

City Council Chamber, City Hall, Tuesday, December 23, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 23, 2003, 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, Shelley Sekula-Gibbs, M.D., and Michael Berry; Ms. Sara Culbreth, Acting Chief Administrative Officer, Mayor's Office; 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 Carroll Robinson absent on personal business.

At 8:18 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:12 Mayor Brown called to order the meeting of the City Council. Council Members Wiseman, Goldberg, Keller and Berry absent.

Council Member Galloway invited Reverend Harvey Clements to lead in prayer and Council Member Galloway led everyone in the pledge of allegiance.

Mayor Brown requested the City Secretary to call the roll. Council Member Robinson absent on personal business.

Council Members Quan and Vasquez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION ADOPTED.

Mayor Brown recognized Council Member Keller. Council Members Goldberg and Edwards absent.

Council Member Keller invited officials of Shadowbriar Elementary to the podium and stated that he wanted to present a proclamation, that Shadowbriar Elementary was the first Houston school to do a national program called Camp Invention, that it was a very successful partnership and sponsored and partnered by two well known and respected public and private organizations, the National Inventors Hall of Fame and the U.S. Patent and Trademark Office, that basically they challenged the mind and teach the mind to not be limited, that they had participants from all over the City and were the first to do Camp Invention in the City of Houston and presented a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed December 16, 2003, as Shadowbriar Elementary School Camp Invention Day in the City of Houston. Council Members Goldberg and Edwards absent.

Mayor Brown stated that he wanted to congratulate them and appreciated their good work. Council Members Goldberg and Edwards absent.

Mayor Brown stated that they would start with the consent agenda.

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 64

MISCELLANEOUS - NUMBERS 1 through 6

1. REQUEST from Mayor for confirmation of the appointment of **MS. SUZANNE PAGE-PRYDE**, representing Texas House of Representatives District 136, to Position Two of the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term ending December 31, 2005 – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION

2003-1544 ADOPTED.

2. CONFIRMATION of the appointment of **MS. CASSANDRA HILL** to Position 20 of **HOUSTON READ COMMISSION** to complete an unexpired term ending February 1, 2004 – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1545 ADOPTED.
4. RECOMMENDATION from Director Finance & Administration Department to authorize and grant a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1546 ADOPTED.
5. RECOMMENDATION from Acting Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **WEST BELLFORT PROPERTY OWNERS ASSOCIATION** for Law Enforcement Services of 1 Deputy from Harris County Constable Precinct 5 – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1547 ADOPTED.
6. RECOMMENDATION from Acting Chief of Police for approval of Law Enforcement Agreements between **HARRIS COUNTY** and sixty-five (65) different Civic Organizations for law enforcement services of Constable Precincts 1, 4, 5, 6, 7 as well as the Sheriff of Harris County - **DISTRICTS A - TATRO; C - GOLDBERG; E - WISEMAN; F - ELLIS; G - KELLER; H - VASQUEZ and I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1548 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item Numbers 65, 81, 34, 35, 71, 69 and 64 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1549 ADOPTED.

65. SELECT and confirm the appointment of either **MS. CHERYL ARMITIGE** or **MR. EDWARD LOCHE** to Position 7 and **MR. EDWARD GONZALES** or **MS. JOLANDA JONES** to Position 6 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** for terms to expire two years from appointment date – was presented.

ROLL CALL VOTE:

Mayor Brown voting Loche	Council Member Vasquez voting Armitige
Council Member Tatro voting Armitige	Council Member Alvarado voting Armitige
Council Member Galloway voting Loche	Council Member Parker voting Armitige
Council Member Goldberg voting Loche	Council Member Quan voting Armitige
Council Member Edwards voting Loche	Council Member Sekula-Gibbs voting Loche
Council Member Wiseman voting Armitige	Council Member Berry voting Armitige
Council Member Ellis voting Loche	Council Member Robinson absent on
Council Member Keller voting Armitige	personal business.

Council Member Quan moved to confirm the appointment of Mr. Edward Loche to Position 7 of the Land Assemblage Redevelopment Authority, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1550 ADOPTED.

ROLL CALL VOTE:

Mayor Brown voting Jones	Council Member Vasquez voting Jones
Council Member Tatro voting Jones	Council Member Alvarado voting Jones
Council Member Galloway voting Jones	Council Member Parker voting Gonzales
Council Member Goldberg voting Jones	Council Member Quan voting Jones
Council Member Edwards voting Jones	Council Member Sekula-Gibbs voting Gonzales
Council Member Wiseman voting Gonzales	Council Member Berry voting Gonzales
Council Member Ellis voting Gonzales	Council Member Robinson absent on personal business.
Council Member Keller voting Jones	

Council Member Quan moved to confirm the appointment of Ms. Jolanda Jones to Position 6 of the Land Assemblage Redevelopment Authority, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1551 ADOPTED.

Council Member Edwards moved to suspend the rules to hear from Ms. Jolanda Jones at this time, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1552 ADOPTED.

Ms. Jones appeared and stated that she wanted to thank the Council, that she appreciated the appointment and had worked very hard to do the right thing.

81. ORDINANCE approving and authorizing contract between the City and the **HOUSTON SUPER BOWL XXXVIII HOST COMMITTEE, INC** for a Major Level Partner Sponsorship - \$500,000.00 Enterprise Fund – **(This was Item 75 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented.

