through that they would be through Matrix No. 28 and Matrix No. 29 through No. 68 was a detailed response to each of them, that most of these were Council Member Berry's amendments where he had asked for cuts across the board and across different line items, so he thought it would help if they transferred to those documents, but before they went to that they were on Matrix 13.

Mr. Haines stated that they were now beginning the bulk of some 90 amendments that had been offered by Council Member Berry and essentially as they began through the amendment there were some general themes that prevailed, that almost in every case there was no presentation of impact of delivery of service and in many instances there was a certain arbitrariness to those amendments that raised the question in their minds of exactly what did it mean and why, that in their attempt to review them, which had been very difficult in some instances because they were not sure that they understood what they meant and in some instances did not understand where they went in terms of how much was being reduced, that as to Matrix No. 13, Agenda Exhibit No. 4.10, the take home vehicle program had been zero based twice over the last 18 months, a substantial reduction of those vehicles, that they had looked at those essentially as a management tool to be able to determine where those critical needs were, either take home as it related to going to the job site or take home as it related to



essentially saving money over paying a car allowance or take home as it related to emergency or 24 hour response needs, that they believed that the amendment essentially intended to eliminate that entirely as a management prerogative to be able to provide some measure of efficiency relative to the way they got tools to their people to do their jobs, that they felt very strongly that it could well end up being, while it was representing a cost savings of \$288,000, it could well introduce a greater cost simply by virtue of the fact that they were not now in a position to have this kind of discretion available to them, so they would respectfully recommend against the amendment for that reason alone. Council Member Goldberg absent.

Council Member Berry moved to adopt Matrix No. 13, Agenda Exhibit No. 4.10, seconded by Council Member Robinson.

After discussion by Council Members a roll call vote was called on the motion to adopt Matrix No. 13, Agenda Exhibit No. 4.10.

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 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 no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0725 FAILED

Matrix 14 - Agenda Exhibit No. 4.12 (Revised) - 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) – was presented.

Mayor Brown requested that Dr. Scheps give them his interpretation of the documents that he had handed out, and Dr. Scheps stated that they were now on some similar items, Matrix Numbers 14 through 28, which were specific cuts of various departments in travel and training, that he would say that they had cut these items, almost all of them were substantially lower than they were last year and the year before, so it was not that the Mayor had ignored the suggestion it was that the cuts had already been taken and they believed they were down to the type of training and travel that was absolutely mandatory for certification and for a professional workforce, so there recommendation, and he did not know how they wanted to proceed, whether to do it as a group, or go Legal Department, Health Department and then Municipal Courts, but by and large the department heads had reported to them that they were down to what may amount to compensation decreases, that many of these departments had certifications at stake, like the Health and Legal Department's, that they had to do it and therefore they would just have to pay for it themselves if they were not able to do it, that actually there was one where it looked like a cut could be made and that was the Mayor's office.

Mayor Brown stated that they were on Matrix No. 14 and would go down the line, that Dr.

Scheps was just giving some overview of a document he handed out but they would go line item by line item.

After discussion by Council Members, Council Member Vasquez moved to call the question on Matrix No. 14 – Agenda Exhibit No. 4.12 (Revised), seconded by Council Member Berry. All voting aye. Nays none. MOTION 2003-0726 ADOPTED.

Council Member Vasquez moved to adopt Matrix No. 14 – Agenda Exhibit No. 4.12 (Revised), seconded by Council Member Berry.

A roll call vote was called on the motion to adopt Matrix No. 14, Agenda Exhibit No. 4.12 (Revised).

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-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 2003-0727 FAILED

Matrix No. 15 - Agenda Exhibit No. 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) – was presented.

After discussion by Council Members, Council Member Berry moved to adopt Matrix No. 15, Agenda Exhibit No. 4.13, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 15, Agenda Exhibit No.

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 aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0728 FAILED

Matrix No. 16 - Agenda Exhibit No. 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) – was presented.

Council Member Berry moved to adopt Matrix No. 16, Agenda Exhibit No. 4.14, seconded by Council Member Vasquez.

A roll call vote was called on the motion to adopt Matrix No. 16, Agenda Exhibit No. 4.14.

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 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 2003-0729 FAILED

Matrix 17 - Agenda Exhibit No. 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) – was presented.

Council Member Ellis moved to adopt Matrix No. 17, Agenda Exhibit No. 4.15, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 17, Agenda Exhibit No. 4.15.

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 voting aye	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 aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2003-0730 FAILED

Matrix No. 18 - Agenda Exhibit No. 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) – was presented.

Council Member Vasquez moved to adopt Matrix No. 18, Agenda Exhibit No. 4.16, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 18, Agenda Exhibit No. 4.16.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0731 FAILED

Matrix 19 - Agenda Exhibit No. 4.17 (Revised)- 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) – was presented.

Council Member Galloway moved to adopt Matrix No. 19, Agenda Exhibit No. 4.17 (Revised), seconded by Council Member Vasquez.

A roll call vote was called on the motion to adopt Matrix No. 19, Agenda Exhibit No. 4.17 (Revised).

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-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 no	MOTION 2003-0732 FAILED

Matrix No. 20 - Agenda Exhibit No. 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) – was presented.

Council Member Galloway moved to adopt Matrix No. 20, Agenda Exhibit No. 4.18, seconded by Council Member Vasquez.

A roll call vote was called on the motion to adopt Matrix No. 20, Agenda Exhibit No. 4.18.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0733 FAILED

Matrix 21 - Agenda Exhibit No. 4.19(Revised) - 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) – was presented.

Council Member Galloway moved to adopt Matrix No. 21, Agenda Exhibit No. 4.19 (Revised), seconded by Council Member Robinson.

A roll call vote was called on the motion to adopt Matrix No. 21, Agenda Exhibit No. 4.19 (Revised).

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-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 aye	MOTION 2003-0734 FAILED

Matrix 22 - Agenda Exhibit No. 4.20(Revised) - 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) – was presented.

Council Member Goldberg moved to adopt Matrix No. 22, Agenda Exhibit No. 4.20 (Revised), seconded by Council Member Quan.

A roll call vote was called on the motion to adopt Matrix No. 22, Agenda Exhibit No. 4.20 (Revised).

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 aye
Council Member Goldberg voting 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	MOTION 2003-0735 ADOPTED

Matrix No. 23 - Agenda Exhibit No. 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) – was presented.

Council Member Quan moved to adopt Matrix No. 23, Agenda Exhibit No. 4.21, seconded by Council Member Alvarado.

A roll call vote was called on the motion to adopt Matrix No. 23, Agenda Exhibit No. 4.21.

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 aye
Council Member Goldberg voting 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 no	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0736 FAILED

Matrix No. 24 - Agenda Exhibit No. 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) – was presented.

Council Member Quan moved to adopt Matrix No. 24 – Agenda Exhibit No. 4.22, seconded by Council Member Robinson.

Council Member Edwards stated that her investigation showed that her office was the only one that had a line item budget of \$1,000 and the other office being the Mayor Pro Tem so her question was if the \$2,281 was spread out around all the Council or did her office get the hit because they were training and education, and Dr. Scheps stated that he would defer to Ms. Taylor, Legal Department, but thought that her office would take the hit, and Ms. Taylor stated that the Mayor Pro Tem's office budget was part of the City Council Department budget so if they was education and training in the Mayor Pro Tem's ORG. and in hers then there would be a hit across both of those, wherever they were, and Council Member Edwards asked if she was not using up all her money in salaries and using it in training why should they, and Dr. Scheps stated that he agreed with the fairness of it, they could redistribute the resulting money equally among them, if her colleagues would allow it, if they took the \$2,281 out of the combined budget

and redistribute the money equally that would sort of be what they would normally do, and Mayor Brown asked Council Member Berry to explain the analysis he had conducted on it and Council Member Berry stated that he would be amenable to that, that when they asked for education and training across the board the number they were given for City Council was that number, that he was more than happy to distribute those dollars across the City Council as a friendly amendment.

After further discussion Council Member Galloway offered a substitute motion to refer Matrix No. 24 – Agenda Exhibit No. 4.23 to the administration, seconded by Council Member Keller.

A roll call vote was called on the substitute motion to refer Matrix No. 24, Agenda Exhibit No. 4.23 to the administration.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting aye	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson voting no
Council Member Keller voting aye	SUBSTITUTE MOTION 2003-0737 FAILED

A roll call vote was called on the main motion to adopt Matrix No. 24 – Agenda Exhibit No. 4.22

ROLL CALL VOTE ON MAIN MOTION:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-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	MAIN MOTION 2003-0737 FAILED

Matrix 25 - Agenda Exhibit No. 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) – was presented.

Council Member Quan moved to adopt Matrix No. 25 – Agenda Exhibit No. 4.23, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 25 – Agenda Exhibit No. 4.23.

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 aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0738 ADOPTED

Matrix 26 - Agenda Exhibit No. 4.24- (Revised) 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) – was presented.

Council Member Ellis moved to adopt Matrix No. 26 – Agenda Exhibit No. 4.24, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 26 – Agenda Exhibit No. 4.24.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting aye
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 aye
Council Member Keller voting no	MOTION 2003-0739 FAILED

Matrix No. 27 - Agenda Exhibit No. 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) – was presented.

Council Member Ellis moved to adopt Matrix No. 27 – Agenda Exhibit No. 4.25, seconded by Council Member Tatro.

Mayor Brown asked Dr. Scheps if the Human Resources Department did training in different areas, and Dr. Scheps stated that he thought that they did training in different areas and it was for new employee orientation and so they did things that were applicable.



A roll call vote was called on the motion to adopt Matrix No. 27 – Agenda Exhibit No. 4.25.

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 voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0740 FAILED

Matrix No. 28 - Agenda Exhibit No. 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) – was presented.

Mayor Brown stated that he would concede Matrix No. 28 so they did not have to vote, that he would take it out of his budget.

A vote was called on the motion to adopt Matrix No. 28 – Agenda Exhibit No. 4.26. Council Member Galloway voting no, balance voting aye. MOTION 2003-0741 ADOPTED.

Matrix No. 29 - Agenda Exhibit No. 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) – was presented.

Mayor Brown asked Dr. Scheps to give them an analysis of what it all of it meant, and Dr. Scheps stated that they were shifting documents and pointed out that the second document that was handed out and wanted to point out that the document also included, in addition to the item by item analysis, some secondary information that some of the Council Members had requested, that he knew they were beyond that point, but it did include Council Member Tatro's letter and what he thought was an adequate response and some other Council Members had asked questions in there to, that what they did was graph for them the last four years worth of expenses in every situation, that there were 1,000 fewer people in the City government since 18 months ago and they thought they had made cuts in all of those items, that the budget targets continued to come down and they wanted the Council to know that, in those case where some of the items had gone up there should be an explanation, but they were relatively sure they were very prudent in setting the targets.

Dr. Scheps stating that Matrix No. 29 – Agenda Exhibit No. 4.28 was an amendment that established that everyone should have their budget reduced if they were over budget in FY03 and their response was that no one was over budget in FY03 except for two items and one was Solid Waste, that had an extraordinary storm to deal with and if they recalled they took money from 98D as a revenue so they were over budget because of that storm, that IT was over budget but that was a bookkeeping question, a year ago they took the money out of their budget for the SimHouston savings that did not materialize, so everybody was under budget so they thought Matrix No. 29 had no effect because basically everybody was under budget in 2003 out

of necessity, they obviously had a very difficult year to make budgets in 2003, that one other thing, it may look like some departments were over budget because of how they handled the \$10 million in pay raise a year ago, they put it in General Government and did not yet distribute it to the individual department budget, but it was really part of their budget but was just in General Government, that it may have appeared to some people that they were over budget but virtually every department was under budget except for those two exceptions that he had explained. Council Members Edwards and Alvarado absent.

Council Member Quan moved to adopt Matrix No. 29 – Agenda Exhibit No. 4.28, seconded by Council Member Ellis. Council Members Edwards and Alvarado absent,

After discussion by Council Members a roll call vote was called on the motion to adopt Matrix No. 29 – Agenda Exhibit No. No. 4.28.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	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 2003-0742 FAILED

Matrix No. 30 - Agenda Exhibit No. 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) – was presented.

Dr. Scheps stated that from now on they could see the format in the book, to help them along they put the percentage amount of Council Member Berry's suggestion and the percentage terms of the total amount and the dollar amount that he had suggested, that vehicle allowances, there were 77 of them and 50% of those were both in Public Works and City Council vehicle allowances, they also had 17 or 18 who were Public Works, lower graded people who got vehicle allowances, they were inspectors and instead of having them turn in 35 cents per mile, but by and large those were part of compensation, when directors and deputy directors were hired they were offered it as part of their compensation package so it would really be nothing more than a pay cut for them. Council Member Alvarado absent.

After discussion Council Member Vasquez moved to adopt Matrix No. 30 – Agenda Exhibit No. 4.29, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 30 – Agenda Exhibit No. 4.29.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0743 FAILED

Matrix No. 31 - Agenda Exhibit No. 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) – was presented.

Dr. Scheps stated that Matrix No. 31 – Agenda Exhibit No. 4.30 was about a 50% cut in cleaning and sanitary supplies, that they could see that most of that was in the Fire Department, Building Services and Parks, obvious ramifications to the cleanliness of City facilities.

Council Member Quan moved to adopt Matrix No. 31 – Agenda Exhibit No. 4.30, seconded by Council Member Vasquez.

A roll call vote was called on the motion to adopt Matrix No. 31 – Agenda Exhibit No. 4.30.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
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 2003-0744 FAILED

At 2:49 p.m. the Mayor Brown stated that Council would take a break until 3:00 p.m.

At 3:03 p.m. Mayor Brown reconvened the meeting of the City Council. Council Members Galloway, Keller and Quan absent.

Council Member Parker requested a moment of personal privilege and stated that she had been displaying some beads in front of her chair for the meeting and had been asked why they were and since they would not have an opportunity for pop-off in the afternoon, the beads went to Omaha with the Rice Owls and were lucky beads, that she was hoping that they help her through the budget process, that they were also there to announce that they were having a parade for the National Championship Rice Owl Team on Thursday at 11:30 a.m. down Smith

Street, that she wanted to encourage Council Members to attend.

Council Member Goldberg stated that about the parade, it was not just honoring one District C resident but two District C residents, the Houston Aero's who captured a national championship of sorts in the Calder Cup, so the parade would honor the Aero's and Rice University.

Council Member Vasquez moved to consider all of Tier 1, Matrix Numbers 32 through 68, as a whole, except for those items that Council Members may want to pull out, seconded by Council Member Alvarado.

Council Member Wiseman stated that she would like to exclude Matrix Numbers 65 through 68 for separate consideration.

Council Member Parker stated that she would like to exclude Matrix No. 62 for separate consideration.

Mayor Brown recognized Council Member Vasquez for a point of order, and Council Member Vasquez stated that if they voted they were voting to accept all of the Matrix items so he was going to call for a roll call vote, that he was trying to get clarification, that his motion was to take Tier 1 as a block except for those items that Council Members excluded and if that motion passed then they would vote on all of Tier 1, Matrix Numbers 32 through 68, and Mayor Brown stated that they would vote on all of Tier 1 with the exception of the numbers that they called out, and then Matrix 65, 66, 67, 68 and 62 would be voted on.

Council Member Tatro stated that he wanted to add Matrix No. 64.16 to the motion for separate consideration.

Mayor Brown stated that what they were voting on was a motion to take all of Tier 1 at one time with the exception of Matrix Numbers 65, 66, 67, 68, 62 and 64.16. Council Members Tatro and Berry voting no, balance voting aye. MOTION 2003-0745 ADOPTED.

Council Member Vasquez moved to adopt all of Tier 1 with the exception of Matrix Numbers 65, 66, 67, 68, 62 and 64.16, seconded by Council Member Robinson.

Matrix No. 32 - Agenda Exhibit No. 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).

Matrix No. 33 - Agenda Exhibit No. 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)

Matrix No. 34 - Agenda Exhibit No. 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).

Matrix No. 35 - Agenda Exhibit No. 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.

Matrix No. 36 - Agenda Exhibit No. 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).

Matrix No. 37 - Agenda Exhibit No. 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).

Matrix No. 38 - Agenda Exhibit No. 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).

Matrix No. 39 - Agenda Exhibit No. 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).

Matrix No. 40 - Agenda Exhibit No. 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).

Matrix No. 41 - Agenda Exhibit No. 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).

Matrix No. 42 - Agenda Exhibit No. 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).

Matrix No. 43 - Agenda Exhibit No. 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).

Matrix No. 44 - Agenda Exhibit No. 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).

