

PLAINTIFF'S EXHIBIT

UC-1100

was beaten and sexually assaulted early Wednesday, according to police reports.

The assailant entered the Third Avenue Villa apartment shortly before 2:30 a.m., reports state. The suspect, a black male in his mid-20s, broke in through a window, Capt. Jerry Purdon said.

The woman, who was the sole occupant of the apartment, was sleeping in her bedroom when the man entered the apartment. The assailant went to the bedroom, beat the woman with his fists and held a small round object to the back of her head while threatening her, Purdon said.

After sexually assaulting the victim, the man fled on foot through the front door with a 19-inch color television set, a carton of cigarettes and a purse containing personal papers, police reports state.

The woman was taken to John Sealy Hospital for treatment of injuries from the beating but was not listed as having been admitted, a hospital spokeswoman said. The victim had also suffered a broken finger when the assailant took one of her rings off, Purdon said.

Police are uncertain what type of weapon was used in the assault and have no suspects in the case, Purdon said.

The following items were compiled from official reports.

GALVESTON POLICE

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•Burglary of a motor vehicle, 1500 block of Sealy, 12:10-7 a.m. Wednesday, undetermined items taken from motor home parked in street.

•Burglary of a motor vehicle, 200 block of Market, 8:30 p.m. Tuesday, radio/cassette player taken, value: unknown.

•Suspect charged. Arthur Paul Bobino, 25, arrested Tuesday

afternoon following a foot chase at an isle bank, was charged with passing of a forged instrument at 7:30 p.m. A female companion who also was arrested at the scene was released without charges.

•Suspect charged. Jeffrey Lynn Kershner, 30, was arrested on warrants and charged with two counts of assault causing bodily injury and one count of assault by threats at 4:45 p.m. Tuesday.

were discovered burglarized by the owner who found the locks to be missing. The burglary of the units, which are rented out, occurred during the past eight days but it is not known whether they were all burglarized at one time. The items taken were undetermined Wednesday.

•Auto theft, 300 block of South Hemphill, 9:30 p.m. Monday-7:45 a.m. Tuesday, 1979 Oldsmobile Cutlass taken from driveway, value: unknown.

Suit voted if rules on asbestos violated

By MAX RIZLEY, JR.

News Staff Writer

LA MARQUE — County health district directors voted Wednesday to sue Union Carbide Corp., and its demolition contractor, Kimmons Inc., if federal rules on the handling of asbestos are violated again.

Dr. Edward Ibert, district pollution control director, said inspections of a demolition project at Union Carbide have repeatedly shown "at least lax handling of asbestos."

"They are not protecting people in the plant or off the premises" from asbestos dust during demolition of a powerhouse and a butadiene unit, Ibert said. Both sites are within 150 feet of public roads, he added.

Specifically, Ibert said, some of the asbestos has not been soaked thoroughly enough to keep dust from being produced, and containers of the carcinogenic mineral fibers have at times not been sealed to the specifications set out by the federal Environmental Protection Agency.

Ibert emphasized that not all the 300,000 pounds of asbestos being removed has been handled incor-

rectly. "It's not hundreds of pounds," he said, "just here and there and here and there — but it has no business being anywhere."

The violations were found during routine health district inspections of the work sites, and Ibert said official notices of violation were issued after the first two inspections.

The sites have been inspected a total nine or 10 times since the demolition began last June, said Ibert, and the asbestos dust control measures were "adequate" on two of the last three inspections. In fact, the most recent survey showed "excellent" control, said Ibert, which is why the district did not vote to go to court right away.

What the unanimous vote means is that if the EPA rules are violated again, the district is authorized to file suit without asking board permission.

If the violations recur, said Ibert, the district will sue on that and all past violations.

In other business, the board approved its 1985 contract with the Texas Department of Health for more than \$600,000 in state support for various district activities.

Fire

Guarino said that the 38-year-old man will be brought to Galveston on a bench warrant to face charges on the alleged forgery. While here, he will be questioned by authorities concerning the 1983 fire which destroyed the hotel, businesses housed in the structure and the Kon Tiki Club.

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They purchased the building, involved in the tangled controversy of Gulf Coast Human Services and Gulf Coast Mental Health-Mental Retardation, in 1983 from John Billings, Irving Clark, Dan Creeson and Ron Luke.