Council Member Alvarado stated that she had passed out an amendment to Item No. 81 as follows:

“I move to amend the terms of the sponsorship agreement, which is the subject of Agenda Item No. 81, to reduce the contract price from \$500,000 to \$475,000, and to remove the fifty (50) Super Bowl tickets from the consideration to be provided to the City of Houston by the Houston Super Bowl XXXVIII Host Committee under the sponsorship agreement.”

A vote was called on Council Member Alvarado’s written motion to amend Item No. 81. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1553 ADOPTED.

A vote was called on Item No. 81 as amended. Council Members Tatro, Berry, Wiseman, Goldberg and Keller voting no, balance voting aye. Council Member Robinson absent on personal business. ORDINANCE 2003-1309 ADOPTED.

34. ORDINANCE approving and authorizing contract between the City of Houston and **PLEASANT HILL COMMUNITY DEVELOPMENT CORPORATION** to provide a \$300,000.00 grant of community development block grant funds to acquire property at 1305 Benson, Houston, Texas, to be renovated for use as a Community Arts Charter School - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1310 ADOPTED.

Council Member Edwards stated that she had wanted to tag Item No. 34 and wanted to talk to someone about it, that she had some serious questions that she would like to talk about.

Mayor Brown stated that the item had passed and the tag came after the vote, that the Council Member was satisfied with the vote and wanted to talk with Reverend Clements and that would take care of the issue, that Item No. 34 had passed.

35. ORDINANCE approving and authorizing an agreement between the City of Houston and **CHINESE COMMUNITY CENTER, INC** to provide \$500,000.00 in Community Development Block Grant Funds to assist in the purchase of Real Estate located at 9800 Town Park, Houston, Texas, which facility will be used for the provision of Social Services to Low and Moderate Income/Limited Clientele - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1311 ADOPTED.

Council Member Quan stated that he wanted to thank his colleagues on Item No. 35, that they had representatives from the Chinese Community Center present and they were moving forward on a very rapid manner to really reach out to the southwest area.

Council Member Sekula-Gibbs stated that she also wanted to congratulate the Chinese Community Center for their hard work in putting the wonderful project together.

Mayor Brown stated that he wanted to congratulate them, that they appreciated the good work they did out there.

Mayor Brown stated that he wanted to recognize Mr. Jacob Guzman, a specialist Army medic who had been in IRAQ representing their Country very well and was the son of Ms. Minnie Aguilar, Building Services Department, and asked that he stand and be recognized, that he had served in the military for three and a half years, with seven months in IRAQ and had recently extended his tour for three more years, that he was a real dedicated American and they certainly appreciated his service and devotion to the Country.

Council Member Galloway stated that Mr. Guzman lived in District B and was glad that he was home safe and wished him happy holidays, that they would keep him in their prayers as he continued to serve his Country.

At 9:30 a.m. Mayor Brown stated that the City Secretary would begin to call the speakers. Council Members Ellis and Alvarado absent.

Council Member Edwards moved that the rules be suspended for the purpose of moving Congresswoman Sheila Jackson-Lee to the top of the Speakers List, seconded by Council Member Quan. All voting aye. Nays none. Council Members Ellis and Alvarado absent. MOTION 2003-1554 ADOPTED

Congresswoman Sheila Jackson-Lee, 1919 Smith, Houston, Texas 77002 (713-665-0050) appeared and wished all a happy holiday and stated that the 18th District which she represented was very supportive of Mayor Brown; that they thanked him for his service and presented him with a pewter plate and a bear dressed in a police uniform; and Mayor Brown expressed his thanks. Council Members Ellis and Alvarado absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Mr. David Johnson out of order, seconded by Council Member Parker. All voting aye. Nays none. Council Members Vasquez and Ellis absent. MOTION 2003-1555 ADOPTED

Mr. David Stephenson, 9207 Bader Dr., Houston, Texas 77095 (281-855-7422) appeared and stated that he wanted to thank everyone for their support of the Houston Challengers, especially Council Member Quan for his support of their national tournament the last two years and presented him a picture of his efforts and presented all Council Members a picture of the team. Council Member Sekula-Gibbs stated that Mr. Stephenson was coach of a wheelchair soccer team, The Challengers, and they were present asking for support to go and try and win back their title; that it would also bring recognition to the City of Houston while supporting a great group of individuals and presented him a certificate of recognition. Council Member Quan

stated that they had heart, dedication and great skill and courage and he was proud to be associated with them. Mr. Stephenson stated that they were preparing to go to the 22nd National Indoor Soccer Championships and they won the title 5 of the last 7 years and he appreciated being able to come share that with the Council. Council Members Galloway, Wiseman and Vasquez absent.

Mr. Sylvester Brown, 2900 Woodridge, Houston, Texas 77087 (713-645-9598) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Vasquez absent.

Ms. Dorothy Greer, 1950 Heights #807, Houston, Texas 77008 (no phone) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Vasquez absent.

Ms. Elizabeth McMillin, 609 Henderson, Houston, Texas 77007 (713-869-8124) appeared and stated that she was executive director of WOW, Washington On Westcott, and on their behalf she urged approval of Agenda Item 62 which awarded a contract for construction of a roundabout at the intersection of Washington Ave. and Westcott; and expressed appreciation to the Mayor, Council and all those which had touched the project in some way. Council Members Galloway and Wiseman absent.