Matrix No. 45 - Agenda Exhibit No. 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).

Matrix No. 46 - Agenda Exhibit No. 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).

Matrix No. 47 - Agenda Exhibit No. 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).

Matrix No. 48 - Agenda Exhibit No. 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).

Matrix No. 49 - Agenda Exhibit No. 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).

Matrix No. 50 - Agenda Exhibit No. 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).

Matrix No. 51 - Agenda Exhibit No. 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).

Matrix No. 52 - Agenda Exhibit No. 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).

Matrix No. 53 - Agenda Exhibit No. 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).

Matrix No. 54 - Agenda Exhibit No. 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).

Matrix No. 55 - Agenda Exhibit No. 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).

Matrix No. 56 - Agenda Exhibit No. 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).

Matrix No. 57 - Agenda Exhibit No. 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).

Matrix No. 58 - Agenda Exhibit No. 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)

Matrix No. 59 - Agenda Exhibit No. 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).

Matrix No. 60 - Agenda Exhibit No. 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).

Matrix No. 61 - Agenda Exhibit No. 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).

Matrix No. 64 - Agenda Exhibit No. 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.

Matrix No. 64.1 - Agenda Exhibit No. 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).

Matrix No. 64.2 - Agenda Exhibit No. 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).

Matrix No. 64.3 - Agenda Exhibit No. 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).

Matrix No. 64.4 - Agenda Exhibit No. 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.

Matrix No. 64.5 - Agenda Exhibit No. 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.

Matrix No. 64.6 - Agenda Exhibit No. 4.69 - Eliminate all expenditures on cell phones, and reduce each affected department budget to reflect this change.

Matrix No. 64.7 - Agenda Exhibit No. 4.70 - Reduce administrative staffing citywide by 15%, and reduce each affected department budget to reflect this change.

Matrix No. 64.8 - Agenda Exhibit No. 4.71 - Reduce management staffing citywide by 20%, and reduce each affected department budget to reflect this change.

Matrix No. 64.9 - Agenda Exhibit No. 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.

Matrix No. 64.10 - Agenda Exhibit No. 4.73 - Eliminate expenditures on interoffice holiday cards, and reduce each affected department budget to reflect this change.

Matrix No. 64.11 - Agenda Exhibit No. 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.

Matrix No. 64.12 - Agenda Exhibit No. 4.75 - Implement a freeze on pager and PDA purchases, and reduce each affected department budget to reflect this change.

Matrix No. 64.13 - Agenda Exhibit No. 4.76 - Implement a freeze on furniture and fixture purchases, and reduce each affected department budget to reflect this change.

Matrix No. 64.14 - Agenda Exhibit No. 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.

Matrix No. 64.15 - Agenda Exhibit No. 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.

Matrix No. 64.17 - Agenda Exhibit No. 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.

Matrix No. 64.18 - Agenda Exhibit No. 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.

Matrix No. 64.19 - Agenda Exhibit No. 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.



Matrix No. 64.20 - Agenda Exhibit No. 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.

Matrix No. 64.21 - Agenda Exhibit No. 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.

Matrix No. 64.22 - Agenda Exhibit No. 4.85 - Restore operating hours at all library branches to FY02 level.

Matrix No. 64.23 - Agenda Exhibit No. 4.86 - Restore the expansion joint/crack sealing program in the Public Works and Engineering Department.

Matrix No. 64.24 - Agenda Exhibit No. 4.87 - Continue with the proper staffing of four firefighters on engine and ladder trucks. Do not substitute quints in fire stations under renovation.

Matrix No. 64.25 - Agenda Exhibit No. 4.88 - Continue HPD response to all accidents.

Matrix No. 64.26 - Agenda Exhibit No. 4.89 - Prohibit transfers from the ALP fund for purposes not related to water/sewer.

A roll call vote was called on the motion to adopt all of Tier 1 with the exception of 65, 66, 67, 68, 62 and 64.16.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	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 2003-0746 FAILED

Matrix No. 65 - Agenda Exhibit No. 10.1 - Reduce total of 2000 accounts for all department and all funds by 3% - was presented.

Mayor Brown requested Dr. Scheps to comment on Matrix No. 65, and Dr. Scheps stated that Matrix No. 65 – Agenda Exhibit No. 10.1 was Council Member Wiseman motion to reduce all 2000 accounts by 3% and thought it was about a \$1.2 million savings, that their suggestion was those items had been pulled down dramatically when they set up the target budgets to

begin with, for most of those they cut 25% out and they believed in a layoff environment they could count on their department heads to minimize it already, so they would be against reducing it any further. Council Member Ellis absent.

Council Member Wiseman stated that she wanted to introduce a substitute amendment to “reduce 2000 accounts by 3%, excluding 2400, 2412, 2600 and 2703”, those accounts in order were General Laboratory Supplies, Medical and Surgical Supplies, Fuel, Weapon Munitions and Supplies, seconded by Council Member Tatro. Council Member Ellis absent.

Council Member Parker asked what would be the result in savings, and Council Member Wiseman stated that she did not have a savings figure because she looked at what they had submitted in their Matrix where they said what accounts would be impacted by that, that what she had done was introduced a substitute amendment that would take out those accounts that they had indicated, what she was asking for was a 3% reduction and if they were having the type of staffing reductions that they had indicated 3% was a very small number. Council Member Ellis absent.

Mayor Brown requested Dr. Scheps respond to the substitute motion, and Dr. Scheps stated that he would suggest they give them 10 minutes and go on to other things and let them calculate the savings, that the response was the same but he had heard the exemptions for the first time, so asked if it would be appropriate to go on to some others and have Mr. Mays work on refining the savings, and Council Member Wiseman stated that with all due respect they voted on an item that had a savings of \$500 so if by excluding those accounts they had reduced the amount of the savings, but none the less they were still looking at a big savings because the overall amount that he had pointed out was \$1.2 million, and Mayor Brown asked Dr. Scheps what would be the impact to reduce the Fuel Account, Medical Supplies, Paving Supplies, etc., and Dr. Scheps stated that he guessed what Council Member Wiseman was saying was that she would not reduce the Fuel Account or those four items, and Council Member Wiseman stated correct, and Mayor Brown asked if the end result would be a bigger reduction in those items that were left, and Council Member Wiseman stated that no, it was a 3% reduction in the items that were left, and Dr. Scheps stated that Mr. Buchanan was mentioning that most of his were automotive parts for the garbage trucks and did not know how they could react to that except to say that something was going to have to give in those departments if they reduced those, but could not quantify. Council Member Ellis absent.

Mayor Brown asked Council Member Wiseman if she had a written substitute amendment, and Council Member Wiseman stated no, that it was a verbal substitution and it had been seconded. Council Member Ellis absent.

Council Member Wiseman moved that she be allowed to submit a substitute motion for Matrix No. 65 – Agenda Exhibit No. 10.01, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent. MOTION 2003-0747 ADOPTED.

A roll call vote was called on the motion to adopt the substitute amendment for Matrix No. 65 Agenda Exhibit No. 10.01 relative to reductions for 2000 accounts.

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 aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis absent	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0748 ADOPTED.

Dr. Scheps stated that he had calculated the savings and it was \$936,000 for those of them that they were keeping the score. Council Member Ellis absent.

Matrix No. 66 - Agenda Exhibit No. 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 – was presented. Council Member Ellis absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that it was an amendment to do a blanket 5% reduction in management, supervisory and administrative positions, that while there may be some justification for reduction he would remind Council that they had done control initiatives in virtually every single one of the major departments in the City, he would also advise Council that the definition of administrative position may be a problem in that, for example, all staff in Municipal Courts were deemed administrative, so the question that they would have of the maker of the amendment was precisely what she had in mind relative to the positions that would be eliminated, again to simply take a broad brush to identify “management, supervisory and administrative positions”, because they had, for example, line supervisors and they were categorized as such as supervisors, who were directly involved as such activities as solid waste pickup and other operational activities in Public Works, Health Department, Libraries and so forth, that certainly there was a significant number of “administrative” type of positions that were identified in their departments, F&A, HR and so forth, that they had already cut those departments in the FY04 budget by over 5% in those areas, so they would recommend against it, they believed it was debilitating and would further erode their ability to get the job done. Council Member Ellis absent.

After discussion by Council Members Council Member Wiseman stated that she would move to postpone Matrix No. 66 – Agenda Exhibit No. 10.2 until after the Tier 2 amendments, seconded by Council Member Tatro. Council Members Goldberg, Berry and Robinson absent. (No vote was called as Council continued discussion)

After further discussion by Council Members, Council Member Vasquez stated that he intended to interpret Council Member Wiseman's amendment, that in some departments and in some areas they were top heavy, in his opinion, and this was an opportunity to look at

streamlining upper level management and administration, however he did not know if he was ready to actually make that decision blindly, that he would like to see it become some type of study, but with a time frame so they would have to come back to Council within a two or three month period of time and asked Council Member Wiseman if she would consider a friendly amendment to “turn it into a study with a 60 day turn around time”, and Council Member Wiseman stated that with all due respect she would prefer that they consider it as an amendment because it was an effort to find reductions, that there was nothing to prohibit the administration from studying it if they voted it down. Council Member Sekula-Gibbs absent.

After further discussion Council Member Wiseman moved to adopt Matrix No. 66 – Agenda Exhibit No. 10.2, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 66 – Agenda Exhibit No. 10.2.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	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 no
Council Member Keller voting no	MOTION 2003-0749 FAILED

Mayor Brown stated that they had been studying it under their span of control and some of the departments had done a very good job, that he knew Mr. Vanden Bosch was consistently changing the structure of his department to reduce the administrative positions there so it was being done, and Mr. Buchanan was doing a good job and did not think he had an excess of administrators, so it was not that they did not agree with her, but it was being done already.

Matrix No. 67 - Agenda Exhibit No. 10.3 - Reduce Temporary Personnel Services in all funds by 25% - was presented.

Council Member Ellis moved to adopt Matrix No. 67 – Agenda Exhibit No. 10.3, seconded by Council Member Robinson.

Dr. Scheps state that it was at the bottom of page 15 of the handout and was temporary personnel services, that it was a 25% cut in all temporary services, that it had come down dramatically as they could see on the graph at the bottom of page 15 and included a bunch of Parks Department summer people and most of it was either in Solid Waste, Police Department, Public Works or Health and they could see that they used temporary services to augment full time staff, that and overtime, in many cases, was very efficient rather than hiring another City employee and they could see that it had come down dramatically, and Mayor Brown stated that what he thought was that the amendment would ultimately end up doing was increasing the cost.

After discussion by Council Members, a roll call vote was called on the motion to adopt Matrix No. 67 – Agenda Exhibit No. 10.3.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting 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 no	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0750 FAILED

Matrix No. 68 - Agenda Exhibit No. 10.4 - Reduce Overtime pay for all civilians in general fund by 25% - was presented.

Dr. Scheps stated that on page 16 of the handout, again overtime had come down and they strongly thought that overtime was a very efficient way of doing business if it prevented them from hiring additional people, that the Fire Department used it in their fleet and radio repair shops and they could see that IT used it in Data Center Operations, that there were quite a few items where a department had the flexibility to bring people in on overtime, even though it was time and a half it was better in many cases than hiring an additional employee, so they thought it was important to leave the item as it was.

After discussion by Council Members, Council Member Ellis moved to adopt Matrix No. 68 - Agenda Exhibit No. 10.4, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 68 - Agenda Exhibit No. 10.4.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting aye
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 aye	MOTION 2003-0751 FAILED

Matrix No. 62 - Agenda Exhibit No. 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) – was presented.

Dr. Scheps stated that Matrix No. 62 was a collection of a lot of items, it was Misc., Other Services and Charges and was in various budgets, that he would give them some examples of what they budgeted in there, that they owed about \$1 million on Reliant Stadium, they had to

budget to pay them the sales tax, it was an estimate but whatever it was, sales tax that was actually consumed in the stadium they had to pay it to them, the Mayor's After School Program was budgeted as part of it, they used it in F&A for the Pest Control Contract for the surplus warehouse, the Jury Pay was in the item, armored car services, fire extinguisher services, what the amendment asked for was a 50% cut, about a \$2 million cut in it, that also cleaning and repair of personnel protective gear for firefighters, that the word miscellaneous made it sound like it was somehow unimportant, but a great majority of the items were very important items, they just did not have another category for them, that they really needed it to be at that level. Council Member Goldberg absent.

After discussion by Council Members, Council Member Quan moved to adopt Matrix No. 62 - Agenda Exhibit No. 4.61, seconded by Council Member Ellis.

A roll call vote was called on the motion to adopt Matrix No. 62 - Agenda Exhibit No. 4.61.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	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 no	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0752 FAILED

Matrix No. 64.16 - Agenda Exhibit No. 4.79 - Terminate SimHouston Contract (savings: \$2.5 million) – was presented.

After discussion by Council Members, Council Member Vasquez moved to suspend the rules to hear from Mr. Richard Lewis, Director, IT Department, seconded by Council Member Quan. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0753 ADOPTED.

Upon questions by Council Members, Mr. Lewis stated that he understood the Council Member's motion would be to terminate the contract using the provision of for convenience of the City, if that were to be done that provision would allow the contractor to bill the City for work done up until the date of termination, that it was his view that it would expose the City to unnecessary financial liability because they had paid the contractor \$2.5 million and they would not pay the contractor any more funds until both the Second and Third Phases were completed and accepted by the City, that he believed that the action would result in a claim for substantial sums that were associated with the research and development that the company had put into the product and it would be far better, at some point in the future, if the City decided to reject, the systems for whatever reason, they would be in a lot stronger position to take the action, they could do it for cause at that time. Council Members Galloway and Keller absent.

Ms. Taylor stated that she concurred with that, that Mr. Lewis had accurately described the way the contract worked, if they terminate for convenience the contract provided that they

were to stop services, but then the City was to pay them for any expenses that they had incurred in the performance of the contract that they had not yet paid for, the way the contract was structured it was a one \$5 million payment for all of the licenses for the entirety of the contract, they had made a partial payment against that at this point which they would not be able to recoup, they would no doubt have to pay them the additional expenses they had incurred in the meantime, at least up to the amount of the allocation of the contract which was something over \$5 million, at this point they were under no obligation to make that second \$ 2.5 million payment until such time as that the director accepts Phases Two and Three, so they had no claim against the City at this point at least for that \$2.5 million, if they terminated for convenience there at least was a strong argument that they would have a claim for at least some portion of that money and they would have to assert what they had expended in reliance to the City's direction to proceed. Council Members Galloway and Keller absent.

Upon further questions, Mr. Lewis stated that Phase One was accepted on October 25, 2002, that they were about 15% into Phase Two, that Phase Two was the enterprise deployment, installing the product on the City's 14,000 desktops, they had completed the first wave of that and were fixing to kick off the second wave of that.

After further discussion by Council Members, Council Member Parker stated that she had a point of procedure, that there were two identical items, Matrix 209 and 210 and wanted to know if they could dispense of all three of them with one vote so that they would not have to vote on them individually and moved to consolidate Matrix No. 64.16, Matrix 209 and Matrix 210, seconded by Council Member Ellis. Council Members Galloway, Keller and Alvarado absent.

Matrix No. 209 – Agenda Exhibit No. 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, Inc.) 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.

Matrix No. 210 – Agenda Exhibit No. 10.12 - Terminate SimHouston contract.

Mayor Brown stated that the vote was on the motion to consolidate all three proposed amendments. All voting aye. Nays none. Council Members Keller and Alvarado absent. MOTION 2003-0754 ADOPTED.

After further discussion by Council Members, Council Member Sekula-Gibbs moved to call the question, seconded by Council Member Keller. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0755 ADOPTED.

Council Member Tatro moved to adopt Matrix No. 64.16 – Agenda Exhibit No. 4.79, Matrix No. 209 – Agenda Exhibit No. 6.3 and Matrix No. 210 – Agenda Exhibit No. 10.12, seconded by Council Member Robinson. Council Member Keller absent.

A roll call vote was called on the motion to adopt Matrix No. 64.16 – Agenda Exhibit No. 4.79, Matrix No. 209 – Agenda Exhibit No. 6.3 and Matrix No. 210 – Agenda Exhibit No. 10.12

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 aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller absent	MOTION 2003-0756 FAILED

Council Member Keller moved to suspend the rules to consider Matrix No. 76 Agenda Exhibit No. 13.14 at this time, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0757 ADOPTED.

Matrix No. 76 - Agenda Exhibit No. 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 – was presented, moved by Council Member Keller, seconded by Council Member Vasquez.

