

AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 3, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2002-1384 to 2002-1399
ORDINANCES 2002-1103 to 2002-1122
RESOLUTION – None

2002-1383-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Keller

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. – PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motions 2002-1384 to 2002-1386 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - DECEMBER 4, 2002 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

Motion 2002-1387 - Accept

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

CONSENT AGENDA NUMBERS 1 through 21

MISCELLANEOUS - NUMBERS 1 through 3

1. Motion 2002-1389

REQUEST from Mayor for confirmation of the appointment of the following to the **BOARD OF PUBLIC TRUSTS (HOUSTON FOUNDATION) BOARD OF DIRECTORS:**

MR. WILLIAM J. HILL, to serve as Chair

Position Six - **MR. ROBERT GALLOWAY**, to complete an unexpired term ending March 22, 2003

2. Council Member Edwards tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of supplemental allocation of funds for Professional Services contract with the **BUFFALO BAYOU PARTNERSHIP** for Development of a Park System along Buffalo Bayou; GFS 12001-01-2 (I-2001) - \$30,000.00 - General Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; G - KELLER; H - VASQUEZ and I - ALVARADO**

3. Motion 2002-1390

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$44,664.16 - Enterprise Water & Sewer Fund

PROPERTY - NUMBER 4

4. Motion 2002-1391

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A97-357, located at 7738 Ley Road, owned by Sandra Earlene Liccion, for **LEY ROAD PAVING PROJECT**, CIP N-0587B-00-1 - \$50,625.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

ORDINANCES - NUMBERS 5 through 21

5. Council Members Tatro and Goldberg tagged

ORDINANCE **AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston Airport System

6. Ordinance 2002-1104

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

7. Ordinance 2002-1105

ORDINANCE consenting to the addition of 2.7109 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383** for inclusion in its district

8. Ordinance 2002-1112

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 396**

9. Ordinance 2002-1106

ORDINANCE consenting to the addition of 10.7675 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district

ORDINANCES - continued

10. Ordinance 2002-1107

ORDINANCE consenting to the addition of 638.236 acres of land comprising the **SHELDON ROAD MUNICIPAL UTILITY DISTRICT to the NORTH CHANNEL WATER AUTHORITY**

11. Ordinance 2002-1113

ORDINANCE assigning territories recently annexed for limited purposes to adjacent districts from which district council members are elected until such time as district boundaries may be changed pursuant to the Houston City Charter - **DISTRICTS A - TATRO; B - GALLOWAY; E - WISEMAN and G - KELLER**

12. Ordinance 2002-1108

ORDINANCE amending Ordinance No. 1999-394 issuing permit to **AEW / MCCORD, L.P.**, for maintaining, using, occupying, operating and repairing a basement within Main Street, Polk Avenue and Travis Street abutting the northeast half of Block 296, a basement within Travis Street and Clay Avenue abutting the south corner of Block 297, a basement within Clay Avenue abutting the southwest side of Block 297 and pedestrian walkway within the 1300 block of Travis Street, such areas being within public street rights-of-way of the City of Houston, Texas; repealing Ordinance 2002-917; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**

13. Ordinance 2002-1109

ORDINANCE establishing the north and south sides of the 1100 block of Euclid Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

14. Ordinance 2002-1121

ORDINANCE appropriating \$82,040.00 out of Tax & Revenue Certificate of Obligation 2000A Fund for payment to the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** to reimburse Ironwood Homes for costs associated with Public Improvements and Land Acquisition in Reinvestment Zone Number One, City of Houston, Texas, pursuant to Ordinance Nos. 2000-212 and 2000-234 - **DISTRICT C - GOLDBERG**

15. Ordinance 2002-1114

ORDINANCE approving and authorizing submission of an application for grant assistance to the **U. S. ENVIRONMENTAL PROTECTION AGENCY** for a Local Brownfields Cleanup Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; and to apply for all subsequent awards, if any, pertaining to the program

16. Ordinance 2002-1110

ORDINANCE approving and authorizing amendment to untreated water supply contract between the City of Houston and **CELANESE, LTD.**

17. Ordinance 2002-1115

ORDINANCE appropriating \$61,811,480.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, CIP A-0322, \$1,018,520.00 out of Airports Improvement Fund, CIP A-0422, awarding construction contract to **CADDELL CONSTRUCTION CO., INC** for construction of the Terminal C - MEP and Interior Upgrades at George Bush Intercontinental Airport/Houston, Project No. 490D; providing funding for the Civic Art Program financed by Airports Improvement Fund; providing funding for engineering testing - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

18. Council Members Goldberg and Keller tagged

ORDINANCE appropriating \$80,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Design of the Houston Heritage Corridor Bayou Trails East, Segment 1 from San Jacinto Street to Jensen Drive, under an engineering services contract with **KUO & ASSOCIATES, INC** (approved by Ordinance No. 01-1101), CIP N-0420-17A-2; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - VASQUEZ**

19. Council Members Alvarado, Wisemand and Keller tagged

ORDINANCE awarding contract to **DOLLAR TIRE CO., INC dba PRO TIRE SERVICES** for Roadside Tire Repair Services for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$582,894.40 - General Fund

20. Ordinance 2002-1111

ORDINANCE appropriating \$120,000.00 out of Solid Waste Consolidated Construction Fund for Engineering, Purchase and Installation of a Backup Generator and Equipment for the Northwest Service Center - **DISTRICT A - TATRO**