Mayor Brown, Council Members Quan and Vasquez thanked Ms. McMillin for coming and for all her efforts. Council Members Galloway and Wiseman absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared and spoke against Agenda Item 73, stating that he opposed it as he had a problem with the particular organization and activities they were involved in; that HUD had taken minimal action against the City to restrict funds, but also when giving tax abatement to low income transactions they were already giving them down payment assistance and a HUD guarantee for the lender and he did not think they were carrying their full share of the tax burden; and encouraged that the tax abatement not be given. Council Members Galloway and Wiseman absent.

Mr. Deloyd Parker, 2324 Dowling, Houston, Texas 77004 (713-521-0629) appeared and stated that there was a serious deficiency with transition housing in Houston and he would like Council Members to consider unity of the family and city along with self determination and a clearly defined purpose and creativity in the coming year; that the fist night of Kwanza would be on December 26th at the Multi Service Center in the Third Ward and invited them to attend; and congratulated them for electing Ms. Jolanda Jones to the Land Assemblage Redevelopment Authority. Council Member Wiseman absent.

Council Member Quan invited Mr. Parker to work with him on transitional housing next year; and Mr. Parker applauded Council Member Quan for the work he had put into the matter already. Council Member Wiseman absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Mr. Otis Jordan as the first three minute speaker, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Wiseman and Ellis absent. MOTION 2003-1556 ADOPTED

Mr. Otis Jordan, 7663 South Glen Willow, Houston, Texas (281-438-4124) appeared and stated that he and the Houston Black Firefighters wanted to come forward and thank Mayor Brown for what he had done for the Fire Department as a whole and for the community; that he had come to Council before regarding promotions and of the last engineer operators list they promoted 287 and of those 50 were Black and he hoped it continued with the next Administration. Council Members Wiseman and Ellis absent.

Council Member Edwards thanked Mr. Jordan and his organization for staying on point and always willing to work on the resolutions and conflicts. Council Members Goldberg, Wiseman, Ellis and Berry absent.

Council Member Galloway thanked Mr. Jordan for his work and leadership and thanked the group for also appearing. Council Members Goldberg, Ellis and Berry absent.

Mayor Brown thanked them all for coming and for what they did day in and day out and encouraged them to keep up the work of equal opportunity. Council Member Goldberg absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 had reserved time to speak but was not present when his name was called. Council Member Ellis absent.

Ms. Deborah Elaine Allen, 1122 Sol St., Houston, Texas 77029 (no phone) had reserved time to speak but was not present when her name was called. Council Member Ellis absent.

Mr. David Johnson, 5207 New Kirk Lane, Houston, Texas 77021 (713-242-8110) appeared, presented a letter to Council Members and stated that he was a member of Council Member Edwards District and present on a personal issue; that on November 19th Heavy Trash was in the Neighborhood because of a tornado that had passed through and they picked up a free standing basketball goal that was in front of his home; that he received a letter from Claims regarding the City's immunity and he asked the city to reconsider. Council Members Ellis and Alvarado absent.

Upon questions by Council Member Berry, Mr. Johnson stated that it was a portable goal and was lying down due to the weather; that it was an honest mistake and it was about seven years old, but to get a new one it would be about \$200.00. Council Members Wiseman, Ellis and Alvarado absent.

Council Member Edwards stated that her office would like an opportunity to work with him, but she understood from Solid Waste they did not even know if they picked it up; and upon questions, Mr. Johnson stated that he appreciated her concern and would provide her information. Council Member Wiseman absent.

Mr. Charles Moore, 5840 Glenmont, Houston, 77081 (713-665-5850) appeared, wished everyone a Merry Christmas and stated that he hoped Mayor Brown was happy with the way things went while he was Mayor of this great city and that he had done an excellent job in bringing Houston into the 21st century. Council Members Tatro, Goldberg, Edwards and Wiseman absent.

Mayor Brown thanked Mr. Moore for coming and for his advise and that he looked forward to continuing to work with him. Council Members Tatro, Goldberg, Edwards and Wiseman absent.

Mr. Jay Garrison, 12728 Hollandale, Houston, Texas 77082 (281-556-5195) appeared, presented a picture to Council Members and stated that he was present to speak on the Westpark Bridge; that it was on the west side and had been under construction two years; that last September he came to Council asking why the bridge was not yet opened and he would suspect if the barriers were removed it could be used tomorrow and he would like to know why it was not opened. Council Members Tatro, Goldberg, Edwards and Wiseman absent.

Mayor Brown stated that Mr. Robert Fiederlein with Public Works was present and he could meet with him at this time and then Mr. Fiederlein should report back to Council. Council Members Tatro, Goldberg, Edwards and Wiseman absent.

Mr. Russell Driver, 3507 Maury, Houston, Texas 77009 (713-223-0698) appeared,

presented a letter to Council Members regarding air pollution and stated that he would like a study done regarding companies placing employees on their website so they could spend two days a week at home working; that there were benefits and it could produce good effects. Council Members Tatro, Goldberg, Edwards, Wiseman and Keller absent.

Mayor Brown thanked Mr. Driver for the information. Council Members Tatro, Goldberg, Edwards, Wiseman and Keller absent.