A roll call vote was called on the motion to adopt Matrix No. 76 – Agenda Exhibit No. 13.14.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
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 2003-0758 ADOPTED

Council Member Vasquez asked for a point of order and asked since one of the items had passed did they need to pass the remainder of Matrix 69 through 75, and Mayor Brown stated that he would say to vote the other ones down or they could table them.

Council Member Vasquez moved to table Matrix No. 69 through No. 75 as follows:

Matrix No. 69 - Agenda Exhibit No. 2.6 - 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.



Matrix No. 70 - Agenda Exhibit No. 3.20 - Restore funding to the Fire Department to allow four firemen to staff a truck. Funding would come from grant revenue from Homeland Security.

Matrix No. 71 - Agenda Exhibit No. 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.

Matrix No. 72 - Agenda Exhibit No. 10.9 - Prohibit Capital Equipment Acquisition funding for the purchase of Quint Apparatus.

Matrix No. 73 - Agenda Exhibit No. 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.

Matrix No. 74 - Agenda Exhibit No. 10.11 - Eliminate Quint Task Force Concept and continue four on a truck policy.

Matrix No. 75 - Agenda Exhibit No. 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.

Seconded by Council Member Keller. All voting aye. Nays none. MOTION 2003-0759 ADOPTED.

Dr. Scheps stated that he wanted to go back to the prior item, Matrix No. 76, because the Matrix was incorrect because the way it was stated they actually had another \$2.9 million hit for that because part of that, which was not covered in the Matrix, was putting the restoration engines back in service, as he understood, so really that was about a \$9 million cost to that, not just the \$6.3 of keeping the overtime, and Council Member Vasquez stated that he thought that Dr. Scheps office was responsible for the Matrix and the descriptions, and Dr. Scheps stated that he was admitting to that, that they carried that \$6.3 over because the other amendments did not have the other part in there, that it was their error, that Council Member Vasquez had both pieces in there, and Mayor Brown asked what was the other piece, he only saw one, "maintain four firefighters for apparatus", and Dr. Scheps stated that was because they characterized it incorrectly, the way Council Member Vasquez stated "and place the out of service engines back into service", something that the Chief had done as a budgetary savings already, and Council Member Vasquez stated that he wanted to thank Dr. Scheps for that point of information and Dr. Scheps stated that he just wanted City Council to know that because they were going to have to balance it before the day was over, presumably, so that would be a \$9 million need, not a \$6 million need. Council Member Tatro absent.

Matrix No. 77 - Agenda Exhibit No. 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 – was presented.

Council Member Vasquez moved to adopt Matrix No. 77 – Agenda Exhibit No. 13.16, seconded by Council Member Quan.

After discussion by Council Members a vote was called on the motion to adopt Matrix No. 77 – Agenda Exhibit No. 13.16. All voting aye. Nays none. Council Members Wiseman and Ellis absent. MOTION 2003-0760 ADOPTED.

Matrix No. 78 - Agenda Exhibit No. 6.5 - Restore operating hours at all City libraries to FY 02 levels – was presented, moved by Council Member Tatro, seconded by Council Member Vasquez. Council Member Wiseman absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that the fiscal impact of the item was substantial, to fit FY02 levels would actually be greater than what they were in FY03, that while he did not think any of them would disagree with the desire to have them restore library hours that was, again, contingent on any capacity to have any kind of surplus at all and they recommended against the item, since it was a mandate as opposed to a statement of priorities.

A roll call vote was called on the motion to adopt Matrix No. 78 – Agenda Exhibit No. 6.5.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting no
Council Member Edwards voting aye	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 aye
Council Member Keller voting no	MOTION 2003-0761 FAILED

Matrix No. 79 - Agenda Exhibit No. 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 – was presented.

Mayor Brown stated that it was being done, that they would agree, that an ordinance was in draft form.

Council Member Ellis moved to adopt Matrix No. 79 - Agenda Exhibit No. 1.4, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0762 ADOPTED.

Matrix No. 80 - Agenda Exhibit No. 14.6 - 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 – was presented.

After discussion by Council Members, Council Member Alvarado offered the following written substitute motion:

“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 10% of the Food & Beverage Revenue from the International Festival to Fund 1800 (Grounds Maintenance) of the Parks and Recreation Department.”

Council Member Alvarado moved to allow her to submit a substitute motion for Matrix No. 80, Agenda Exhibit No. 14.6, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0763 ADOPTED.

Council Member Parker moved to call the question, seconded by Council Member Robinson. Council Member Goldberg voting no, balance voting aye. MOTION 2003-0764 ADOPTED.

A vote was called on the motion to adopt the substitute amendment for Matrix No. 80 Agenda Exhibit No. 14.6. All voting aye. Nays none. MOTION 2003-0765 ADOPTED.

Council Member Keller moved to suspend the rules to consider Matrix Numbers 212, 213 and 214 at this time, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0766 ADOPTED.

Matrix No. 212 – Agenda Exhibit No. 6.17 - Suspend the 1.75-% debt contribution to fund Public Art from Capital Projects in Fiscal year 2004 – was presented.

After discussion by Council Members, Council Member Galloway moved to refer Matrix No. 212 – Agenda Exhibit No. 6.17 to the administration, seconded by Council Member Vasquez.

After further discussion by Council Members, Council Member Goldberg moved to call the question on Matrix No. 212 – Agenda Exhibit No. 6.17. All voting aye. Nays none. Council Member Tatro voting no, balance voting aye. MOTION 2003-0767 ADOPTED.

A vote was called on the motion to refer Matrix No. 212 – Agenda Exhibit No. 6.17 to the administration. Council Members Tatro and Wiseman voting no, balance voting aye. MOTION 2003-0768 ADOPTED.

Matrix No. 213 – Agenda Exhibit No. 10.14 - Implement a three-year moratorium on the appropriation and expenditure of PIB's for Civic Art – was presented.

Council Member Wiseman moved to withdraw Matrix No. 213 – Agenda Exhibit No. 10.14, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0769 ADOPTED.

Matrix No. 214 – Agenda Exhibit No. 12.12 - Eliminate the Civic Arts appropriations and have the savings go into the Capital Improvement Plan – was presented.

Council Member Keller moved to withdraw Matrix No. 214 – Agenda Exhibit No. 12.12, seconded by Council Member Quan.

After discussion by Council Members, a vote was called on the motion to withdraw Matrix No. 214. All voting aye. Nays none. MOTION 2003-0770 ADOPTED.

Council Member Parker moved that Council recess at 5:00 p.m. and reconvene at 7:00 p.m., seconded by Council Member Tatro. Council Member Keller voting no, balance voting aye. MOTION 2003-0771 ADOPTED.

Matrix No. 81 – Agenda Exhibit No. 6.13 - Police will continue to respond to non-injury traffic accidents – was presented.

Council Member Vasquez moved to adopt Matrix No. 81 – Agenda Exhibit No. 6.13, seconded by Council Member Tatro. Council Member Wiseman absent.

Council Member Vasquez invited Chief Bradford to the podium and asked the Chief to give them an update on where he was on his thoughts regarding the particular policy.

Chief C. O. Bradford, HPD, stated that giving the concerns that were raised they went back and reevaluated the response to non injury accidents and were proposing that the Police Department would continue to respond with a police car to minor accidents as opposed to doing the complete long form that took somewhere in the neighborhood of just about an hour to do the forms the officer would respond to all of the accident scenes where citizens requested a response and determine whether they had license or insurance, clear the road and issue the State required blue form, that would take about 20 minutes as opposed as the hour and ten minutes, so they would continue a response to all of the accidents as they had in the past, that it would be a new policy within the department.

Council Member Vasquez stated that given that the Chief had made adjustments to the policy would it be appropriate to the makers of Matrix Numbers 81, 82 and 83 to refer the items back to the administration and Mayor Brown stated that it would be in order if they got a motion to refer the matter back, and Council Member Vasquez offered a substitute motion to refer the following items to the administration:

Matrix No. 81 – Agenda Exhibit No. 6.13 - Police will continue to respond to non-injury traffic accidents.

Matrix No. 82 – Agenda Exhibit No. 9.4 - Houston Department — Continue the practice of having HPD officers respond to street accidents. (Note: Council Member Edwards renumbered her proposed amendments and this was originally numbered 9.2)

Matrix No. 83 – Agenda Exhibit No. 13.7 - Reinstatement of 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.

Seconded by Council Member Keller.

After discussion by Council Members, a vote was called on Council Member Vasquez's substitute motion to refer Matrix 81 – Agenda Exhibit No. 6.13, Matrix No. 82 – Agenda Exhibit No. 9.4 and Matrix No. 83 – Agenda Exhibit No. 13.7 to the administration. All voting aye. Nays none. SUBSTITUTE MOTION 2003-0772 ADOPTED.

Mayor Brown stated that while they had the Chief present he thought that the Chief was prepared to make a recommendation on Matrix No. 116.

Council Member Galloway moved to suspend the rules to consider Matrix No. 116 – Agenda Exhibit No. 13.11 at this time, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0773 ADOPTED.

Matrix No. 116 – Agenda Exhibit No. 13.11 Reinstate Inspectors Division. The Houston Police Department shall reinstate the Inspectors Division to reflect FY'02 organization, staffing, and budget – was presented.

Mayor Brown requested that Chief Bradford respond to Matrix No. 116, and Chief Bradford stated that Matrix No. 116 was a strategy that was connected with Matrix No. 224, the Elimination of Class C Offense Reports, that currently there were multiple Class C offenses where the officers were in fact required to make offense reports, if they restrict the number of incidents where officers were required to make Class C offense reports only to those serious offenses where there had been a displayable weapon, where there was an injury or a juvenile was involved, that would allow the officers to have residual time and there would be no need to eliminate the inspections division, they would keep the Inspection Division in place as it had been.

Council Member Vasquez stated that Chief Bradford talked about Matrix No. 116's relation to Matrix No. 224, that he was passing out around the Council table a substitute amendment for Matrix No. 224.

After further discussion Council Member Vasquez moved to table Matrix No. 116 and consider Matrix No. 224 at this time, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0774 ADOPTED.

Matrix No. 224 – Agenda Exhibit No. 13.9 - Elimination of Class C Misdemeanor Reports. The Houston Police Department shall eliminate departmental Class C misdemeanor reports – was presented.

Council Member Vasquez offered the following motion as a substitute for Matrix No. 224 – Agenda Exhibit No. 13.9:

“Class C Offense Reports.

The Houston Police Department shall eliminate departmental Class C misdemeanor reports except for “serious” offenses in which a weapon is displayed, there is an injury or a juvenile is involved.”

Seconded by Council Member Tatro.

Council Member Vasquez moved that he be allowed to offer a substitute motion for Matrix No. 224 – Agenda Exhibit No. 13.9, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2003-0775 ADOPTED.

A Vote was called on the motion to adopt the substitute amendment for Matrix No. 224 – Agenda Exhibit No. 13.9. All voting aye. Nays none. MOTION 2003-0776 ADOPTED AS SUBSTITUTED.

Council Member Tatro moved to suspend the rules to consider Matrix Number 208, Agenda Exhibit No. 6.1 and Matrix No. 225 Agenda Exhibit No. 13.10 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2003-0777 ADOPTED.

Matrix No. 208 – Agenda Exhibit No. 6.1 - End the D.A.R.E. Program and return all officers to regular duty – was presented.

Mayor Brown requested Chief Bradford to address Matrix No. 208 and tell them how he had already downsized that one, and Chief Bradford stated that currently the D.A.R.E. Program had an orientation component for fourth grade students, the core program was a fifth grade program which was provided to fifth grade students throughout the Houston area, public and private schools, that there was a seventh grade Anti Gang Anti Violence component to the program, they had reduced the number of officers in the D.A.R.E. Program where the orientation in the fourth grade would no longer be presented and the seventh component would no longer be presented, that the core structure in the fifth grade, they were attempting to maintain that to maintain some component of crime prevention strategy in the City of Houston as it related to juveniles, that the D.A.R.E. Program had an excellent delivery model in that it was structured within the existing school system, they had access to the students in that environment, it was a program accepted by the school district, that in addition to that they understood that police officers, in uniform, were the best models to present the anti drug and anti violence message to students, that they had modified the program substantially. Council Member Alvarado absent.

After further discussion by Council Members, Council Member Vasquez stated that he believed it was important for juveniles to have positive interaction with police officers and officers that were engaged in anti drug and anti strategies and would offer a written substitute motion for Matrix No. 225 which had been distributed to Council Members.

Council Member Vasquez moved to adopt Matrix No. 208 – Agenda Exhibit No. 6.1, seconded by Council Member Tatro.

Mayor Brown stated that the vote was on the motion to adopt Matrix No. 208 and asked that they vote down Matrix 208 and take it up on Matrix 225 with Council Member Vasquez's substitute amendment.

A roll call vote was called on the motion to adopt Matrix No. 208 Agenda Exhibit No. 6.1.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg 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 aye	MOTION 2003-0778 FAILED

Matrix No. 225 – Agenda Exhibit No. 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 – was presented.

Council Member Vasquez offered the following written substitute motion.

“Study of D.A.R.E. Program. The City shall conduct a performance review of the D.A.R.E. program to determine its effectiveness and whether or not the program should be eliminated, re-assigning all officers to regular duty, or whether or not other juvenile anti-drug/anti-crime strategies would be more effective”.

Council Member Vasquez moved that he be allowed to substitute an amendment for Matrix No. 225 – Agenda Exhibit No. 13.10, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0779 ADOPTED.

After further discussion by Council Members, a vote was called on the written substitute motion for Matrix No. 225 – Agenda Exhibit No. 13.10. All voting aye. Nays none. MOTION 2003-0780 ADOPTED.

At 4:59 p.m., upon a motion by Council Member Quan and seconded by Council Member Parker the City Council recessed.

At 7:08 p.m. Mayor Brown reconvened the meeting of the City Council and stated that there was some misunderstanding on the vote about the fire issue and asked Mr. Haines to clarify it, that Dr. Scheps had spoken out of turn. Council Members Goldberg, Alvarado, Sekula-Gibbs and Berry absent.

Mr. Haines stated that the question was relative to Council Member Vasquez’s amendment and whether or not that went beyond the cost of restoring those four men on an apparatus under the so called “Quint” proposal, that certainly he would defer to the Council Member but in looking at the amendment, at least their conclusion was that probably was not the intent and therefore they would like to get that clarification at this time. Council Members Alvarado and Berry absent.



Council Member Vasquez asked that Mr. Haines restate that because some Council Members did not hear his comments, and Mr. Haines stated that initially when the amendment was considered the concern was that perhaps the amendment included restoring those apparatus that had been taken out of service because there were stations that were under renovation, that indeed when they read the amendment, at least what they read into it, that he and Susan Taylor looked it over, so they wanted to come back and revisit it to make sure that the clarification of that amendment was the intent really to restore only those apparatus that would be part of the so called "task force program" that the Chief had done, and Council Member Vasquez stated that his interpretation was correct, and Mayor Brown stated that they wanted that for the record so that there would be no confusion later on. Council Members Alvarado and Berry absent.

Council Member Robinson moved to suspend the rules to consolidate and consider Matrix Numbers 85 through 88 together, seconded by Council Member Quan.

Council Member Vasquez stated that there were two things, one was the elimination of the second can fee and the second was the elimination of the Tag for Bag Program, and Mayor Brown asked Dr. Scheps to address the issues.

Dr. Scheps stated that probably what Council Member Tatro was dealing with was the whole second can so they grouped it, that he really only said Tag for Bag, but they thought he probably meant eliminate the whole second can fee, they thought they knew what he meant and in terms of the calculations they had several things going on and one was the reduction in revenue, the \$925,000, but on the other hand if Mr. Buchanan had to go back and start picking up the second cans that show up he had estimated that it would cost about \$1.3 million and then some equipment as well, that the net effect to the budget, if they passed them, was about \$2.1 million to the Operating Budget and then some overtime in the Equipment Acquisition Fund, and Mayor Brown asked if it added to the budget and Dr. Scheps stated that was correct, that it reduced revenue and added to expense to the total affect of \$2 million.

A vote was called on Council Member Robinson's motion to consider Matrix Numbers 84 through 88 together. All voting aye. Nays none. MOTION 2003-0781 ADOPTED.

Council Member Quan moved to adopt Matrix Numbers 84 through 88 as follows:

Matrix No. 84 – Agenda Exhibit No. 4.4 - Repeal fees for second garbage can and occasional excess trash.

Matrix No. 85 – Agenda Exhibit No. 5.7 - Eliminate the 2nd garbage can fee.

Matrix No. 86 – Agenda Exhibit No. 6.16 - End the "Tag for Bag" program.