21. Ordinance 2002-1083 – Adopted third and final reading in full

ORDINANCE No. 2002-1083, passed second reading November 20, 2002

ORDINANCE granting to **NORTHLAND CABLE PROPERTIES, INC** a Washington Corporation, the right, privilege and franchise to erect, maintain, and operate a cable television system in the City of Houston; containing other provisions relating to the foregoing subject - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 22 through 23-1

MISCELLANEOUS

22. Motion 2002-1392

MOTION to accept the resignation of **SYLVIA R. GARCIA** from the Office of the City Controller of the City of Houston effective at the end of the day on December 31, 2002

a. Motion 2002-1393

MOTION to set a date not less than seven (7) days from December 4, 2002, to receive nominations for a person to be appointed to fill the unexpired term of the Office of the City Controller of the City of Houston effective January 1, 2003, and/or to receive nominations for a person to be appointed to temporarily hold the Office of the City Controller of the City of Houston for not more than (60) days commencing on January 1, 2003 – **SET DECEMBER 11, 2002**

23. Motion 2002-1394

MOTION to set a date not less than seven (7) days from December 4, 2002, to receive nominations for Position One of the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, with the two-year terms expiring August 21, 2003 – **SET DECEMBER 11, 2002**

PROPERTY

23-1 Motion 2002-1395

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

MATTERS HELD - NUMBERS 24 through 34

24. Motion 2002-1396

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT AREA) BOARD OF DIRECTORS:**

Position 1 - **MR. WILLIE COLEMAN, JR.**, reappointment, for a term to expire August 31, 2004; and to serve as Chair, for a term to expire December 31, 2002

POSTPONED BY MOTION #2002-1237, 10/23/02

This was Item 42 on Agenda of October 23, 2002

25. Motion 2002-1397

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

MR. WILLIE COLEMAN, JR., Chair, for a term to expire December 31, 2002

POSTPONED BY MOTION #2002-1239, 10/23/02

This was Item 43 on Agenda of October 23, 2002

26. Ordinance 2002-1116 – Adopt

ORDINANCE appropriating \$1,440,000.00 out of Police Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **SPAWGLASS CONSTRUCTION CORPORATION** for Construction Phase I, II, and III Services for repairs to the Police Administration Building, GFS G-0072-05-2; providing funding for project management and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT I - ALVARADO**

POSTPONED BY MOTION #2002-1366, 11/20/02

This was Item 36 on Agenda of November 20, 2002

27. Motion 2002-1398 – Postpone one (1) week

WRITTEN MOTION presented by Council Member Tatro to approve and authorize the “Termination for Convenience by City” provision, (Section V.C.) of Agreement between the City of Houston and **INTERNET ACCESS TECHNOLOGIES (IAT)** for Software Licensing and Support (now operating as SimDesk Technologies, Inc.) awarded pursuant to Ordinance No. 2002-0460 **TAGGED BY COUNCIL MEMBER PARKER**

MATTERS HELD – continued

28. Ordinance 2002-1122 – Adopt

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

This was Item 7 on Agenda of November 26, 2002

29. Ordinance 2002-1117 – Adopt

ORDINANCE establishing the north and south sides of the 700 block of East 10th Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**
TAGGED BY COUNCIL MEMBER PARKER

This was Item 12 on Agenda of November 26, 2002

Motion 2002-1388 – Suspend rules to consider Item 30 out of order

30. Ordinance 2002-1103 – Adopt

ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON PARTNERSHIP** for Marketing and Promotional Support; providing a maximum contract amount - 2 Years - \$1,400,000.00 - Enterprise Fund
TAGGED BY COUNCIL MEMBERS WISEMAN and GALLOWAY

This was Item 16 on Agenda of November 26, 2002

31. Ordinance 2002-1118

ORDINANCE appropriating \$242,050.00 out of Street & Bridge Consolidated Construction Fund and \$435,175.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for acquisition of Rights-of-way and utility adjustments along West Airport Boulevard from Chimney Rock to South Post Oak, CIP N-1314-01-1 (SB9067)
DISTRICTS C - GOLDBERG and D - EDWARDS

TAGGED BY COUNCIL MEMBERS TATRO, PARKER, GOLDBERG and WISEMAN

This was Item 17 on Agenda of November 26, 2002

32. Ordinance 2002-1119 – Adopt

ORDINANCE appropriating \$360,500.00 out of Street & Bridge Consolidated Construction Fund and \$725,120.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for acquisition of Rights-of-way and utility adjustments along West Airport Boulevard from South Post Oak to Hiram Clarke, CIP N-1314-02-1 (SB9068) - **DISTRICT D - EDWARDS**

TAGGED BY COUNCIL MEMBERS GOLDBERG, TATRO and WISEMAN

This was Item 18 on Agenda of November 26, 2002

MATTERS HELD – continued

33. Motion 2002-1399 – Refer back to the administration

ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **BRIARHILLS PROPERTY OWNERS ASSOC.** for Garbage Collection Service for the respective civic association - 8 Months - \$96.00 - **DISTRICT G - KELLER**

POSTPONED BY MOTION #2002-1377, 11/26/02

This was Item 29 on Agenda of November 26, 2002

34. Ordinance 2002-1120 – Adopt

ORDINANCE approving and authorizing a Public Pay Telephone contract between the City of Houston and **AT&T CORP.** - Revenue - **POSTPONED BY MOTION #2002-1378, 11/26/02**

This was Item 33 on Agenda of November 26, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Ellis first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**12/3/2002 – Council Member Keller absent due to being ill
Council Member Vasquez absent on personal business
Council Member Robinson absent on city business**

12/4/2002 – Council Member Robinson absent on city business