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Ironically, Kattner's first day as an employee of the Galveston Fire Department was the day of the downtown district's deadliest fire. Eight people died when an arsonist set fire to the Stella Maris Apartments, in the Old Century Hotel, in 1977. The arsonist has never been caught.

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Talks

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Divided OPEC agrees to

GENEVA, Switzerland (AP) — A divided OPEC agreed Wednesday to lower some of its prices by as much as \$1.41 a barrel, a move that followed the lead of its competitors and marked only the second round of cuts in the cartel's 25-year history.

Analysts said consumers, who have enjoyed savings from earlier price cuts by such OPEC competitors as Britain, Norway, Canada and U.S. oil companies, should not expect additional savings at

the gas pump soon. But they said they expected prices to continue to drift lower in the months and years ahead.

"All the consumer has to know is that oil prices will stay low and may come down some more," said John Lichtblau, executive director of the Petroleum Industry Research Foundation, a New York study group financed by the oil industry. He called the outcome of the conference "confusing — and perhaps

Garn to test theories on space sickness

SPACE CENTER, Houston (AP) — Sen. Jake Garn said Wednesday he will be a "medical guinea pig," seeking possible causes of space sickness, when he flies on the space shuttle next month as the first orbiting legislator.

Garn, a 52-year-old Utah Republican, was added to the flight crew two weeks ago as a congressional observer. He is chairman of a subcommittee that monitors NASA's expenses.

When his selection was announced, he said he would like to contribute in other ways to the mission. He said Wednesday the NASA medical team was delighted and developed a series of medical tests he will perform on himself in an effort to shed some light on the space sickness that has affected many shuttle astronauts early in flight.

Garn and the other six crew members discussed the mission at a news conference and in a daylong series of interviews with reporters. They are scheduled to be launched Feb. 20 for a four-day trip aboard Challenger.

The other crew members are commander Karol Bobko, pilot Donald Williams, mission specialists Dr. Rhea Seddon, David Griggs and Jeffrey Hoffman, and payload specialist Patrick Baudry, a French astronaut.

Garn said that on launching he will wear a battery of sensors to measure various body responses to liftoff forces and the sudden entry into weightless space.



Staff Photo By Jim Cruz

Onward through the fog

An afternoon jogger forges through the fog cover that blanketed much of the county Wednesday. His fleeting image was captured on Seawall Boulevard near 37th Street.

bowel shuts down," the senator said. "Several shuttle astronauts have vomited, but few of them have suffered nausea or perspiration. So we're checking to see if the vomiting might be caused by a bowel shutdown."

He said he also will wear devices to measure blood pressure, body fluid transfer and brain waves.

"Maybe I can supply some pieces to the puzzle of motion sickness," Garn said.

Baudry will operate a French medical experiment to investigate both space sickness and the effect of weightlessness on the cardiovascular system. He will have three subjects — himself, Garn and Ms. Seddon, who is a surgeon.

Ms. Seddon also will assist Hoffman and Griggs in the two main goals of the mission, deploying a NASA tracking and data relay satellite and a Canadian communications satellite.

Garn said both the training and flight should give him a better insight into how NASA spends its \$7.5 billion budget.

Passing Parade — Continued from Page 1

Congratulations to Kimberly and Albert Fonteno on the birth of their daughter, Mia Dawn, on Jan. 17 at Houston Memorial Southwest Hospital. Grandparents are Mr. and Mrs. A.J. Fonteno and Mr. and Mrs. Charles B. Scott and great-grandmother Corine Wells.

It's a girl, Carol Elizabeth, born to Lisa and Manuel Trevino. Proud grandparents are Mr. and Mrs. Juan Rodriguez and Mr. and Mrs. Manuel Trevino. Carol Elizabeth was born on Jan. 20th.

Former Galvestonian, Louise LaCorne Ivey, now of Lake Charles, La., is visiting her sisters, brothers, and friends.

Dottie Council thanks everyone for the TLC she received while in St. Mary's Hospital recently; she sends *special thanks* to Dr. J.P. Kearney and Mildred Sams.

Special Birthday wishes for a great quarter of a century to Betty Monych from all your friends at the GDN!