Matrix No. 87 – Agenda Exhibit No. 10.5 - Eliminate second garbage can fee and Tags for Bags Program for the Solid Waste Department.

Matrix No. 88 – Agenda Exhibit No. 13.3 - Elimination of Second Garbage Can Fee. The City of Houston shall eliminate the second garbage can fee.

Seconded by Council Member Tatro.

After a lengthy discussion by Council Members, Council Member Robinson moved to call the question, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0782 ADOPTED.

A roll call vote was called on the motion to adopt Matrix Numbers 84 through 88.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-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 no	MOTION 2003-0783 FAILED

Matrix No. 89 – Agenda Exhibit No. 3.17 - 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 – was presented, moved by Council Member Sekula-Gibbs, seconded by Council Member Parker.

After discussion by Council Members, Council Member Sekula-Gibbs offered a substitute motion to refer Matrix No. 89 – Agenda Exhibit No. 3.17 to the administration, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0784 ADOPTED

Mayor Brown stated that the item was referred to the administration for the purpose of looking at how they could outsource the function.

Matrix No 90 – Agenda Exhibit No. 6.10 - Do not take any fire engine companies off line (three planned) for FY04 budget year – was presented, moved by Council Member Tatro, seconded by Council Member Vasquez.

Mayor Brown requested Dr. Scheps to address the item, and Dr. Scheps stated that they found the missing \$2.9 million on the Matrix, it was in Matrix No. 90, that he thought it was kind of moot point now and was not sure if they needed to take it up.

After discussion, Council Member Tatro moved to withdraw Matrix No. 90 – Agenda Exhibit No. 6.10, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2003-0785 ADOPTED.

Matrix No. 91 – Agenda Exhibit No. 6.12 - Reduce the number of Public Works employees' salaries paid for by General Obligation bond debt by 15% - was presented, moved by Council Member Tatro, seconded by Council Member Sekula-Gibbs.

Mayor Brown requested Dr. Scheps to address the item, and Dr. Scheps stated that it was a salary recovery and was \$2.5 million reduced revenue, that it was Council Member Tatro's attempt to wean them away from salary recovery, they, of course, thought that salary recovery, capitalizing salaries that went into capital projects was appropriate, many governments did it and it would be about a \$2.5 million loss to the operating budget.

After discussion by Council Members, a roll call vote was called on the motion to adopt Matrix No. 91 - Agenda Exhibit No. 6.12.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2003-0786 FAILED

Matrix No. 92 – Agenda Exhibit No. 5.9 - Eliminate the special Events Division of the Parks and Recreation Department – was presented.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that it was a division of the Parks Department that had been reduced more than any other division in that department and perhaps as much in the City as part of the reduction in force and as part of the decision to move to a more focused activity in maintenance and so forth, that they had already brought the number down probably 50% to 75% over what it had been and believed that if they reduced it any further or eliminate it they essentially would end up missing out on the few events that were now presently being done in some of the parks. Council Member Wiseman absent.

After discussion by Council Members, Council Member Robinson moved to refer Matrix No. 92 to the administration with the understanding that it may be moved out of the Parks Department and was going to be a clear effort to get it self sustaining, seconded by Council Member Quan. Council Member Keller absent.

After further discussion, Council Member Sekula-Gibbs asked Council Member Robinson if he would expand his consideration to also include fun runs, marathons and that sort of thing, and Council Member Robinson stated that he would accept that as a friendly amendment. Council Member Keller absent.

A vote was called on the motion to refer Matrix No. 92, Agenda Exhibit No. 5.9 to the administration. All voting aye. Nays none. Council Member Keller absent. MOTION 2003-0787 ADOPTED.

Matrix No. 93 – Agenda Exhibit No. 5.8 - Remove the Zoo privatization fee and Miller

Outdoor Theater funding from the General Fund – was presented.

Council Member Robinson moved to postpone Matrix No. 93 – Agenda Exhibit No. 5.8 to the end of the agenda, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0788 ADOPTED.

Matrix No. 94 – Agenda Exhibit No. 8.1 - Implement a 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 – was presented.

Council Member Goldberg moved to adopt Matrix No. 94, Agenda Exhibit No. 8.1, seconded by Council Member Ellis.

Council Member Goldberg stated that the amendment would work better than he thought, that he had a letter from Mr. John DeLeon, Director, Affirmative Action, that he had hoped they could achieve at least \$400,000 in revenue, and in the letter they said they could achieve \$550,000 in revenue and the only discrepancy they had that he was willing to concede was that Mr. DeLeon was not in belief of a re-certification fee, that he had his reasons and knew more about it, that they could rely on \$500,000 in administrations fees, \$40,000 in educational sessions, that it was more doable, according to Mr. DeLeon, than he had thought and urged passage of the amendment.

Council Member Tatro asked if the fee schedule would have to come back for final adoption and Council Member Goldberg stated that he did not know the answer to that, and Ms. Taylor stated that yes it would and Mayor Brown stated that the Council would have to approve an ordinance on it.

Council Member Ellis stated that the only concern he had about it was the administration fee was going to be based upon the contracts that were awarded, and Council Member Goldberg stated right, and Council Member Ellis stated that the issue he had with that was did it mean that they just bumped up the price at 10 basis points of which they were going to be charging them because he knew that Council Member Edwards had an amendment for all contractors that she wanted to charge them 10 basis points for any contract that was awarded by the City, that to put it this way, if they pass out a \$100 million contract to a contractor all they were going to do when they realize that they were going to have to pay an extra 10 basis they were just going to incorporate that in the contract, so his concern was, yes on one hand they were picking up an administration fee of 10 basis points on the awarded contract, but then on the other hand they were just incorporating it into the contract and bumping the price, that would be his concern and he had that concern about Council Member Edwards amendment as well, and Council Member Goldberg stated that all of the contracts were based on the lowest bid anyway, and Council Member Ellis stated that when they did their bid they had a bid process they went through and they incorporated their profit margin in there and if their profit margin was going to be 5% now they were going to be looking at it and do 5% plus 10 basis points and then pass it on to the City, that he did not know if anybody could talk to that issue, but he believed that was what would happen.

Council Member Goldberg stated that if they wanted to be competitive and get the bid then it was up to them, that there was such a disparity in the bids anyway and he did not think that .1% was going to make that much of a difference, and Council Member Ellis asked if they had a prime contractor and they went out and had to fulfill the 20% MWBE component would they go out to the market and allow the subcontractors to bid on that or would they just go and select the subcontractors and Mayor Brown stated that the prime select their subs, and Council Member Ellis stated that the subcontractor actually was incorporated into the contract, and Mayor Brown stated that was correct, and Council Member Ellis stated that he believed that the 10 basis points that they were going to collect would be passed onto the City and was going to oppose the amendment.

Mayor Brown asked Council Member Goldberg if it was his motion to study it and see if it worked, and Council Member Goldberg stated that it was not to study, it was to implement, and Mayor Brown asked Mr. Haines what were the implications of implanting it, that they agreed to study it, and Mr. Haines stated that they did agree to study and he knew there had been some conversations between Affirmative Action and the Council Member on the amendment, that the administration agreed to take a look at it, if it was a competitive opportunity, and there was some thought that there might be, they agreed to take a look at it and that was essentially their recommendation on the amendment.

Council Member Robinson stated that he had similar concerns to Council Member Ellis's because they were pretty much holding a minority contractor as hostage if they had to pay a fee to go through the certification process, because if they were not certified they became less attractive, at least as minority subs for purposes of trying to achieve the goal and they had the question if they were the prime they could not pass on the additional cost of whatever the fee may be, he was not going to want to wrap that in to the overall bid price when they come to the table, which meant they were going to be basically eating that cost, that was the concern he had.

Council Member Tatro stated that if they were simply to go to the contract community and imposed a fee at every level of every contract and say that since everybody had the fee and it was embedded into that contract was that a price that was going to be passed on in their contract, he thought the universal answer would be yes, that everybody was going to pass it on because everybody bears the cost, that it was almost like a tax, it was a given cost that they were simply passing on to the contract and it was going to be recouped in the bid, to suggest that the contractor was just going to eat it was just silly, that was not real contracting and if they set the bar higher and higher, whether it was point .1, .05 or .2, he guaranteed them that those costs were going to be included in the bid and he did see it, that he thought it was on the application and not the awarded contract and obviously with the fluctuation of the percentage of each contract it would simply increase the fluctuation of the bid price, so he would not be in favor of any additional cost embedded in any contract.

Mayor Brown stated that if Council Member Goldberg was agreeable he thought the best way was to conduct the analysis and see what could and should be done and anything that was done would have to be brought back to Council in form of an ordinance anyway, and Council Member Goldberg stated that the Mayor was right, that his plan was for Affirmative Action to produce at least 25% of their expenses in revenue, Mr. DeLeon had suggested the

administration fee and that was not his suggestion, that Mr. DeLeon had also suggested charging for the education sessions, that he did not really care how they came up with the revenue he just felt like in the first year of trying it out that they could do 25%, if voting for the amendment basically said that Mr. DeLeon had to come back with a plan that the Council would have to vote on later on and they could vote the plan up or down at that time and if Mr. DeLeon based it on an administration fee and the Council Members did not like that they could vote it down at that time, but at least let the director of that department come back and show them how he could produce 25% of his expenses as revenue and if that was not what his amendment states then he would clearly define it as that, and Mayor Brown asked if that was the intent of his amendment, to have Mr. DeLeon look at it and see if he could do that and then come back to Council. Council Members Ellis and Alvarado absent

Council Member Keller stated that he appreciated what Council Member Goldberg stated and appreciated the concept on which he was trying to develop and thought it had some merit, that he did not think at present the way their current MWBE program was implemented and exercised really served that much merit, that what he wanted to inject into it was a gradient to where they maybe have an incentive of when the team, which included the MWBE component, derived a savings, that they get credit for that savings, and maybe a proportionate amount of that could go toward the administration of the program and then they were recognized for having achieved a savings and coming in under budget, that he thought that it would work against the littler of the little guys when they started talking about an additional fee or even learning how to navigate an additional step in the process to gain business and favor, which was part of their process, that he thought it deserved merit to look at it further, but he liked to look at it from the angle of who was causing them to save money on project after project and maybe those savings would get identified to be put toward the administration of that project, that he would like to hear Mr. DeLeon's thought on that point at a later date, and Mayor Brown stated that they would have him take that into consideration.

Council Member Galloway stated that she concurred with her colleague, Council Member Robinson, that they were talking about the MWBE's and small businesses, that they were the ones who did need the work and the peanuts that they got from some of the contracts sure did not warrant them to get charged a fee to get certified, that was the reason they had a program, that the only thing she could see was maybe they could create some type of revenue in that department through education for any person who wished to know how to go about being certified or anything else that dealt with Affirmative Action and MWBE programs, that maybe the department could have some kind of education component and charge, because they did do a lot of things in that area, so she would rather they study it and look at it but not implement any kind of fees for those small companies. Council Members Wiseman and Berry absent.

Council Member Edwards asked if they were trying to support the Affirmative Action Program, were they trying to train contractors as to how to manipulate, what was the fee attempting to do, and Council Member Goldberg stated that the amendment would help to finance the Affirmative Action Department so that their budget was not going to be so much in constraint by budget cuts, that they were producing revenue, they would be less vulnerable because they were revenue producing, that many of the ideas came from the Affirmative Action Department, and Council Member Edwards stated that her question was that they heard all the time that the other revenue that the departments produced did not go back to the department,

that it went to the General Fund, so why was it different, and Mr. Haines stated that the revenue, if it works, would flow into the General Fund and Affirmative Action was a General Funded division of the City, that it did not go back to Affirmative Action, and Council Member Edwards asked why they were saying that it sustained Affirmative Action and Mr. Haines stated that the idea would be an offset.

After further discussion, Mayor Brown stated that the motion before them was Council Member Goldberg motion to study the item and bring it back before Council.

A roll call vote was called on the motion to refer Matrix No. 94, Agenda Exhibit No. 8.1 for study and the director to bring back a plan showing how he could produce revenue.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting no	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting 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 no
Council Member Keller voting aye	MOTION 2003-0789 ADOPTED

Matrix No. 95 – Agenda Exhibit No. 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 – was presented.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that the Riverside Health Clinic was presently closed pending renovation of the building there were significant structural problems with it, there were currently limited services being performed in the Third Ward Multi Service Center, that was incorporated into the FY04 Budget, it would be their proposal that during the course of this fiscal year that they issue an RFP or solicitation for proposals for consideration of opening the Riverside Clinic with a minimum level of service that would ordinarily be provided by the Health Department but perhaps also making it available for expanded services in that part of the community, that on a limited basis the plan would be to consider reopening it under some form fully by FY05, so that was the position on it now. Council Member Berry absent.

Council Member Edwards moved to refer Matrix No. 95 to the administration so they could do the due diligence with the community as to how they wanted to bring it further, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0790 ADOPTED.

Council Member Vasquez moved to consolidate Tier 4 and identify those items that they would like to have individual discussion on, seconded by Council Member Alvarado. Council Member Berry absent.



After discussion by Council Members, Council Member Vasquez stated that he would withdraw his motion to consolidate and Mayor Brown stated that they would go item by item. Council Member Berry absent.

Matrix No. 96 – Agenda Exhibit No. 1.10 - Identify CDBG or other grant funding to replace General Fund funding for the SEARCH mobile outreach van – was presented, moved by Council Member Parker, seconded by Council Member Tatro.

Council Member Parker stated that she and Council Member Alvarado both definitely wanted to continue funding the SEARCH Program, that she was attempting to move it entirely under CDBG, but if they could not she wanted to continue under the General Fund, which was, she thought, Council Member Alvarado's intent, that Council Member Tatro's was different, they looked the same on the Matrix but it was a different intent. Council Member Berry absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that it was pursued a few years ago when SEARCH was originally funded out of the General Fund, that the issue was, as he recalled, was the CDBG was a focus on housing as opposed to operational for emergency shelters or homeless types of services and the item fell into that category therefore they were not able to fund it earlier previously out of CDBG and it was not likely that they could, the only other funding source would be the emergency shelter grant based on the operational component of SEARCH and that was why it was under the General Fund. Council Member Berry absent.

After discussion, Council Member Parker moved to withdraw Matrix No. 96 - Agenda Exhibit No. 1.10, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2003-0791 ADOPTED.

Matrix No. 97 – Agenda Exhibit No. 6.14 - End the General Fund contribution of \$250,000 for the SEARCH Homeless Program. Continue the funding through grant funding.

Council Member Tatro moved to withdraw Matrix No. 97 - Agenda Exhibit No. 6.14, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0792 ADOPTED.

Matrix No. 98 – Agenda Exhibit No. 14.18 - Continue \$200,000 for SEARCH out of the Department of Housing budget for their mobile outreach van services – was presented, moved by Council Member Alvarado, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0793 ADOPTED.

Matrix No. 99 – Agenda Exhibit No. 2.4 - Amend the Public Works and Engineering budget to restore funds for ROW mowing to four times per year. \$392,000 – was presented, moved by Council Member Quan, seconded by Council Member Ellis.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated it was something that they would agree in concept but they did not have the money identified, that he wanted to mention that Matrix No. 102 was the same amendment, but they were only against it because they had a balanced budget and did not have the funding source.



After further discussion a roll call vote was called on the motion to adopt Matrix No. 99 - Agenda Exhibit No. 2.4.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
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 no	MOTION 2003-0794 FAILED

Matrix No. 100 – Agenda Exhibit No. 2.5 Amend the Public Works and Engineering budget to restore \$500,000 for shoulder maintenance – was presented, moved by Council Member Quan, seconded by Council Member Parker.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that it was the same comment, that it would be nice to have but they did not have the funding source.

A roll call vote was called on the motion to adopt Matrix No. 100, Agenda Exhibit No. 2.5.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
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 2003-0795 FAILED

Matrix No. 101 – Agenda Exhibit No. 2.9 - Conduct RFP for mowing services with emphasis on non-profit organizations, i.e., Goodwill Industries, Cenikor, etc., to privatize services – was presented, moved by Council Member Quan, seconded by Council Member Parker.

After discussion by Council Members, Council Member Quan offered a substitute motion to refer Matrix No. 101, Agenda Exhibit No. 2.9 to the administration for a study, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0796 ADOPTED.

Matrix No. 102 – Agenda Exhibit No. 9.5 - Public Works & Engineering Department - Restore full funding for Right of Way Mowing and Expansion Joint/Crack Sealing programs – was presented.

Council Member Edwards moved to withdraw Matrix No. 102, Agenda Exhibit No. 9.5, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0797 ADOPTED.