Ms. Diane Clements, 1205 West Pierce, Houston, Texas 77019 (281-435-7348) appeared and stated that she was president of a victim advocacy group in Houston, Justice for All, and she was present to thank the Mayor and Council Members for their support; that in the Annex there was a Crime Victim's Remembrance Tree and all should see it; and again thanked everyone for their help. Council Members Tatro, Goldberg, Edwards and Keller absent.

Council Member Sekula-Gibbs thanked Ms. Clements for coming and for being such a strong advocate for victims. Council Members Tatro, Goldberg and Edwards absent.

Council Member Wiseman thanked Ms. Clements for coming and stated that victims went through so much and her work was appreciated. Council Members Tatro, Goldberg and Edwards absent.

Mayor Brown thanked Ms. Clements for coming and for what she did; that she was a strong advocate and appreciated. Council Members Tatro, Goldberg and Edwards absent.

Mr. Ovid Duncantell, 8002 Crestwick Dr., Houston, Texas 77083 (281-561-6606) had reserved time to speak but was not present when his name was called. Council Members Tatro, Goldberg and Edwards absent.

President Joseph Charles appeared and expressed his personal opinions until his time expired. Council Members Goldberg, Edwards, Alvarado, Parker and Quan absent.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and expressed his personal opinions until his time expired. Council Members Goldberg, Edwards, Alvarado, Parker and Quan absent.

At 10:18 a.m. Mayor Brown stated that they would return to the agenda. Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent.

Council Member Vasquez moved to suspend the rules to consider Item Numbers 19, 21, 22, 23, 62, 66, 68, 73, 82, 83, 84 and 85, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Ellis absent. MOTION 2003-1557 ADOPTED.

71. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON CHAPTER, A.I.A. CHAPTER OF THE TEXAS SOCIETY OF ARCHITECTS**, to provide \$25,000.00 in Community Development Block Grant Funds for a Research and Planning Activity which will result in the submission of a Report entitled "Housing Strategies for Houston: Expanding Opportunities" – **(This was Item 36 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBERS ROBINSON and SEKULA-GIBBS)** – was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1312 ADOPTED.

Council Member Quan stated that he wanted to assure the Council Members that it would not just be another study that would end up on the shelf, that he intended to use the information as developed to truly make changes in the housing strategies.

Council Member Sekula-Gibbs stated that they had an abundance of plans that had ended up on the shelf but Council Member Quan had assured her that being the Chair of the Housing and Neighborhoods Committee that it would not be the outcome for the study and that it really would go to help with their situation of inadequate low income housing.

69. ORDINANCE establishing Street & Bridge Construction Contracts as a Category of contracts to which **CHAPTER 15, SECTION IV OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, applies; establishing qualifications for obtaining Certificates of Responsibility for such contracts setting up an alternative process for appeal of expiration or revocation of such certificates – **(This was Item 23 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER BERRY)** – was presented.

Council Member Goldberg stated that he had passed out a written motion to amend Item No. 69 as follows:

“Amend Chapter 15, Section IV of the Code of Ordinances to replace the word City Engineer with Director of Public Works and Engineering.

That the second paragraph of Section 7 be amended to read as follows:

Within five business days of receipt of notice of expiration or revocation of a Certificate of Responsibility, a contractor who wishes to challenge the expiration or revocation must submit a written request for appeal to the director in the Department of Public Works and Engineering. The director’s inquiry is limited to whether the bidder possesses a valid TxDOT Pre-qualification Approval Letter stating it is qualified to the director for consideration. The director shall issue a written decision within three business days finding that the bidder does or does not possess a valid TxDOT Pre-qualification Approval Letter. The decision of the director shall be final.”

A vote was called on Council Member Goldberg’s motion to amend Item No. 69. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1558 ADOPTED.

Council Member Keller stated that he wanted to thank Mr. Robert Fiederlein and Mr. Frank Antony from his office, that it was the contractors pre-qualification ordinance and it was aimed at the street and bridge projects and that was where they had found over 90% of the defaulting contracts when they started it a couple of years ago.

A vote was called on Item No. 69 as amended. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1313 ADOPTED.

64. ORDINANCE No. 2003-1196, passed second reading December 17, 2003
ORDINANCE repealing Ordinance No. 2003-925, relating to charges and terms of service for Drainage Service; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency - **THIRD AND FINAL READING** – was presented.

A roll call vote was called on Item No. 64.

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 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 voting aye
Council Member Keller voting aye

Council Member Robinson absent
on personal business.
ORDINANCE 2003-1196 PASSED
THIRD AND FINAL READING.

19. **ORDINANCE AMENDING CHAPTERS 2, 28, 32, 40 AND 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to use of City Parks, Streets and other City property for Special Events and other similar purposes; prescribing procedures for issuance and revocation of permits for certain events; declaring certain conduct to be unlawful and providing a penalty therefore – was presented.

Council Member Parker stated that she had passed out a written motion to amend Item No. 19 as follows:

“That Convention and Entertainment Facilities and Aviation Departments must report special event expenditures as part of their annual budget presentation and must provide cost recovery to the General Fund”, tagged by Council Member Edwards.

Council Member Edwards stated that she would tag the main item and the amendment.