Happy Birthday to Bonnie Rice, Rita D'Arienzo, Lionel Tisino, John Hunter, Matt Dreyer, Ray Ray Henry, Annie Laurie Newton, Ethel Hector, Sharon Jack, Chicken Thomas, Cynthia Ruth Thomas, Mary Kay Llewellyn, Della Blackburn, twins Bernadene and Betty Jean Sellers; also **Happy Birthday** to retired police officer, Bradford Hill, William Thomas Heitmann, Jr., Lisa Dorsey, Arnold Lacy, Lisa Lacy, Pamela Joy Collins Phillips, and Gladys M. Summers. Congratulations on the following big wedding anniversaries: Mr. & Mrs. Coleman Sanders on their 45th; Ruby & Eugene Holman on their 32nd; Albert & Shirley Ozon on their 31st; and Iva Jo & Eugene Morse on their 20th.

Families

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ing.

Sherwood noted the housing authority on Monday received \$58,760 in federal funds, representing the regular payment for operation of the program for January and February.

Roy Santos, director of housing management in HUD's Houston office, said this was a regular requisition payment which is made either monthly, every two months or quarterly to Section 8 housing programs.

"We do not give any program its full fiscal year's allotment at one time," Santos said.

Sherwood said the authority is awaiting word on additional funds for which application has been made.

She said a report has been received that the application was approved in the Houston HUD office in mid-December and sent to Washington.

Santos said Wednesday there will be extra money for the Texas City program, but how much and when it will arrive is anyone's guess.

He indicated extra funds will provide housing for between 97 and 139 family units. There are 97 families now in the Section 8 program, and the housing authority had previously been allotted 139 units.

He said until the funds are forthcoming it is impossible to set an exact number of units which will be funded.

Santos said that, whatever the amount finally received, it is expected to include a higher rental rate for the units already in the program plus 15 new units for which the housing authority has applied.

"Our first concern is to cover anyone released from Section 8 housing and get these families back in the program," Santos said.

"If the extra funds are not enough to get them all back into the program, those left out will receive priority on filling vacancies."

He said whatever action is to be taken in this issue will be taken by Sept. 30, the end of the federal fiscal year.

"But if it takes this long, the people released from the program will not be helped much," he said, adding his office asked and has received assurance that the HUD offices in Washington will consider the Texas City application as a priority item.

One of the causes of the situation in the Texas City program was that the rental payments from HUD were at a 1975 level, despite an escalation of 40 to 50 percent since then.

Santos said the only way the housing authority can get this rental rate increased is to apply for additional units.

"They apply for the additional units at the higher rate and at the same time we can increase the rate on the older units," he said. This the housing authority has done in its application for the extra funds.

Asked why the housing authority would apply for additional units when it had 15 of the allotted units unoccupied, Santos said another question might be why there were units unoccupied.

Asked if the housing authority could not have applied just for rate increases for the old units, on the basis of increases in costs over the years, Santos said it could have, but the higher rates would not have been granted.

"The procedure in effect is that the only way to give additional funds for rental rate increases is if there is an application for additional units.

"As the Section 8 program developed, those who applied for additional units received rental rate increases and those who did not apply for additional units did not," he said.

Sherwood said the housing authority is working with the private property owners to find ways to keep as many tenants in the Section 8 housing program as possible while awaiting a solution to these financial problems.

When will there be a solution, and how much additional money will be allocated this program? One official's observation was, "Only God and Washington know that."

slash some of its prices

meaningless."

The turbulent three-day special meeting ended with a new split in the ranks of the Organization of Petroleum Exporting Countries, as four of the cartel's 13 members rejected the deal and said they could go their own way on prices. Algeria, Iran and Libya, which had resisted cuts in OPEC's high-priced oils, dissented from the decision, while Gabon abstained.

That split "is not a recipe for stability" in oil markets, said Daniel Yergin, president of Cambridge Energy Research Associates, a private consulting firm in Cambridge, Mass.

The net effect of Wednesday's modest cuts would be a 29-cent drop in the average OPEC price, to \$27.96 a barrel, the Saudi Arabian oil minister, Ahmed Zaki Yamani, said at a news conference.

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Apartment resident assaulted

By RANDY DAVIDSON
News Staff Writer

TEXAS CITY — A 60-year-old woman awakened by a burglar was beaten and sexually assaulted early Wednesday, according to police reports.

The assailant entered the Third Avenue Villa apartment shortly before 2:30 a.m., reports state. The suspect, a black male in his mid-20s, broke in through a window, Capt. Jerry Purdon said.