Matrix No. 103 – Agenda Exhibit No. 10.6- Privatize PWE Right-of-Way Maintenance and Parks Department Esplanade Maintenance – was presented.

Council Member Wiseman stated that she would like to introduce a substitute amendment “to create a competitive bidding process for the public and private sector for right-of-way mowing”, seconded by Council Member Ellis.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that they would concur with that approach, that it was a managed competition, he believed and was what the Council Members had in mind and it was in the Parks Department, that he believed that Council Member Quan’s amendment would be similar and thought they could merge the two together since they would get the same results.

Mayor Brown stated that the motion was to allow Council Member Wiseman to substitute an amendment for Matrix No. 103 - Agenda Exhibit No. 10.6, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0798 ADOPTED.

A vote was called on the motion to adopt the substitute amendment for Matrix No. 103 - Agenda Exhibit No. 10.6. All voting aye. Nays none. MOTION 2003-0799 ADOPTED.

Matrix No. 104 – Agenda Exhibit No. 13.6 - Recapture Funds to the Library Materials Budget. Increase the libraries materials budget by \$500,000 – was presented.

Council Member Vasquez moved to withdraw Matrix No. 104 - Agenda Exhibit No. 13.6, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0800 ADOPTED.

Matrix No. 105 – Agenda Exhibit No. 14.22 - 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 – was presented.

Council Member Alvarado moved to adopt Matrix No. 105, seconded by Council Member Berry.

After discussion by Council Members, a vote was called on the motion to adopt Matrix No. 105 - Agenda Exhibit No. 14.22. Council Member Robinson voting no, balance voting aye. MOTION 2003-0801 ADOPTED.

Matrix No. 106 – Agenda Exhibit No. 2.3 - Amend the Solid Waste Budget for Keep Houston Beautiful from \$100,000 to \$250,000 per year – was presented.

Council Member Quan moved to adopt Matrix No. 106 - Agenda Exhibit No. 2.3, seconded

by Council Member Ellis.

Dr. Scheps stated that Keep Houston Beautiful was cut to \$100,000 in the current year but was out altogether next year, that it was a great organization, that they completely agreed in the concept but it was just a funding constraint that kept them from doing it.

A roll call vote was called on the motion to adopt Matrix No. 106 - Agenda Exhibit No. 2.3.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting aye	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2003-0802 FAILED

Matrix No. 107 – Agenda Exhibit No. 2.8 - Amend Housing and Community Development budget to include \$200,000 as incentive funds for development of visitable, affordable homes – was presented.

Council Member Quan moved to refer Matrix No. 107 - Agenda Exhibit No. 2.8 to the administration for review, seconded by Council Member Tatro.

After discussion by Council Members, a vote was called on the motion to refer Matrix No. 107 - Agenda Exhibit No. 2.8 to the administration. All voting aye. Nays none. MOTION 2003-0803 ADOPTED.

Matrix No. 108 – Agenda Exhibit No. 3.4 - Fund an alternate pilot transport program within the Fire Department for non-emergency EMS callers utilizing Homeland Security Grant funds – was presented. Council Member Keller absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated they believed their initial response was that they did not agree mainly because it did represent a cost, however as they had taken a look at it they were prepared to recommend approval of the item and to move forward with the pilot program, they would recommend a minimum investment, but not to exceed \$100,000 on the item, that they would not recommend that they go forward with it if they did not see a return, that a return may not be realized during the course of the fiscal year, but certainly there was some value and an opportunity cost that was worth looking into. Council Member Keller absent.

After further discussion, Council Member Sekula-Gibbs moved to adopt Matrix No. 108 - Agenda Exhibit No. 3.4, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0804 ADOPTED.

Matrix No. 109 – Agenda Exhibit No. 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 – was presented.

After discussion by Council Members, Council Member Goldberg moved to adopt Matrix No. 109 - Agenda Exhibit No. 8.4 and that it apply to the departments that did not know of the reduction, seconded by Council Member Tatro.

After further discussion a roll call vote was called on the motion to adopt Matrix No. 109 - Agenda Exhibit No. 8.4.

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 aye
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 2003-0805 ADOPTED

Matrix No. 110 – Agenda Exhibit No. 8.5 - Remove from all departments, any positions that are redundant or duplicated by the Building Services Department – was presented.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that they agreed with the Council Member to take a look at other departments, that they may have redundancy between Building Services and those departments, that work was underway, that it was agree to look at it.

Council Member Galloway moved to adopt Matrix No. 110 - Agenda Exhibit No. 8.5, seconded by Council Member Tatro.

After further discussion a vote was called on the motion to refer Matrix No. 110 - Agenda Exhibit No. 8.5 to the administration for a study. All voting aye. Nays none. MOTION 2003-0806 ADOPTED.

Matrix No. 111 – Agenda Exhibit No. 9.2 - Restore \$100,000.00 to the Health Department's budget for the State of Emergency HI V/AIDS Task Force – was presented.

Mayor Brown asked Mr. Haines if they had restored that money and Mr. Haines stated that he though they had restored it and deferred to Dr. Scheps, and Dr. Scheps stated that they never took money out of the Health Department Budget, there may have been a confusion about that, they did not reduce money for this purpose out of the Health Department in this year, that the money was still there.

Council Member Edwards moved to withdraw Matrix No. 111 - Agenda Exhibit No. 9.2, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2003-0807 ADOPTED.

Matrix No. 112 – Agenda Exhibit No. 10.8 - Prohibit General Fund line item expenditures for Management Consulting Services – was presented.

Mayor Brown requested Dr. Scheps to address the item, and Dr. Scheps stated that he wanted to refer them to page 43 of the big handout, that it listed the consultants and they could see, in his opinion, there was not much that they would want to cut, that it was much less than it had been in prior years.

Council Member Wiseman moved to adopt Matrix No. 112 - Agenda Exhibit No. 10.8, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix 112 - Agenda Exhibit No. 10.8.

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 aye
Council Member Wiseman voting aye	Council Member Berry voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0808 FAILED

Matrix No. 113 – Agenda Exhibit No. 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 – was presented.

Council Member Wiseman stated that she would like to introduce a substitute amendment to “Implement a fee recovery system to offset certain vehicle costs within the Police Department and any excess revenue collected will be used for improvements in the department such as the crime lab”, seconded by Council Member Ellis, and tagged by Council Member Galloway. Council Member Goldberg absent.

Council Member Ellis moved to suspend the rules to hear from Chief Bradford, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2003-0809 ADOPTED.

Mayor Brown asked Council Member Wiseman if her substitute only dealt with the Police Department and Council Member Wiseman stated yes, that it was just for the Police Department.

Chief Bradford stated that he did support the amendment, it was a cost recovery process that would bring in close to \$900,000 to assist with the cost of operating some of the cars and some of the money could be used for some of the anticipated costs for their crime lab issues.

Council Member Galloway stated that she would release her tag on Council Member Wiseman substitute amendment.

Council Member Robinson moved to allow Council Member Wiseman to substitute her amendment for Matrix No. 113 - Agenda Exhibit No. 10.3, seconded by Council Member Tatro.

Upon questions by Council Member Parker, Chief Bradford stated that they were proposing that the policy be changed where if they used the cars for any personal benefit they would pay for using the car for personal benefit, that he did not have the schedule fee with him, and Council Member Ellis stated that the fee would be \$67 biweekly. Council Member Robinson absent.

A vote was called on the motion to allow Council Member Wiseman to introduce her substitute amendment for Matrix No. 113 - Agenda Exhibit No. 10.3. All voting aye. Nays none. Council Member Robinson absent. MOTION 2003-0810 ADOPTED.

A vote was called on the motion to adopt a substitute amendment for Matrix No. 113 - Agenda Exhibit No. 10.3. All voting aye. Nays none. Council Member Robinson absent. MOTION 2003-0811 ADOPTED.

Matrix No. 114 – Agenda Exhibit No. 12.8 - Fund two FTE's in the Planning Department to help properly enforce sign and billboard ordinances – was presented.

Council Member Keller stated that he looked forward to receiving the administration's study that they had agreed to provide to them by September 1 and moved to refer Matrix No. 114 – Agenda Exhibit No. 12.8 to the administration for a study to be received by September 1, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2003-0812 ADOPTED.

Matrix No. 115 – Agenda Exhibit No. 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 – was presented, moved by Council Member Vasquez, seconded by Council Member Galloway.

Mayor Brown requested Dr. Scheps to address the item, and Dr. Scheps stated that the impact would be a \$200,000 cost and that Mr. Buchanan did not think it would be cost effective.

After further discussion by Council Members, a vote was called on the motion to adopt Matrix No. 115 - Agenda Exhibit No. 13.4. All voting aye. Nays none. MOTION 2003-0813 ADOPTED.



Matrix No. 117 – Agenda Exhibit No. 14.7 - Raise the parking meter rates under the Pierce Elevated – was presented.

Council Member Alvarado moved to postpone Matrix No. 117 - Agenda Exhibit No. 14.7 to the end of the agenda, seconded by Council Member Keller. All voting aye. Nays none. Council Member Quan absent. MOTION 2003-0814 ADOPTED.

Upon questions by Council Member Robinson regarding Matrix No. 117, Mr. Haines stated that they did a report on the issue of TXDOT and if they were to outsource that property they would lose that revenue potential completely, that he believed they were looking at, based on the current ordinance, it was somewhere around between \$125,000 to \$150,000 and once construction was completed they felt it was revenue profitable for them to keep it and go ahead and beef up those meters.

Matrix No. 118 – Agenda Exhibit No. 14.19 - Eliminate any proposed fee increase to little leagues using COH parks – was presented.

After discussion, Council Member Alvarado moved to adopt Matrix No. 118 - Agenda Exhibit No. 14.19, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Vasquez absent. MOTION 2003-0815 ADOPTED.

Matrix No. 119 – Agenda Exhibit No. 14.20 - Increase deed restriction violations and building code violations – was presented.

After discussion by Council Members, Council Member Alvarado moved to adopt Matrix No. 119 - Agenda Exhibit No. 14.20, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0816 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.

After discussion, Council Member Keller moved to refer Matrix No. 181 to the administration, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0817 ADOPTED.

Matrix No. 193 – Agenda Exhibit No. 1.1 - Mandate the development of a charter amendment to require a two-thirds super-majority vote of Council to spend Rainy Day Funds – was presented, moved by Council Member Parker, seconded by Council Member Tatro.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated he thought that the note was that there was presently, he believed, under Council approval, at least a procedure that it would require a two thirds vote, that the amendment would just institutionalize it to a referendum which would need to be called, and Council Member Parker stated that her intention was that it would go to the next time there was a Charter election, and there would be

a Charter election in January or early next year, that there was already one scheduled so there would be no additional expense to the City.

After further discussion a vote was called on the motion to adopt Matrix No. 193 - Agenda Exhibit No. 1.1. All voting aye. Nays none. MOTION 2003-0818 ADOPTED.

Matrix No. 194 – Agenda Exhibit No. 5.11 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 – was presented.

Council Member Robinson moved to withdraw Matrix No. 194, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0819 ADOPTED.

Matrix No. 195 – Agenda Exhibit No. 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 – was presented.

After discussion by Council Members, Council Member Keller moved to refer Matrix No. 195 - Agenda Exhibit No. 13.17 to the Council Governance Committee, seconded by Council Member Vasquez.

After further discussion a vote was called on the motion to refer Matrix No. 195 - Agenda Exhibit No. 13.17 to the Council Governance Committee. Council Members Tatro, Wiseman and Robinson voting no, balance voting aye. MOTION 2003-0820 ADOPTED.

Matrix No. 196 – Agenda Exhibit No. 1.2 - Mandate the development of a charter amendment to clarify that the Controller can provide a range of audit functions including performance audits - was presented, moved by Council Member Parker, seconded by Council Member Quan.

After discussion by Council Members, Council Member Vasquez offered a substitute motion to refer Matrix No. 196 - Agenda Exhibit No. 1.2 to the Council Governance Committee, seconded by Council Member Tatro.

After further discussion a vote was called on the substitute motion to refer Matrix No. 196 - Agenda Exhibit No. 1.2 to the Council Governance Committee. Council Member Parker voting no, balance voting aye. Council Member Wiseman absent. SUBSTITUTE MOTION 2003-0821 ADOPTED

Matrix No. 197 – Agenda Exhibit No. 3.8 - Eliminate staff psychologist positions from the Police Department and outsource this function - was presented.

Mayor Brown requested Mr. Haines to address the item and Mr. Haines stated that he thought the big question was whether or not there was any savings at all and certainly at this point they thought that there were far greater advantages to retaining the program the way it was.

Mayor Brown stated that there were some practical implications and asked Chief Bradford to address it, that there were police psychologists throughout the Nation, that it was kind of a specialty position and were all within the Police Department, that his concern would be if they took it out the officers who needed it may not use the service and then they would create more problems internally.

Chief Bradford stated that currently the budget for the Psychological Services Division which was a total of about 9 employees, of which 5 were psychologists, that the budget was \$700,000 annually and \$90,000 of that was for their leased location off site and was inclusive of the \$700,000, that the psychologists provided services in the way of counseling services for officers involved in injury or fatality types of events, that they also provided counseling for stress, they performed evaluations for police applicants, investigators, swat team members, narcotics officers, bomb squad officers, etc., they also provided counseling services for officers who were deemed to have a stressful condition, warranting an evaluation based on a complaint, etc., they provide training at the Police Academy in the area of de-escalation techniques, crisis intervention, human relations training, etc., they also provided expert testimony in court, that they looked at the workload of the Psychological Services Division and compared the rate of compensation with the rate that the Fire Department got currently, because they outsource their activity, that the outsource rate would be \$880,000 compared to about \$700,000 that they were spending now, which included the \$90,000 for a leased location. Council Member Tatro absent.

After discussion Council Member Sekula-Gibbs moved to withdraw Matrix No. 197 - Agenda Exhibit No. 3.8, seconded by Council Member Galloway. All voting aye. Nays none. MOTION 2003-0822 ADOPTED.

Matrix No. 198 – Agenda Exhibit No. 4.8 - Prohibit expenditures on travel to a location outside of the U.S. without prior approval of City Council - was presented, moved by Council Member Berry, seconded by Council Member Tatro.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that they had very restrictive policies in place as it related to international travel, and they deferred that as matter for Council approval and recommended strongly against, and Mayor Brown stated that the policy was that nobody really traveled out of the Country very much anyway and when it occurred there had to be an approval by the Mayor or the Chief Administrative Office, so they had tight control over that.

After further discussion a roll call vote was called on the motion to adopt Matrix No. 198 – Agenda Exhibit No. 4.8.

ROLL CALL VOTE:

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

Council Member Vasquez voting no  
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 Ellis voting aye  
Council Member Keller voting aye

Council Member Robinson voting aye  
MOTION 2003-0823 FAILED

At 9:20 p.m. the Council recessed and Mayor Brown reconvened the meeting of the City Council at 9:29 p.m. Council Members Galloway, Ellis, Vasquez, Sekula-Gibbs and Berry absent.

Matrix No. 199 – Agenda Exhibit No. 5.1 - 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 - was presented.

After discussion, Council Member Robinson moved to withdraw Matrix No. 199 - Agenda Exhibit No. 5.1, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Ellis, Vasquez and Berry absent. MOTION 2003-0824 ADOPTED.

Matrix No. 200 – Agenda Exhibit No. 5.3 - Consolidate the Affirmative Action, Human Resources, City Secretary, Information Technology and Municipal Courts Departments into the Finance and Administration Department – was presented, moved by Council Member Robinson, seconded by Council Member Tatro. Council Members Galloway, Ellis, Vasquez and Berry absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that this item, as well as the others all represented major consolidation initiatives, their opinion was that while they would be worthy of consideration and review, (a), they could not have a fiscal impact going into this fiscal year budget, and (b), given that there was a transition process underway that it might be best looking at it under a new administration, and Mayor Brown stated that it was better not to reorganize government for the next few months, to let the next Mayor do that.

A roll call vote was called on the motion to adopt Matrix No. 200 – Agenda Exhibit No. 5.3.

ROLL CALL VOTE:

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

Council Member Vasquez voting no  
Council Member Alvarado voting no  
Council Member Parker voting no  
Council Member Quan voting no  
Council Member Sekula-Gibbs voting aye  
Council Member Berry absent  
Council Member Robinson voting aye  
MOTION 2003-0825 FAILED

Council Member Wiseman stated that she would like to change her vote to “no”, that she was on the prevailing side and there being no objection her vote was recorded as “no”. Council Members Galloway and Berry absent.