Mayor Brown recognize Mr. Paul Bibler, Assistant City Attorney, Legal Department, and Mr. Bibler stated that as he understood the caption for the ordinance was written and then some changes were made to the ordinance including adding those sections they were talking about and in the final process of reviewing the ordinance yesterday he noticed those sections and realized that they were not germane to the caption, that the caption should have been revised when those sections were added, but no matter what they did they would not fit the caption of the item that was posted, that they would have to come back as a separate item with a different caption, that no one objected to those sections it was just that the item that was posted was strictly about special events and those two sections that were stricken did not have anything to do with special events per se.

Mayor Brown stated that the item and the amendment had both been tagged.

21. **ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, BY ADDING A NEW DIVISION 3 TO ARTICLE XI, CHAPTER 2**, relating to the creation of a Mayoral Advisory Board for International Affairs and Development (MABIAD) – was presented.

Council Member Edwards stated that she had passed out a motion to amend Item No. 21 as follows:

- 1 – In proposed city code section 2-346(b) delete positions 1 and 8 through 11; renumber positions 2 through 7 as 1 through 6
- 2 – Amend proposed city code section 2-346(c) to read:
(c) The Board shall annually elect a chair from among its members.
- 3 – Make any other revisions as required to conform to items 1 and 2 above
Council Members Sekula-Gibbs, Parker and Quan tagged

Council Members Sekula-Gibbs, Parker and Quan stated they would tag the main item and the amendment.

22. **ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, authorizing the Mayor to establish Safety Zones around Major Event Sites – was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. **ORDINANCE 2003-1314 ADOPTED.**
23. **ORDINANCE AMENDING SECTION 8-123 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, establishing a City Fee on Non-consent Vehicle Towing Services – was presented.

Mayor Brown stated that he wanted to point out that the item took \$10 out of the tow and

put it into a fund and was contrary to what they would normally do and any fee would go into the General Fund and was not earmarked and asked Council Member Ellis what he was trying to accomplish.

Council Member Ellis stated the reason they did it was that they were starting to look at the fact that the Mayor had cut two of the cadet classes and knew that they were going to have to pay overtime to the Police Department and so the \$10 would bring a million dollars that would be collected by the Police Department and put in for overtime and/or the SOS Program, that they could also use it to help fund the cadet classes and thought it was something that came from the industry and he also worked with the Police Union as well to try to get the additional funding and help them through the budget crunch.

Upon questions by Council Member Quan, Mr. Bibler stated that there was a fine line in State law between a fee and an occupation tax and in order for something to be a valid fee it had to be rationally related to the expenses that were caused by the activity and in this case it was his understanding that the Police Department worked up some rough data but the Finance and Administration Department had not had an opportunity to go over that data and validate it, also the amendment as it was proposed would assess the fee on all non consent tows but spend it only at police private storage lots which was probably only a portion of those places for which the fee would be collected, so they needed to better target the fee to the place that it was being expended.

After further discussion by Council Members, a vote was called on Item No. 23. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1315 ADOPTED.

62. ORDINANCE appropriating \$1,176,400.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Washington at Westcott Intersection Improvements, GFS N-0741-01-3 (SB9092); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS G - KELLER and H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1316 ADOPTED.
66. MOTION by Council Member Ellis/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel HY3-002, located at 1700 Travis, owned by The Carter Investment Company, W. T. Carter III, President, for the **FIRE SUPER STATION PROJECT**, CIP C-0149-01-3 - **DISTRICT I - ALVARADO** - (**This was Item 15 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER TATRO**) - was presented.

Council Member Tatro stated that it was an item for condemnation of a parcel of land for the downtown super station, that about four months ago he raised a concern about the process they were undertaking, that the left hand and the right hand were not talking to each other in the pursuit of securing a piece of property for the downtown fire station, that they went out and identified a piece of property but no one was paying attention to the bottom line, the budget, it turned out that the piece of property had contamination problems so now they set their sites on a piece of property where the total exposure of the contamination was unknown, that one block away there was a piece of property that was pretty much the same size that had been tested previously and there was no indication of contamination and had been on the market for at least two years and he was never contacted by the City to pursue the sale of the property and that concerned him.

Council Member Tatro moved to postpone Item No. 66 for two weeks, seconded by Council Member Keller.

Mayor Brown stated that he wanted to ask the Acting Fire Chief some questions.

Council Member Quan moved to hear from Acting Fire Chief Hector Trevino, seconded by Council Member Parker. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1559 ADOPTED.

Upon questions by Mayor Brown, Chief Trevino stated that in 2002 Chief Connealy asked him to undertake the selection of a downtown super station and was given a report from Cushman Wakefield identifying some 29 properties in the area, that he took the properties and basically came up with some criteria to pick out the downtown super station, that they needed to look at the size of the lot available to them as far as the size to accommodate an 8 to 10 bay fire station, that they also needed to look at the location in relation to other fire stations and a 1.5 mile radius for engine companies, a 2.5 mile radius for ladder companies, they looked at access to the freeways and major thoroughfares, access as far as traffic problems in the area, that they also looked at the cost, from the report that he got he picked the property that was the least expensive and that met the criteria, the property that Council Member Tatro had asked them to look at, that they had several issues with it from the operational standpoint of the Fire Department they needed a location that was closer to the downtown business district, they also needed a location that was less congested, that the main thoroughfare as far as the I-45 dumped traffic onto Saint Joseph Parkway and also the Pierce Elevated and made it highly congested, the current fire station sat one block east of the location that Council Member Tatro had asked them to look it and in the past they had accidents at the corner of Saint Joseph's Parkway and Travis, they also had accidents on Pierce and Fannin and Pierce and Smith, so the potential for accidents in those areas were highly probable, that they did consider cost and knew that cost was a major issue in the purchase of any property, that also, as he said, they had been working on the project for some 20 months and the additional delay would just create an additional delay in a downtown super station, that they were currently leasing a temporary site on Pierce and Saint Joseph Parkway, Milam and also Travis, that they were in the third year of that lease and the fourth year would start in April 2004 and there was an additional cost on that lease of \$2,000 per month in 2004, in 2005 there was another additional cost of \$4,000 per month, that the traffic in that area was extremely high and they had also received numerous complaints when they set up the temporary fire station from the residents of 2016 Main due to the noise, and finally they had to have a downtown station that was closer to the downtown business district and that shortened their response time to those areas and they also needed to look at the operational need of the Fire Department and also the safety of the citizens and the safety of the firefighters.