The woman, who was the sole occupant of the apartment, was sleeping in her bedroom when the man entered the apartment. The assailant went to the bedroom, beat the woman with his fists and held a small round object to the back of her head while threatening her, Purdon said.

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TEXAS CITY POLICE

•Burglary, 3000 block of Fifth Avenue South, reported 12:09 p.m. Wednesday. Ten storage buildings were discovered burglarized by the owner who found the locks to be missing. The burglary of the units, which are rented out, occurred during the past eight days but it is not known whether they were all burglarized at one time. The items taken were undetermined Wednesday.

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There does not appear to be any pattern with the many burnings of downtown buildings within the last 10 years — some were vacant, some occupied; some in near-ruins condition, others renovated; some accidentally caught fire, others purposely.

It is that lack of a pattern that puts the mind of Galveston Historical Foundation executive director Peter Brink to rest, he says.

Although, he adds, when he hears that one of the century-old buildings has been destroyed at the hands of an arsonist he feels "terrified."

Brink is also worried that those arsonists have not been identified and prosecuted.

"We're not winning the ballgame," he says, adding that "outside help" should be brought in when a historic building is torched.

Because of the fire-prone nature of the old buildings, Brink says he respects the stringent, yet cooperative, handling by the isle fire department during the renovation of downtown structures.

A rash of downtown fires, mostly caused by arsonists, in 1977 and 1978 led to a strengthening of the fire department's rules on renovation — particularly in pressuring developers to install fire alarms and sprinkler systems.

"About 90 percent of the time, I support what they're doing," Brink says.

"We're pretty tough on them and we get a lot of flak from it," Kattner said, adding that the initial costs are small compared to damage caused by fire and savings on insurance protection.

The Mensing Building was renovated in 1978, says realtor Val Tramonte, trustee for a group of five local

businessmen who own the building under the name of 2128 Strand Partnership.

They purchased the building, involved in the tangled controversy of Gulf Coast Human Services and Gulf Coast Mental Health-Mental Retardation, in 1983 from John Billings, Irving Clark, Dan Creeson and Ron Luke.

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Talks

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past bargaining on the intransigence of two men who were brought in as chief negotiators.

GFA officials consistently blamed the stalled talks on Milwaukee lawyer Steve Rynecki, who has completed negotiations of two contracts for the city with the policemen's union. When announcing the petition and possible lawsuits, firefighters spokesmen contended that Rynecki had forbidden any ground rules for the negotiations, had not allowed a record of the talks to be kept, and frequently reneged on items that were tentatively agreed upon.

Huffman counters that the same could be said of Louis Heberd, representative of the International Firefighters Association, who acted as GFA's chief negotiator. His presence at negotiations was a source of irritation for city management, Huffman contended.

Neither Rynecki nor Heberd are involved in the current round of talks. Cross claims that stipulation was made by Huffman, but Huffman said the matter was "mutually agreeable."

Huffman is now acting as chief negotiator for the city, whose bargaining team also includes Fire Chief Paul Stanforth and Personnel Director Benny Davis. Negotiators for the firefighters union include Travis Woods, president; Gary Jones, first vice-president; Cross; and Brian Streck, recording secretary.

Both Huffman and Cross agree that the major bargaining issue will concern a raise for the firefighters and the appointment of deputy chiefs by Stanforth.

"I think those were the two issues that hung (talks) up to begin with," Huffman said.

Cross said the appointment of three deputy chiefs may be traded off for additional benefits and "a raise of from three to four percent retroactive from October."

The firefighters were not included in a three-percent raise given to all other city employees in October 1983, and later refused a contract offer by the city which included a three-percent raise and the appointment of three deputy chiefs.

Woods said at a press conference last October that the GFA had turned the offer down because members felt they would not be receiving anything in exchange for agreeing to the new positions, since the three-percent raise had already been withheld.

The firefighters' union has opposed the deputy chief position because the appointments would not follow civil service procedures and would take away some authority of battalion chiefs, who are union members.

However, Cross said Thursday, "We were never so opposed to the deputy chiefs that we weren't willing to negotiate."

"We have never seen the need for the deputy chiefs and we think the money could be spent elsewhere, but if they (management) want to pay for it, that's OK," he said.

"As long as they're talking sense and moving toward us, and we're talking sense and moving toward them, I'm happy," Cross said.

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