Mayor Brown stated that if she wanted to it was her prerogative and the vote was 7 to 6 and it failed, that Council Member Robinson's idea may be a good one but it would take a little

more time than they had to make it a meaningful transition, that he would make sure that his successor understands what the intent was in the item and hopefully they would carry it out. Council Member Berry absent.

Council Member Robinson stated that he intended to get a vote on all of the amendments and did not mind if they failed, he thought they ought to be done and thought, like most of the ideas he had brought to the table, they would ultimately get done. Council Member Berry absent.

Matrix No. 201 – Agenda Exhibit No. 5.4 - Consolidate the Housing and Community Development and Planning Departments into a new Department of Housing, Economic Development and Neighborhood Empowerment - was presented, moved by Council Member Robinson, seconded by Council Member Tatro. Council Member Berry absent.

A roll call vote was called on the motion to adopt Matrix No. 201 – Agenda Exhibit No. 5.4

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	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 no
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0826 FAILED

Matrix No. 202 – Agenda Exhibit No. 5.5 - Consolidate 311 and the Mayor's Citizens Assistance Office into a new Department of Community Services Assistance - was presented, moved by Council Member Robinson, seconded by Council Member Berry.

A roll call vote was called on the motion to adopt Matrix No. 202 – Agenda Exhibit No. 5.5.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0827 ADOPTED

Mayor Brown stated that it carried 8 to 7 and stated that it ordered the creation of another department director, and Council Member Robinson stated that no, he thought that was miscarried, that they were going to eliminate, they were consolidating some functions, and Mayor Brown stated that none of them were directors, that if he wanted to create a new

department and Council Member Robinson stated that was fine, they could create a new department, that he thought it was service delivery and responded to the duplication issues.

Matrix No. 203 – Agenda Exhibit No. 5.6 - Consolidate The Parks and Recreation and Library Departments into a new Quality of Life Department - was presented, moved by Council Member Robinson, seconded by Council Member Tatro.

A roll call vote was called on the motion to adopt Matrix No. 203 – Agenda Exhibit No. 5.6

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 aye	Council Member Quan voting no
Council Member Edwards voting aye	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 aye
Council Member Keller voting aye	MOTION 2003-0828 FAILED

Council Member Vasquez stated that he thought that Matrix No. 204 – Agenda Exhibit No. 5.10, Matrix No. 205 – Agenda Exhibit No. 6.6 and Matrix No. 206 – Agenda Exhibit No. 13.5 - Elimination of Building Services, all dealt with the elimination of Building Services and moved that they all be considered together, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2003-0829 ADOPTED.

Matrix No. 204 – Agenda Exhibit No. 5.10 - Eliminate the Building Services Department and return its functions to the Public Works and Engineering Department; and

Matrix No. 205 – Agenda Exhibit No. 6.6 - Move the Building Services Department back into the Public Works Department and eliminate redundant administrative positions; and

Matrix No. 206 – Agenda Exhibit No. 13.5 - 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 – were presented, moved by Council Member Robinson, seconded by Council Member Tatro.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that he believed they had distributed a report to Council as to the performance of the Building Service Department since its inception, that it had been a department that had saved a significant amount of money for the City, specifically and especially as it pertained to the maintenance and facilities management side of that department, with the consolidation of facilities maintenance, building management, custodial services and so on, they were, as he recalled, their savings generation had been in excess of \$35 million between all of the departments that had been brought together, Fire, Police and General Government activities. Council Members Parker and Berry absent.

Mayor Brown stated that he would add that the departments reported that they were getting better service by having a centralized service over what it was prior to the creation of the Building Services Department, that as they knew they did ask the private sector to do an analysis of how they handled all of their facilities and they made the recommendation, Council accepted the recommendation and created the department, as Mr. Haines had pointed out it had been a department that had saved the City money. Council Member Berry absent.

A roll call vote was called on the motion to adopt Matrix No. 204 – Agenda Exhibit No. 5.10, Matrix No. 205 – Agenda Exhibit No. 6.6 and Matrix No. 206 – Agenda Exhibit No. 13.5 - Elimination of Building Services.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Edwards voting no	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Berry absent
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting no	MOTION 2003-0830 FAILED

Council Member Vasquez stated that he thought it would be beneficial to Council and to Building Services if there was some type of study of the management performance and review in terms of savings and practices, and Mayor Brown stated that they could do a performance study of the department and report back to the Council. Council Member Berry absent.

Matrix No. 207 – Agenda Exhibit No. 5.12 - 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 - was presented.

Dr. Scheps stated that there was a line missing from the Matrix and read the amendment, that it was for combining Police, Fire and related areas of Health and Human Services, and Mayor Brown stated that it called for a Charter amendment to combine Police and Fire and Health Department, that it could not be done right now because of State law anyway. Council Member Berry absent.

Council Member Robinson stated that the Legal Department had put out a memo that stated if there was a Charter amendment approved or if they changed State law, so if they drafted a Charter amendment and the voters decided they wanted to do it, all he was asking was to give the voters the opportunity to decide, and Mayor Brown stated that it seemed to him that they should refer the item to committee like they did the other Charter amendments and give it some thought, and Council Member Robinson stated that he did not have a problem with having it referred but wanted something to come back, a draft, for them to vote up or down. Council Members Ellis and Berry absent.



Council Member Quan stated that they would take it to committee and if the Council wanted to go forward on it then they would have a draft done. Council Members Ellis and Berry absent.

Council Member Robinson moved to refer Matrix No. 207 – Agenda Exhibit No. 5.12 to the Council Governance Committee for their August meeting, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Ellis and Berry absent. MOTION 2003-0831 ADOPTED.

Matrix No. 211 – Agenda Exhibit No. 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 - was presented. Council Members Ellis and Berry absent.

Council Member Tatro moved to refer Matrix No. 211 – Agenda Exhibit No. 6.4 to the Council Governance Committee, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Ellis and Berry absent. MOTION 2003-0832 ADOPTED.

Matrix No. 215 – Agenda Exhibit No. 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 - was presented, moved by Council Member Tatro, seconded by Council Member Robinson.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that the item was not dissimilar to an amendment that was offered up on the General Fund, that it was the same principal, they believed it was not representative of cost and would recommend against it. Council Member Berry absent.

A roll call vote was called on the motion to adopt Matrix No. 215 – Agenda Exhibit No. 6.20.

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 no  
Council Member Keller voting no

Council Member Vasquez voting no  
Council Member Alvarado voting no  
Council Member Parker voting aye  
Council Member Quan voting no  
Council Member Sekula-Gibbs voting aye  
Council Member Berry absent  
Council Member Robinson voting aye  
MOTION 2003-0833 FAILED

Matrix No. 216 – Agenda Exhibit No. 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 – was presented.

Council Member Galloway moved to withdraw Matrix No. 216 – Agenda Exhibit No. 7. 1, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent. MOTION 2003-0834 ADOPTED.

Matrix No. 217 – Agenda Exhibit No. 7.3 – (Listed on Matrix in error as 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 - was presented.

After discussion by Council Members, Mayor Brown stated that he thought they should give Council Member Galloway's amendment a try, and Council Member Galloway moved to refer Matrix No. 217 – Agenda Exhibit No. 7.3 to the administration for a study, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez, Alvarado, Parker, Sekula-Gibbs and Berry absent. MOTION 2003-0835 ADOPTED.

Matrix No. 218 – Agenda Exhibit No. 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 - was presented, moved by Council Member Goldberg, seconded by Council Member Quan. Council Members Wiseman, Vasquez, Alvarado and Berry absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that stated that they did agree with the amendment and in fact had already begun that communication to make it available. Council Members Wiseman, Vasquez, Alvarado and Berry absent.

A vote was called on the motion to adopt Matrix No. 218 – Agenda Exhibit No. 8.4-1. All voting aye. Nays none. Council Members Wiseman, Vasquez, Alvarado and Berry absent. MOTION 2003-0836 ADOPTED.

Matrix No. 219 – Agenda Exhibit No. 12.4 - Implement a Zero-Based budget for all city departments, with the exception of Police and Fire - was presented, moved by Council Member Keller, seconded by Council Member Tatro. Council Members Vasquez, Alvarado and Berry absent.

After discussion by Council Members, a roll call vote was called on the motion to adopt Matrix No. 219 – Agenda Exhibit No. 12.4. All voting aye. Nays none. Council Members Vasquez, Alvarado, Parker and Berry absent.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Berry absent
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0837 FAILED

Matrix No. 220 – Agenda Exhibit No. 12.7 - Fund six FTE's in the Planning & Development Department to properly implement and enforce codes and ordinances, plan review, permitting and inspection - was presented.

Mayor Brown requested Dr. Scheps to address the item, and Dr. Scheps stated that they had the item out of order in the Matrix, that if it had a cost and was possibly cost neutral then he would suggest that they ought to take a look at it and perhaps come back, that it was about a \$300,000 cost unless it could generate fees to pay for itself, that they would be against it because of the \$300,000 cost, and Mayor Brown asked if it was okay to look at it and see if it was cost neutral, and Dr. Scheps stated that they could come back in 30 days or something like that. Council Members Goldberg and Ellis absent.

After further discussion by Council Members, Council Member Keller moved to refer Matrix No. 220 – Agenda Exhibit No. 12.7 to the administration and to come back with a report in 30 days, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Alvarado, Parker and Sekula-Gibbs absent. MOTION 2003-0838 ADOPTED.

Matrix No. 221 – Agenda Exhibit No. 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 - was presented.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that effectively they were doing the control now, and Mayor Brown stated that in fact he was approving every new hire, promotion and transfer with the intent of trying to take care of the people that were being laid off. Council Members Tatro, Galloway, Parker, Sekula-Gibbs and Robinson absent.

After further discussion, Council Member Vasquez moved to refer Matrix No. 221 – Agenda Exhibit No. 13.1 to the administration for review with a November or December time frame to look at it internally, seconded by Council Member Quan. All voting aye. Nays none. Council Members Tatro, Galloway, Keller, Sekula-Gibbs and Robinson absent. MOTION 2003-0839 ADOPTED.

Matrix No. 222 – Agenda Exhibit No. 13.2 - 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 - was presented. Council Members Tatro, Galloway, Keller and Robinson absent.

Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that they were monitoring travel very carefully, at this point they did allow department director discretion on domestic based travel as it related to employee travel, but they had literally shut down travel, that there was not much going on, but effectively, as a matter of principal, they were in that mode now and certainly would continue to maintain a higher magnifying glass look at it.

After further discussion, Council Member Vasquez offered a motion to refer Matrix No. 222 – Agenda Exhibit No. 13.2 to the administration for review with a November or December time frame to look at it internally, seconded by Council Member Quan. All voting aye. Nays none. Council Members Tatro, Galloway, Keller and Robinson absent. MOTION 2003-0840 ADOPTED.

Matrix No. 223 – Agenda Exhibit No. 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:

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.
- was presented, moved by Council Member Vasquez, seconded by Council Member Tatro. Council Members Galloway, Keller and Robinson absent.

After discussion, Council Member Vasquez moved to suspend the rules to hear from Chief Bradford, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Goldberg, Parker and Quan absent. MOTION 2003-0841 ADOPTED.

Chief Bradford stated that he had a chance to review the proposal, that in the Police Department they had their overall management and performance review from an outside entity, that it was some ten years ago and would not be opposed to look at the performance of the Houston Police Department from top to bottom, at supervision, management as well the officers performance and assignment in the field. Council Member Parker absent.

Upon questions by Council Member Robinson, Chief Bradford stated that the mission of the Police Department was simply to improve the quality of life of the citizens of Houston while preserving the Constitution and working corporately with the citizens, enforcing the law, public safety, that since September 11 they had not changed their public safety mission, that clearly the mission was the same but the strategies were different and the particular performance audit would look at the relationship and the coordination of activities that existed between EMT personnel and Fire Department personnel and how they could work better to consolidate a delivery of services as well. Council Member Parker absent.

Council Member Sekula-Gibbs stated that she would like to ask Council Member Vasquez if he would accept a friendly amendment to also include in his study the issue of pension, that she wanted to call to attention the article in the Houston Chronicle related to the increase in their contribution from the City's fund to the employee's pension plan, that it stated in the Chronicle that their contribution from the City to the Police Pension Fund would grow from 12.4% to 35.4% and she did not see that anywhere in the budget and worried that it was not addressed in the budget at all, that she would like to ask Fiscal Affairs to provide to all Council Members a statement of where they were on pension contributions for Police and Fire five years ago and where they would be five years from now, so they could get a real picture of what their obligations would be, and Mayor Brown stated that they would get that for the Council Members. Council Member Robinson absent.

After further discussion, Mayor Brown stated that it was his understanding that Council Member Vasquez's amendment was asking for a management study of those organizations to see if they could be improved in the organizational structure, delivery of services and efficiency, that management studies were quite frequent and as Chief Bradford stated they did one ten years ago. Council Member Robinson absent.

A vote was called on the motion to refer Matrix No. 223 – Agenda Exhibit No. 13.8 to the administration for study. All voting aye. Nays none. Council Member Robinson absent. MOTION 2003-0842 ADOPTED.

Council Member Ellis moved to consider Matrix No. 226 – Agenda Exhibit No. 13.13 and Matrix No. 227 – Agenda Exhibit No. 13.15 together, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2003-0843 ADOPTED.

Matrix No. 226 – Agenda Exhibit No. 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:

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.

Matrix No. 227 – Agenda Exhibit No. 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 for 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.

– were presented, moved by Council Member Vasquez, seconded by Council Member Ellis.

A vote was called on the motion to adopt Matrix No. 226 – Agenda Exhibit No. 13.13 and Matrix No. 227 – Agenda Exhibit No. 13.15. All voting aye. Nays none. MOTION 2003-0844 ADOPTED.

Matrix No. 228 – Agenda Exhibit No. 13.20 - Matricula Consular. The City of Houston shall recognize the Matricula Consular as a form of identification as per attached resolution. (Note: Resolution No. 203-0016 ADOPTED June 17, 2003)

Matrix No. 229 – Agenda Exhibit No. 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 - was presented.

Council Member Vasquez moved to refer Matrix No. 229 – Agenda Exhibit No. 13.21 to the Regulatory Affairs Committee, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0845 ADOPTED.

Matrix No. 231 – Agenda Exhibit No. 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 - was presented.

Council Member Keller moved to adopt Matrix No. 231 - Agenda Exhibit No. 12.13 and to add to the motion the following “to the extent that a process can be legally established to comply with State law”, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0846 ADOPTED.

Matrix 232 – Agenda Exhibit No. 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 contact administration - was presented. Council Member Edwards absent.

Council Member Robinson moved to postpone Matrix 232 – Agenda Exhibit No. 9.6 and Matrix 233 – Agenda Exhibit No. 9.7 until Council Member Edwards was present in the chamber and consider Matrix No. 93 - Agenda Exhibit No. 5.8 at this time, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0847 ADOPTED.

Matrix No. 93 – Agenda Exhibit No. 5.8 - Remove the Zoo privatization fee and Miller Outdoor Theater funding from the General Fund – was again before Council.

Council Member Robinson moved to refer Matrix No. 93 – Agenda Exhibit No. 5.8 - to the administration, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0848 ADOPTED.

Matrix 234 – Agenda Exhibit No. 12.14 - Transfer the Neighborhood Protection Division from the Planning & Development Department to the Solid Waste Department - was presented.

Council Member Keller moved to withdraw Matrix 234 – Agenda Exhibit No. 12.14,



seconded by Council Member Robinson. All voting aye. Nays none. Council Member Edwards absent. MOTION 2003-0849 ADOPTED.

Matrix No. 235, Agenda Exhibit No. 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 - was presented.

After discussion Council Member Wiseman moved to adopt Matrix No. 235, Agenda Exhibit No. 10.16, seconded by Council Member Tatro. Council Member Robinson absent.

Mayor Brown requested that Dr. Scheps address the item, and Dr. Scheps stated that the item did have a revenue impact, that they estimated that it would be about \$1.6 million, that they did get a \$50 fee to initiate the service which was now coming and as a matter of fact the notices went out about three or four weeks ago, that it took that long because they had EDS, the same people that did the fees for the Police doing it and it took a while to get that contract organized so they were just in the process of having the \$50 fees flow in and they did want to recognize that revenue impact. Council Member Robinson absent.

Council Member Wiseman stated that in reviewing the ordinance that was in the books as a result of the amendment last year, there was nothing in the ordinance that addressed residential users, that it was a duplication of fees because there was nothing that addresses any kind of inspection to maintain the system at all, that with respect to the permits that had already been issued she thought that in all fairness those people should either have their fees refunded or have that applied to next year's Police Department permit, that it would not be appropriate to keep that money. Council Members Vasquez and Robinson absent.