After further discussion by Council Members, a roll call vote was called on Council Member Tatro's motion to postpone Item No. 66.

ROLL CALL VOTE:

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

MOTION 2003-1560 FAILED

Item No. 66 was then tagged by Council Member Goldberg.

68. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to create the Department of Community Services Assistance – **(This was Item 22 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN and PARKER)** – was presented.

A roll call vote was called on Item No. 68.

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 no
Council Member Ellis voting no	Council Member Robinson absent
Council Member Keller voting no	personal business.

ORDINANCE 2003-1317 FAILED

73. ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** for certain property located within State Enterprise Zone 3; approving the assignment of the Tax Abatement Agreement to Qualified Homeowners - **DISTRICT H – VASQUEZ** – **(This was Item 40 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. Council Member Tatro voting no, balance voting aye. Council Member Robinson absent on personal business. ORDINANCE 2003-1318 ADOPTED.
82. ORDINANCE **AMENDING SECTION 3-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the location of Alcohol Premises; containing findings and other provisions relating to the foregoing subject – **(This was Item 82 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER BERRY)** – was presented.

Council Member Alvarado stated that last week she had passed out an amendment which they passed and was having to amend that amendment because Commerce Street was left off as one of the boundary points and offered the following written motion:

“Amend the description of MIXED LAND USE/ENTERTAINMENT ZONE 1 as set forth in Section 4 of the proposed Ordinance to read as follows:

MIXED LAND USE/ENTERTAINMENT ZONE 1. BEGIN AT THE junction of the southerly right-of-way line of Dallas Street and the easterly right-of-way line of San Jacinto Street; proceed north along the easterly right-of-way line of San Jacinto Street to its junction with the northerly right-of-way line of Commerce Street; proceed west along the northerly right-of-way line of Commerce Street to its junction with the westerly right-of-way line of Milam Street; proceed south along the westerly right-of-way line of Milam Street to its junction with the northerly right-of-way line of Franklin Street; proceed west along the northerly right-of-way line of Franklin Street to its junction with the westerly right-of-way line of Louisiana Street; proceed south along the westerly right-of-way line of Louisiana Street to its junction with the southerly right-of-way line of Dallas Street; proceed east along the southerly right-of-way line of Dallas Street to the place of beginning at the easterly right-of-way line of San Jacinto Street. The Zone also includes any premises otherwise outside the foregoing perimeters that abuts the above described right-of-way lines of Commerce, Dallas, Milam, San Jacinto, Franklin or Louisiana Streets, provided that the affected premises property takes its access from a street level pedestrian entry on one of those rights-of way.”

A vote was called on Council Member Alvarado’s motion to amend Item No. 82. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1561 ADOPTED.

Council Member Parker stated that she had distributed an amendment to Item No. 82 as follows:

“In Section 3 of the proposed ordinance, strike Item (1) of Subsection (g) and renumber Items (2) and (3) as Items (1) and (2) respectively.”

A vote was called on Council Member Parker’s motion to amend Item No. 82. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1562 ADOPTED.

A vote was called on Item No. 82 as amended. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1319 ADOPTED.

83. ORDINANCE approving and authorizing an agreement with the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the Operations and Maintenance of a Light Rail Transit System – **(This was Item 86 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBERS ROBINSON, ELLIS and KELLER)** – was presented. Council Members Ellis, Berry, Tatro and Wiseman voting no, balance voting aye. Council Member Robinson absent on personal business. ORDINANCE 2003-1320 ADOPTED.

84. ORDINANCE approving and authorizing contract between the City of Houston, the **COUNTY OF LOS ANGELES** and **OFFICE DEPOT** authorizing participation in the U.S. Communities Purchasing Alliance for the purchase of Office Supplies for Various Departments; providing a maximum contract amount - \$2,196,384.52 - General, Grant, Enterprise and Other Funds – **(This was Item 103 on Agenda of December 17, 2003, POSTPONED BY MOTION #2003-1542)** – was presented.

Council Member Quan stated that he wanted to thank Mr. Calvin Wells, Purchasing Agent, for meeting with him, that he had a chance to also visit with Houston Minority Business Council and review the records on the matter, it appeared that it was a good contract and would save them money, that Mr. Wells had agreed to work with them to make sure it was inclusive of as many Houston companies as they could.

A vote was called on Item No. 84. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1321 ADOPTED.