Mayor Brown asked Dr. Scheps to respond to Council Member Wiseman's suggestion and Dr. Scheps stated that part of what was handed out was the disclosure that they put together when they were doing it a year ago and they did disagree that the ordinance did not include residential, every time they talked during the budget process last year it was with their understanding that it was going to be residential, that was the majority and the ordinance was intended to charge those people and they thought it did, that it was proper, that was their reading of it.

Mayor Brown stated that there was a reason for it, that history had shown, just as was the case with Police Department burglary alarms, most of their alarms were false and took the fire apparatus out of service and a lot of it was carelessness, that if people had to pay for each false alarm they would be much more careful, so there was a reason to try to reserve the resources they had in the Fire Department to be available when they were needed, and Mayor Brown asked Ms. Taylor if it had already been passed did they have to come back with another ordinance to undo it, and Ms. Taylor stated that there was an ordinance on the books that set it up that City Council adopted, so to the extent that Council would want to make a change they would need to bring an ordinance back to the Council with an amendment to that ordinance. Council Member Vasquez absent.

After further discussion a roll call vote was called on the motion to adopt Matrix No. 235, Agenda Exhibit No. 10.16.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
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 2003-0850 ADOPTED

Council Member Tatro asked for a point of order and stated that they had skipped Matrix 232 and 233 and wanted to recall them when appropriate.

Matrix 232 – Agenda Exhibit No. 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 contact administration - was presented.

Council Member Edwards moved to withdraw Matrix 232 – Agenda Exhibit No. 9.6, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0851 ADOPTED.

Matrix 233 – Agenda Exhibit No. 9.7 - Collect a registration fee from all businesses seeking to do business in the city limits - was presented.

Council Member Edwards moved to withdraw Matrix 233 – Agenda Exhibit No. 9.7, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0852 ADOPTED.

Matrix No. 236 – Agenda Exhibit No. 2.14 - The estimate for sales tax revenue is reduced by \$2 to \$5 million to \$329,657,218 - was presented.

Council Member Quan stated that Matrix No. 236 - Agenda Exhibit No. 2.14 and No. 237 - Agenda Exhibit No. 2.15 both sought to seek to rectify the baseline budget as to the fact that they had less sales tax than anticipated, that they had initially looked at \$2 million and Council Member Robinson stated that he should look at it at \$5 million so he was willing to put both of them on the table for consideration.

Council Member Robinson stated in light of all the stuff they had done so far he would prefer to go back to Council Member Quan's original \$2 million because he thought that some of what he had intended by the \$5 million had been taken care of through the individual line items.

Council Member Quan moved to adopt Matrix No. 236 – Agenda Exhibit No. 2.14 with a reduction of \$2 million, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2003-0853 ADOPTED.

Matrix No. 237 – Agenda Exhibit No. 2.15 - The estimate for property tax revenue is reduced by \$2 million to \$662,741,000 - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0854 ADOPTED.

Matrix No. 238 – Agenda Exhibit No. 2.16 - The estimate for gas franchise fees is increased by \$1 million to \$17,000,000 - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. MOTION 2003-0855 ADOPTED.

Matrix No. 239 – Agenda Exhibit No. 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 - was presented.

After discussion by Council Members, Mayor Brown requested Mr. Haines to address the item, and Mr. Haines stated that they were working a running tally of pluses and minuses and what he would recommend on Matrix No. 239 - Agenda Exhibit No. 2.17 that they hold on it until they were able to get through the next couple of amendments and then Council could see what the tally looked like and whether or not Matrix No. 239 - Agenda Exhibit No. 2.17 would need to be addressed.

Council Member Quan moved to postpone Matrix No. 239 - Agenda Exhibit No. 2.17 to the end of the agenda, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2003-0856 ADOPTED.

Matrix No. 241 – Agenda Exhibit No. 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 - was presented.

After discussion Council Member Galloway moved to refer Matrix No. 241 – Agenda Exhibit No. 7.7 to the administration for a study, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0857 ADOPTED.

Matrix 242 – Agenda Exhibit No. 7.8 - Reduce budgets of all five at-large city council offices by 1/9 or 0.111111% per city council district due to duplication of service and unquantifiable evidence of performance by those offices - was presented.

Council Member Galloway stated that she had passed out a substitute motion as follows:  
“Instead of eliminating the staffing of the At Large Council Members reduce each of the 14 City Council budgets by \$2,500, the resulting amount would be allocated to the Health and Human Service Budget” (\$2,500.00 X 14 - \$35,000.00).

“Also allocate savings realized from the passage of Matrix No. 25 and No. 28 to the Health and Human Services Department.”

Council Member Galloway stated that she would also move to withdraw Matrix No. 243 – Agenda Exhibit No. 7.9, Matrix No. 244 – Agenda Exhibit No. 7.10 and Matrix No. 245 – Agenda Exhibit No. 7.11.

After further discussion by Council Members, Council Member Galloway moved to call the question, seconded by Council Member Galloway. (There being no other speakers on the list no vote was recorded)

A roll call vote was called on the motion to adopt the substitute amendment for Matrix 242 – Agenda Exhibit No. 7.8.

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 no
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2003-0858 FAILED

Council Member Galloway moved to withdraw Matrix No. 243 – Agenda Exhibit No. 7.9, Matrix No. 244 – Agenda Exhibit No. 7.10 and Matrix No. 245 – Agenda Exhibit No. 7.11, seconded by Council Member Ellis.

Matrix No. 243 – Agenda Exhibit No. 7.9 - \$450,000 of the savings realized by amendment 7.8 should be distributed evenly among the single-member district council office budgets.

Matrix No. 244 – Agenda Exhibit No. 7.10 - Add any additional funds realized by the resulting reduction of at-large city council budgets to increase the Mayor Pro-Tem’s budget by 2% for additional staffing to assist at-large city council members for phone messages, mail distribution, copies, agenda preparation etc.

Matrix No. 245 – Agenda Exhibit No. 7.11 - All remaining savings resulting from amendments 7.7 and 7.8 would be allocated to the Health and Human Services Department.

A vote was called on the motion to withdraw Matrix No. 243 – Agenda Exhibit No. 7.9,

Matrix No. 244 – Agenda Exhibit No. 7.10 and Matrix No. 245 – Agenda Exhibit No. 7.11. All voting aye. Nays none. MOTION 2003-0859 ADOPTED.

Mayor Brown stated that they would return to Matrix No. 117 - Agenda Exhibit No. 14.7 first.

Matrix No. 117 – Agenda Exhibit No. 14.7 - Raise the parking meter rates under the Pierce Elevated – was again before Council.

Council Member Alvarado stated that she had a substitute amendment that was being passed around and offered the substitute and moved that the substitute amendment to increase the cap on parking meter charges from 50 cents to 75 cents, and also to request that the presiding judge increase the fine for parking violations from \$20 to \$25, and also request that the presiding judge increase the fine for delinquent parking violations from \$45 to \$50, seconded by Council Member Keller.

After discussion by Council Members, Mr. Haines stated that the amendment was really to increase the cap, that it varied from location to location which they were presently looking at every area, particularly in the downtown area where so much had changed, but what the Council Member was doing was increasing the cap that was in the ordinance.

After further discussion Mayor Brown requested Mr. Haines to address the fiscal impact of the substitute motion, and Mr. Haines stated that he wanted to particularly point out that they also distributed, prior to the amendment, essentially what the tally sheet looked like, that it was pretty close, that if he could go through each of the substitute amendments and identify for them what the fiscal impact would be for each one, that on the change to the ordinance cap from 50 cents to 75 cents, the revenue increase to the General Fund would be approximately \$1 million, on the second substitute amendment offered by Council Member Alvarado, increasing the fine for current parking violations from \$20 to \$25, it would increase revenue approximately \$1.2 million, and on the third that would increase the fines for delinquent parking violations from \$45 to \$50 would increase approximately \$800,000, so the three substitute motions combined would net \$3 million of revenue into the General Fund.

After further discussion, a vote was called on the motion to adopt the substitute amendment for Matrix No. 117, Agenda Exhibit No. 14.7 relating to parking meter rates and to increase fines relating to delinquent parking violations. All voting aye. Nays none. MOTION 2003-0860 ADOPTED.

Mayor Brown asked Mr. Haines if they were prepared to return to Matrix No. 239 - Agenda Exhibit No. 2.17 and Mr. Haines stated that they put together a rough set of alternatives and did not know if the Mayor wanted them to proceed or if they would like to recess for a few minutes but they had a few ideas that they were prepared to distribute to Council that could be pursued prior to getting to Matrix No. 239 - Agenda Exhibit No. 2.17, that if they ran the tally they were down to about \$6.5 million.

- 39d. 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 85c on Agenda of June 18, 2003, POSTPONED BY MOTION #2003-696)** - was presented.

Council Member Vasquez stated that he was proposing an additional four amendments, that many of them had been worked out, and offered the following amendments:

- “13.22 Retirement of Police Chief. Effective immediately, Houston Police Chief C. O. Bradford shall receive the equivalent base pay percentage increase as received by the executive assistant chiefs and any other additional pay as stipulated by the most recent Meet and Confer contract. Effective the first full pay period in August 2003, Chief Bradford shall retire from HPD and the Mayor shall appoint an interim Police Chief.
- 13.23 RFP for Scheduled Ground Transportation Services. To assure viable and necessary scheduled ground transportation service to and from Bush Intercontinental Airport and Hobby Airport and the hotels designated in Amendment Number One of the current scheduled ground agreement, the Department of Aviation shall issue an RFP in accordance with section 9-143.6 of the ground transportation ordinance. Said RFP shall be issued within 30 days and provide for an exclusive, long-term agreement and for the selection of the most qualified candidate to supply the requested scheduled ground transportation service.
- 13.24 Enforcement of the Ground Transportation Ordinance. The Department of Finance and Administration and the Department of Aviation shall take immediate action to enforce the Scheduled Ground Transportation (SGT) ordinance and provisions of the Airport Use Permit. Any company found to be in egregious violation so as to warrant corrective shall immediately have their permit(s) revoked.
- 13.25 Re-Name the Northeast Cargo Center. The new northeast cargo center shall be re-named as Lee P. Brown Cargo Center.

After discussion Council Member Vasquez stated that he was going to withdraw his proposed budget amendment No. 13.22.

Council Member Vasquez moved to refer proposed amendment No. 13.23 to the Regulatory Affairs Committee, seconded by Council Member Ellis.

After discussion a vote was called on the motion to refer proposed amendment No. 13.23 to the Regulatory Affairs Committee. All voting aye. Nays none. MOTION 2003-0861 ADOPTED.

Council Member Vasquez stated that he wanted to withdraw proposed amendment No. 13.24.

Council Member Vasquez moved to adopt proposed amendment No. 13.25, seconded by Council Member Robinson.

After a lengthy discussion, Council Member Vasquez moved to refer amendment 13.25 to the Transportation and Technology & Infrastructure Committee, seconded by Council Member Ellis.

After further discussion a vote was called on the motion to refer proposed amendment No. 13.25 to the Transportation and Technology & Infrastructure Committee. All voting aye. Nays none. MOTION 2003-0862 ADOPTED.

Mayor Brown stated that they would return to Mr. Haines to see how they could solve their problem with the money.

Council Member Goldberg requested a moment of personal privilege and recognized his parents who were present in the Chamber.

Mr. Haines stated that they had a handout to distribute, that they had been working diligently throughout the course of the day and wanted to express his personal appreciation to Dr. Scheps and his staff, and also to his staff, Sarah, Laura, Susan, Mr. Al Mays and others, who had worked very hard recognizing, they believed, that there was a very serious concern about pushing toward a furlough or something as draconian or onerous as that was, what they had to handout was the easy solutions and hard solutions as follows:

Size of Problem: \$9.5 Million	
<u>"Easy" Solutions</u>	<u>Amount</u>
SBC Telephone Savings	1.00
Parking Revenue	3.00
401(a) FICA Reduction	0.50
Special Events	0.25
Renegotiate 611 Walker	<u>0.60</u>
Total	5.35
<u>"Hard" Solutions</u>	<u>Amount</u>
Borrow for books	4.80
Eliminate Neighborhood Depositories	1.00 (layoff)
Close one Clinic	1.60 (layoff)
Close one Library	0.50 (layoff)
Full furlough all employees	3.00
Reduce Fire O/T	<u>1.00</u>

Total 11.90

Mr. Haines stated that he wanted to walk through the solutions and kind of keep a mental note of what the running tally looked like, that he would refer to Dr. Scheps if there was further clarification needed, that they had gone back and taken another hard look at revenue and in light of Council Member Alvarado's substitute amendment, which was approved by Council, they had also taken a look at some other things, that they believed there was further savings potential on the SBC telephone, there was \$1 million they had identified there, that Council had already approved the parking revenue amount of \$3 million, that there was an amendment passed by Council regarding 401 (a) plans and they agreed to move forward on that and it represented, they believed, a half year of savings or cost reduction, that it was a FICA type of impact of about a half million dollars, \$500,000, that in light of the expectations and the intent as expressed by Council regarding special events and making them more self sufficient in the work they were doing there, they had enhanced that as a revenue to the General Fund of another quarter of a million dollars, \$250,000, that it may be, in descending order, a little more difficult, but they did want to, as some Members of Council had expressed, take a hard look at their leases and they would begin by evaluating the General Fund's lease obligations at 611 Walker, that essentially what they were looking at was whether or not there were market conditions because the market had deteriorated and whether or not there was some advantage at renegotiation, it represented a 10% reduction in those lease payments of \$600,000, that it gave them a total of \$5.35 million, that if they took those, assuming they would be approved by Council, that still left them with about \$4 million, that was where the gap was in order to bring the budget to balance, that they would recommend, if they wanted to maintain the book budget as it was, \$4.8 million, that they would borrow on a debt basis for the books for this year, that the others were self explanatory, three of those would require layoffs and were all scenarios that were prioritized previously to the submission to the budget that they did not put in but could be revisited, that the furlough they had identified in the solutions as it was referenced in the amendment and a reduction in the overtime budget of the Fire Department of \$1 million, so the so called "hard solutions" represented about \$11.9 million worth of alternatives, and he could tell them, maybe it was the lateness of the hour, but it got more and more difficult to really come up with any more options while they had been working with it, that the attempt was, again, to look at other alternatives that may be available to them today, that was the result of their efforts and certainly they would recommend Council consideration of those items, at least up on the easy side of the solution base, they thought they could meet those pretty well.

Mayor Brown stated that it was being presented so they could approve the budget and have a balanced budget, the options, which ever ones were selected, would give them the opportunity to do that.

Council Member Parker asked if they were talking now about \$9.5 million or \$6.5 million because of the \$ 3 million they just did, and Dr. Scheps stated that the \$3 million was in the list, and Mr. Haines stated that they worked on it at the last minute, they would have shown it the other way but they had already distributed the list, and Council Member Parker stated that it was not an additional \$3 million they were trying to get and Mr. Haines stated no.

Council Member Robinson asked if it was \$9.5 million minus \$5.35 million so they were really talking about \$4 million and some change, and Mr. Haines stated that at this point, in



terms of decisions made by Council, it was \$9.5 million minus \$3 million, that the \$3 million in parking revenue was already approved by Council, so what they were dealing with now was a net, a difference of about \$6 million total, of that amount, \$2.35 million would still require action of Council, and Council Member Robinson asked if they did the SBC, they agreed on the parking, which they did, they would do the FICA, the special events and 611 Walker, they were down to \$4.15 million that was still missing, and Mayor Brown and Mr. Haines stated that was correct, and Council Member Robinson stated that he was for the easy stuff and asked what was the Book Acquisition budget for this year, and Dr. Scheps stated that it was \$4.8 million, and Mr. Haines stated that \$4.8 million was exactly what they saw in front of them, it was the total book budget.

Council Member Vasquez stated that he wanted to refer back to last year in terms of what Dr. Scheps did in terms of increasing the Municipal Courts collections by \$6 million, that was literally what he did last year in terms of over estimating their revenues and asked if they were sure they had squeezed everything out of Municipal Courts fines and Dr. Scheps stated that they increased it over at Municipal Courts and were much closer than they were, that it did not quite come up to their number but it was way over Municipal Courts number, so he was giving them his best shot again, but they had added \$3 million in essence to the Municipal Courts, and Mr. Haines stated that the \$3 million would be a result of changes that were predictable, and Council Member Vasquez asked, going back to all of their revenue estimates again, were they within the acceptable range, and Dr. Scheps stated yes, that he would not be giving the estimates to them otherwise, and Council Member Vasquez stated that he asked them again at the last meeting to look at Council Member Berry's amendments to see if there was \$3 million, \$4 million or \$5 million worth of cuts that might be acceptable, that again he did not want to go to furloughs as the answer so he would be willing to consider additional cuts, other than what they were proposing, was his point.