85. ORDINANCE increasing the fees received by Auto Wrecker Operators for their towing services to \$115 per vehicle towed for services not requiring the use of a Heavy Duty Wrecker and to \$175 per hour with a two hour minimum for vehicles requiring the use of a Heavy Duty Wrecker and **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, for the purpose of establishing procedures for future rate adjustments – **(This was Item 26 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBERS QUAN, ELLIS and GALLOWAY)** – was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1322 ADOPTED.

Mayor Brown stated that they would move back to the consent agenda.

DAMAGES - NUMBERS 7 and 8

7. RECOMMENDATION from City Attorney for settlement of lawsuit styled **DONYA COCKRELL** vs. City of Houston and Jesus Diaz; in the County Civil Court at Law Number Two (2) of Harris County, Texas; Cause No. 780,091 - \$19,000.00 - Property and Casualty Fund - was presented, moved by Council Member Quan, seconded by Council Member

Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1563 ADOPTED.

8. RECOMMENDATION from City Attorney for settlement of lawsuit styled **VICTORIA DANIELS** v. City of Houston; in the 334th District Court of Harris County, Texas; Cause No. 98-57233 \$30,000.00 - Property and Casualty Fund - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1564 ADOPTED.

ACCEPT WORK - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$594,827.51 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of IRA Street Storm Sewer Outfall, GFS M-0126-13-3 (M-0126-13) - 00.17% over the original contract amount - **DISTRICT H - VASQUEZ** - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1565 ADOPTED.

Council Member Parker stated that on Item No. 1 they had confirmed the appointment of Ms. Suzanne Page-Pryde to the Saint George Place Redevelopment Authority, that she was in the audience and wanted to acknowledge her presence.

Mayor Brown requested Ms. Page-Pryde to stand so they could acknowledge her presence.

PROPERTY - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels CY3-004, KY3-087, KY3-096, KY3-097 and QY3-002, located in the 22000 block of Pino Lane, north of Saddle Creek Farms Drive, owned by Phase III-LHF, LP, a Texas limited partnership, Steven W. Ramshur, President, for **EAST LAKE HOUSTON UNSERVED AREAS PROJECT PACKAGE III (Saddle Creek Waterline)**, CIP R-0801-04-2 - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1566 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 17

13. **TEXAS ENGINEERING EXTENSION SERVICE-EMERGENCY SERVICE TRAINING INSTITUTE (TEEX-ESTI)** for Maritime/Shipboard Firefighting Training Services for Houston Fire Department \$28,700.00 - General Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1567 ADOPTED.
14. **OUTDOOR OUTFITS** for Special Purpose Clothing, Part II for Fire Department - \$394,416.75 General Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1568 ADOPTED.
15. **AMEND MOTION #2003-1315, 11/5/03, TO INCREASE** quantity to purchase additional Physical Fitness Equipment for Houston Fire Department, awarded to **NORTH AMERICAN TRADE CORP.** in the total amount of \$22,300.00 and **MOTION #2003-1316, 11/5/03**, awarded to **PROMAXIMA MFG., LTD.** in the total amount of \$186,298.22 for an aggregate total amount not to exceed \$208,598.22 - Grant and Equipment Acquisition

Consolidated Funds - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1569 ADOPTED.

16. **SHERWIN-WILLIAMS** for Paint, Street Marking Contract for Public Works & Engineering and Solid Waste Management Departments - \$563,534.75 - General and Enterprise Funds - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1570 ADOPTED.
17. **AMEND MOTION #2001-34, 1/10/01, TO EXTEND** expiration date from January 10, 2004 to January 9, 2005, for Continuous Forms Contract for Various Departments, awarded to **WEYERHAEUSER COMPANY (Formerly WILLAMETTE INDUSTRIES, INC)** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. MOTION 2003-1571 ADOPTED.

ORDINANCES - NUMBERS 18 through 64

18. ORDINANCE canvassing the returns of the Recount of the Ballots Cast in the December 6, 2003, Runoff Election for Council Member, District G; Recounting the votes cast in such Runoff Election; making various findings and provisions related to the subject; determining the Official Results of the Recount of the votes cast for the Office of Council Member, District G - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1323 ADOPTED.
20. ORDINANCE **AMENDING SECTION 1-10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the issuance of Taxicab Driver Licenses to persons who have been convicted of driving under the influence of drugs or alcohol - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1324 ADOPTED.
24. ORDINANCE approving and authorizing consent to encroach, allowing existing improvements owned by Weatherford Artificial Lift Systems, Inc., the abutting owner, to encroach (i) ± 1.0 foot into an alley, and (ii) ± 5.7 feet and (iii) ± 9.0 feet, respectively, into Lawndale Street, all adjoining the property at 1020 Fennell Street, being Lots 2 and 5, Block 79, Harrisburg Addition, Harris County, Texas; Parcels ENY4-01A through C; subject to the terms and conditions of the consent to encroach - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1325 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide sanitary sewer easement, within Lot 100, Dairy Subdivision and Town, E. Pillott Survey, A-631 and the H.T. & B.R.R. Co. Survey, A-405; vacating and abandoning said sanitary sewer easement to Perry Homes, the abutting owner, in consideration of the owner's payment of \$15,408.00 and other consideration to the City; Parcel SY3-042 **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1326 ADOPTED.
27. ORDINANCE approving and authorizing the sale to North Harris County Regional Water Authority of a waterline easement in a tract or parcel of land containing 4,800 square feet, more or less and a temporary construction easement in a tract or parcel of land containing 800 square feet, more or less, being out of the City of Houston's Fire Station No. 89 Site, located at 14,000 Bammel-North Houston Road, Parcels SY4-010A and SY4-010B, for and in consideration of the payment by North Harris County Regional Water Authority of