Council Member Ellis asked what would the debt service be to pay for the books, and Dr. Scheps stated that they had not calculated, that it would probably be an equipment acquisition fund and would pay it out over 7 years, and Council Member Ellis stated that he was talking about annual debt service, and Dr. Scheps stated that it was about \$400,000 or \$500,000 per year, and Council Member Ellis stated that if they were to finance the books they actually would get to the number they were looking for, and Mr. Haines stated that yes they would, and Council Member Ellis stated that assuming they adopted everything at the top, the "easy" solutions, and came down and borrowed for the books then they would have a balanced budget, and Mr. Haines and Dr. Scheps stated yes, that was correct, and Council Member Ellis stated that he had one concern and asked if they had exceeded the 50 cent cap, had anybody done the calculation on that, because they really only had about \$3 million to play with if they were at 49.7 cents, and Mr. Haines stated that he did not think that none of it would affect the cap question, and Council Member Ellis stated that none of this would, but some of the things that they adopted earlier possibly could if they were already at 49.7 cents, and asked if they had exceeded the 50 cents cap, because if they did then they were in violation of the Charter.

Council Member Tatro stated that if they started at 49.7 cents then that only left them a \$3 million wiggle room, that the firefighter issue alone would have busted that, and Council Member Ellis stated that Ms. Sara Culbreth stated that she did not think it would affect it, that he just needed to hear it, and Mr. Haines stated that he thought the question was what had they done

on the revenue side and he did not know that they had done anything on it in terms of property tax, and Council Member Ellis stated that they had actually reduced the property tax revenue projections by \$2 million and that was going to hurt them, they had reduced the sales taxes by \$2 million and that was going to hurt them, they had increased their O&M by about \$6.5 million, they were getting frightfully close to it, they would have to increase their advalorem property tax revenue so that they would not exceed the 50 cent cap, and Mr. Haines stated that they had not changed anything on the property tax, in fact it had come down a few million dollars out of the amendments, and Council Member Ellis stated that he just did not want to do anything that was in violation of the Charter, that if somebody could come to him and say that they had not exceeded the 50 cent cap he would be in favor of accepting the amendments, 1, 2, 3, 4 and 5 at the top and then financing the books for Fiscal Year 2004, that balances the budget, but with that said they also had the 50 cent cap question, and Dr. Scheps stated that they thought they were pretty sure they had not done anything, in terms of the property tax they had only lowered the revenue by \$2 million everything else had been manipulation within that, and Council Member Ellis stated that they had increased O&M by almost \$8 million, and Dr. Scheps stated that did not matter as long as it did not come out of property tax, that they had moved money from one budget to another, and Council Member Ellis stated that if Dr. Scheps could tell him that they could move it over to sales tax or move it over to some fees then he was comfortable, and asked what would happen in the event that they adopted the budget and then tomorrow they would come back with the calculation and say they had exceed the 50 cent cap, could they just bring it back up, and Mr. Haines stated that they would have to do that. Council Member Galloway absent.

Council Member Ellis moved that they accept the "easy" solutions and on the "hard" solutions that they finance the book purchases for FY2004, seconded by Council Member Vasquez.

Council Member Parker stated that before they got there just a couple of questions, on the "easy" solutions, she had the SBC savings, the parking revenue was the item they just did, special events was what, and Mr. Haines stated that would be the full implementation of the Special Events Ordinance as they had understood from the intent of Council tonight, and Council Member Parker stated that they had already passed Council Member Alvarado's amendment to get more money from the International Festival, but the overall ordinance made it self sustaining so was that the amount that they were spending, and Mr. Haines stated that was what was incorporated in the solutions, and Council Member Parker asked on the "hard" solutions, the full furlough of employees, when she was looking at their running tally sheet, where they had Matrix No. 10 for Council Member Alvarado's amendment to reduce salaries over \$80,000, which they were calling a sub furlough, was that the amount they had calculated going back to Council Member Alvarado's amendment, which was not reducing salaries, it was a 5 day furlough for those employees, and Mr. Haines stated if they were talking about Council Member Alvarado's amendment, yes, that was right, it was the 5 day furlough, the one under the "hard" solutions would be the 3 day furlough for all employees, and Council Member Parker stated that went back to the original item that was originally part of Council Member Quan's, but they pulled it down, and Mr. Haines stated that was right, and Council Member Parker asked that going to Matrix No. 235, where they excluded single dwelling alarms and by doing that it was \$1.6 million, and Dr. Scheps stated that they calculated it by looking at the revenue that they put in the proposed budget and figured out how much of it was associated with the

residential alarms, which the Council wanted to exempt, so he guessed they would immediately send out a notice, and Council Member Parker asked how confident were they with those numbers, and Dr. Scheps stated that it was an estimate, and Council Member Parker stated that in talking to Council Member Vasquez he had two amendments dealing with the police which should have resulted in a budget reduction. Council Member Galloway absent.

Council Member Vasquez stated yes, that again when they made the adjustment to the Class C misdemeanor, reducing the amount of time that a police officer would be in there, very similar with the proposal was with the minor accident report, that should generate savings as well, and Dr. Scheps stated that was right, and Council Member Vasquez stated that he thought the minor accident was intended to produce about \$700,000 or roughly in savings, and if they were doing that similarly with the Class C misdemeanor that should generate about \$700,000 or \$800,000 in savings as well, and Dr. Scheps stated that they had not accounted for that, furthermore, they had \$200,000 taken out of revenue estimates by taking the police off of the non injury accidents, but if they were happy with borrowing for the books they had a little surplus, they did not have to be exactly equal with that, the \$4.8 million was greater than the \$4.15 million, if that was their decision he thought they were there. Council Members Goldberg and Alvarado absent.

Council Member Keller stated that he still had a couple of concerns with the 50 cent gap with possibly leveraging the debt portion to what Council Member Tatro was talking about earlier with the 17.5 cents and asked if they thought it affected it, and Council Member Tatro stated that it all depended on how they balanced out the "hard" solutions, if they reduced their O&M on the books by a comparable amount then they were going to equalize it out, but since they only had \$3 million wiggle room it just depended on how they solved the equation, and solving the equation would probably require a corresponding O&M decrease somewhere, and Council Member Keller stated that they would have to be making the motion that Council Member Ellis made, he guessed, contingent to their compliance, and Dr. Scheps stated that the worse that could happen was in September when they went to set the tax rate, they would set it at 50 cents and they were slightly below their revenue estimate on the property tax revenue, that was the worst that could happen, and Mr. Haines stated that the thing he would also mention was if Council were to approve shifting to debt, to borrowing on the \$4.8 million, that was going to push their tax rate over into their capitol side, the debt service side, which in any event should provide some relief, and Council Member Keller asked who was the landlord at 611 Walker and Dr. Scheps stated it was the Water Department, and Council Member Keller asked if it was a \$600,000 annual amount, not over a term of a lease, and Dr. Scheps stated that it was annual, that they paid about \$6 million a year and it was about 10%, that it was an estimate that they could renegotiate downward, and Council Member Keller asked who would give them a letter of intent as soon as possible telling them they had the authorization to use those numbers, and Dr. Scheps asked if he was just talking about 611 Walker, and Council Member Keller asked who was the entity who could say yes, and Dr. Scheps stated that Mayor, that the Mayor was in charge of both the Water Department and the tenants. Council Members Goldberg and Alvarado absent.

Council Member Vasquez stated that his question was what if they just took the \$4 million and distribute it evenly amongst all the departments and that would get them into the budget with a balanced budget, because he really did not like the idea of borrowing for books, that they

could manage throughout the year, that he would rather manage throughout the year giving departments additional dollars as opposed to borrowing for books, that if they distributed it evenly across each department, what would be the hit, and Mr. Haines stated that he hated to get into that, and Council Member Vasquez stated that an even distribution, that they would allow the directors to make their own discretion in terms of how those cuts actually occur, and Mr. Haines stated that his concern about that was if they looked at their tally, he thought that Council Member Alvarado had given the departments some discretion to manage their personnel budgets if they could push that down and prevent a furlough they could do it, if they could do that it would be great, that also, he believed, under all the other amendments they had gone through, there was about \$1.9 million, plus or minus, that had already been taken out, that he would not recommend it. Council Member Goldberg absent.

Upon questions by Council Member Tatro, Dr. Scheps stated that he did not really think they were really proposing moving any debt service money up above the line, that their \$165 million contribution to the Debt Service Fund would not change, if they were to change that to \$164.5 million, then they would be adjusting the tax rate, but they were not proposing to do that, that he did not think there was any doubt that they were close to the cap, and Council Member Tatro stated that he wanted to go on record that he did not think it was appropriate to be utilizing debt for the operating cost of books for the Library. Council Members Goldberg, Alvarado and Berry absent.

Council Member Robinson stated that because they were at \$4.1 million, could they just do \$1 million in overtime in Fire, \$1 million in Police, book acquisition down by \$1 million and \$1 million out of Fund Balance, that he was not touching the Rainy Day he was just taking \$ 1 million out of \$80 million on the Fund Balance and that would give them the \$4 million and the budget would be balanced, and Mr. Haines stated that technically that could be done, the question was if there was an operational impact in the two departments, Police and Fire, on \$1 million each, and Council Member Robinson stated that the reason he was doing overtime was because it was all estimate, that he did not assume they were going to spend all of it right out of the box, so he would rather manage down on overtime because it really did not impact any personnel, and Mayor Brown stated that was an option. Council Members Goldberg and Berry absent.

Council Member Wiseman stated that if they were looking reduction in overtime they could revisit her amendment that called for reducing civilian overtime by 25% and that was estimated at \$1.9 million. Council Member Goldberg absent.

Council Member Parker stated that she wanted to agree with Council Members Tatro and Vasquez that she could not support borrowing for the books and spreading \$4 million over the entire budget was a lot less painful way to her than the \$1 million by \$ 1 million plan.

Upon questions by Council Member Parker, Council Member Vasquez stated that his comment was that not responding to the minor accidents was about \$700,000 or \$800,000 of savings and if the action they took with the Class C misdemeanors was equal to that it was roughly \$700,000 as well in terms of savings, and Dr. Scheps stated that he thought those savings occurred because the Chief was able to delay a class, and Council Member Parker stated that there may be more savings to recognize from what the Council did and if they accept

an amendment to spread the \$4 million throughout the departments, but allow them to continue to refine what the Council passed earlier, that they may come back with some changes as they had an opportunity.

Mayor Brown stated that the motion before them was Council Member Ellis's motion to accept the "Easy" Solutions and borrow for the books.

Council Member Vasquez moved to divide the question and take the "Easy" Solutions separately, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2003-0863 TO DIVIDE THE QUESTION CARRIED

A vote was called on the portion of the motion relating to "Easy" Solutions. All voting aye. Nays none. MOTION 2003-0863 TO APPROVE "EASY" SOLUTIONS CARRIED

When a vote was called on the portion of the motion relating to borrowing for the books Council Member Vasquez stated that he would ask Council Member Ellis to withdraw his motion so that they could consider spreading the \$4 million across all the departments, and Council Member Ellis stated that he would withdraw his motion to borrow for the books.

Council Member Vasquez moved to spread the remaining balance proportionate across all departments, seconded by Council Member Tatro.

Council Member Parker stated that if the administration, as they went through the numbers, those numbers change, it would allow them to make those adjustments and then whatever was the remainder would be spread proportionately, and Council Member Vasquez stated that he would view that as a friendly amendment.

Council Member Robinson stated that he did not want furloughs other than they approved for the 30 pay grade and above, and Dr. Scheps stated that other than that there was no authority to do furloughs.

After further discussion by Council Members, Dr. Scheps stated that as to the Close one Clinic in the "hard" solutions, nobody knew when they wrote the solutions, they were just trying to get representative numbers, there was no clinic selected.

Mr. Haines stated that \$4 million spread proportionately across the departments, he was concerned, that there could be impact, that they had gone through a day's worth of amendments and talked about impact, if they did a proportionate distribution, just working rough numbers, they were talking well in excess of \$1 million would have to be taken out of the Police Department, about three quarter of a million, 750,000 would come out of the Fire Department, the Health Department, based on their percentage of the total, would be some where around \$200,000, that he was looking at the big departments and was not sure what Public Works or Solid Waste, but again he was concerned that there could be some impact, that they really did not know and would have to come back to Council.

Council Member Keller stated that he wanted to make a friendly amendment to Council Member Vasquez amendment, "that all department directors make a report and bring it to Fiscal

Affairs to show all specific cuts relative to services that were mentioned from the budget that they were voting on, regarding the \$4 million, and Council Member Vasquez stated that he would accept it as a friendly amendment.

Council Member Edwards asked when they were going to spread the \$4 million over the departments, was it only with municipal employees or departments or did it include the Fire and Police Departments, and Dr. Scheps stated that it included everybody, that there were no areas that were exempt.

Mayor Brown stated that based on what was before the Council, the proportionate division of the \$4 million among the departments were there any legal issues with their passing the budget with that direction, and Ms. Taylor stated that the Budget Law provided that once the budget was adopted they had to spend in accordance with the budget and they could only amend it in the event of a grave public necessity that could not reasonably be foreseen with diligent thought and attention and in this case, she thought, that would put them in the circumstance that they would not then be able to amend the budget, what they would be able to do was move funds from fund balance in any given fund up into the expenditure budget if they found that the cuts were somehow unreasonable or could not be achieved, if they were in a fund that did not have a fund balance or did not have a sufficient fund balance then they really did not have any options.

Council Member Galloway moved to call the question, seconded by Council Member Vasquez.

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

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 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 aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2003-0863 TO CALL THE QUESTION FAILED

Council Member Robinson stated that he and Council Member Vasquez were talking and wanted Mr. Haines input to see what was the better way, to see if they could do half of two of the items he mentioned of the four, so they would do \$2 million "hard" and the other \$2 million spread over the departments and asked Mr. Haines if it would be better to do the \$1 million in fire overtime, as he recommended and just bring the acquisition down \$1 million or do the Fund Balance \$1 million and then that would be the \$2 million and then the other \$2 million spread over, and Mr. Haines stated that his recommendation would be that they pull down Fund Balance, he thought that they could combine an action to pull down Fund Balance with an expectation, as was discussed by Council Member Parker, that they come back to a report as to what could be the impact on a proportionate reduction or other kind of reduction, and Council

Member Robinson asked him to pick another, and Mayor Brown stated overtime, that they were behind their book acquisition right now, and Council Member Robinson stated that they would split the overtime between Police and Fire and asked Council Member Vasquez if he would accept that and Mr. Haines stated that he would recommend that they bring the Fund Balance down \$2 million that way they could come back in with a stronger review, and Council Member Robinson stated that they would agree with him. No objection was offered by Council Member Vasquez.

Council Member Robinson stated that they would do \$ 2 million Fund Balance, \$1 million overtime and \$1 million spread over the departments.

Mayor Brown stated that what they were discussing was to draw on the Fund Balance by \$2 million, \$1 million in overtime, to be determined between Police and Fire and Civilian, so that was \$3 million.

Mayor Brown stated that the motion that was before the Council as a substitute motion was to take \$1 million in overtime, between Police, Fire and Civilian, \$2 million from the Fund Balance and \$1 million spread out throughout the departments with a report back to the Council, seconded by Council Member Ellis. All voting aye. Nays none. SUBSTITUTE MOTION 2003-0863 ADOPTED

Matrix No. 239 – Agenda Exhibit No. 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 – was again before Council.

Council Member Quan stated that on Matrix No. 239 – Agenda Exhibit No. 2.17 he would like to divide the question, that in reducing the General Government they agreed to the \$3 million and delete the furlough ordinance.

Mr. Haines stated that on the motion to adopt Matrix No. 239 – Agenda Exhibit No. 2.17 they would recommend that it be withdrawn.

Council Member Quan moved to withdraw Matrix No. 239 – Agenda Exhibit No. 2.17, seconded by Council Member Ellis. All voting aye. Nays none. 2003-0864 ADOPTED.

39d. 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 85c on Agenda of June 18, 2003, POSTPONED BY MOTION #2003-696)** - was again before Council, as amended. Council Members Tatro and Berry voting no, balance voting aye. ORDINANCE 2003-0629 ADOPTED AS AMENDED.



**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - NONE

There being no further business before Council, the City Council adjourned at 11:55 p.m. upon MOTION by Council Member Tatro, seconded by Council Member Vasquez. INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

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Anna3 Russell, City Secretary