- \$5,270.00 to the City of Houston, both parcels situated in the Joseph Farwell Survey, A-262; subject to the terms and conditions of the right of way and easement agreement - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1327 ADOPTED.
28. ORDINANCE consenting to the addition of 12.2089 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 46**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1328 ADOPTED.
 29. ORDINANCE consenting to the addition of 24.424 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1329 ADOPTED.
 30. ORDINANCE designating a contiguous geographic area within the City of Houston generally bounded by East Little York on the north, Wayside on the east, Langley on the south and Homestead on the west (Leland Woods Area) as a Reinvestment Zone for Tax Increment Financing purposes pursuant to Chapter 311 of the Texas Tax Code; creating a Board of Directors for such Zone; making findings and containing other provisions related to the foregoing subject; providing a severability clause - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1330 ADOPTED.
 31. ORDINANCE issuing a permit to **SYSCO FOOD SERVICES OF HOUSTON, L.P.** for using, occupying, operating, maintaining and repairing a fire line within the 500 block of Portwall Street, 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 I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1331 ADOPTED.
 38. ORDINANCE approving and authorizing a second amendment to a contract between the City of Houston and **EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES** for Handling & Disposal of Hazardous Materials for various departments (as approved by Ord. No. 98-283) - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1332 ADOPTED.
 41. ORDINANCE appropriating additional funds of \$184,800.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing the first amendment to an engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Collingsworth Grade Separation at proposed Hardy Toll Road, CIP N-0700-01-2 (SB9078); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1333 ADOPTED.
 49. ORDINANCE appropriating \$30,941.44 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation contract between the City of Houston and **TMT PROPERTIES, INC** for the Construction of Water and Sanitary Sewer Lines to serve development on Market Street - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1334 ADOPTED.
 50. ORDINANCE appropriating \$258,318.53 out of Water & Sewer System Consolidated Construction Fund and \$237,000.00 out of Housing & Homeless Consolidated Construction Fund; approving and authorizing Developer Participation Contract between

the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the San Pablo Subdivision, CIP S-0800-99-03 and R-0800-99-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1335 ADOPTED.

51. ORDINANCE appropriating \$206,163.99 out of Water & Sewer System Consolidated Construction Fund and \$210,402.25 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the San Pablo Subdivision, CIP S-0800-A1-03 and R-0800-A1-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1336 ADOPTED.
52. ORDINANCE appropriating \$183,468.85 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Three of the San Pablo Subdivision, CIP S-0800-A2-03 and R-0800-A2-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1337 ADOPTED.
55. ORDINANCE appropriating \$55,875.00 out of General Improvements Consolidated Construction Fund; determining that the formal taking of competitive bids is not required for the work described herein; approving and authorizing contract between the City of Houston and **ARROW SERVICES, INC** for Asbestos Abatement and Demolition at Young Branch Library; CIP D-0113-01-5; and approving and authorizing additional funds to issue a one time purchase order to **ENVIRONMENTAL SOLUTIONS, INC** for professional services providing funding for construction management and contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1338 ADOPTED.
56. ORDINANCE appropriating \$725,000.00 from the Street & Bridge Consolidated Construction Fund awarding contract to **TOTAL CONTRACTING, LIMITED** for Safe Sidewalk Program B2 Project, GFS N-0610A-B2-3 (SB9113-02); providing funding for engineering, testing, construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - TATRO and D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1339 ADOPTED.
57. ORDINANCE appropriating \$396,500.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CANNES ENTERPRISES, INC** for Safe Sidewalk Program T7 Project, GFS N-0610A-T7-3 (SB9048-3); providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1340 ADOPTED.
59. ORDINANCE appropriating \$768,526 out of the Water and Sewer System Consolidated Construction Fund, awarding a construction contract to **UTILITY & ENVIRONMENTAL SERVICES, INC.** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation – had been pulled from the Agenda by the Administration, and was not considered.

60. ORDINANCE appropriating \$4,686,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON CONSTRUCTION, L.P.** for 69th Street Wastewater Treatment Plant Improvements, Package 1, GFS R-0509-07-3 (WW4842-01); 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. Council Member Robinson absent on personal business. ORDINANCE 2003-1341 ADOPTED.
61. ORDINANCE appropriating \$701,945.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **WESCO INFRASTRUCTURE TECHNOLOGIES, L.P.** for Rehabilitation of the 54" to 60" PickFair Trunk Sewer from 610 North Loop to Hunting Bayou, GFS R-2011-36-3; providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – had been pulled from the Agenda by the Administration, and was not considered.
63. ORDINANCE No. 2003-1191, passed second reading December 10, 2003
ORDINANCE amending and restating the Cable Television Franchise granted to **GRANDE COMMUNICATIONS, INC**, pursuant to City of Houston Ordinance No. 2000-0679 **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. ORDINANCE 2003-1191 PASSED THIRD AND FINAL READING IN FULL.

Council Member Galloway stated that she wanted to thank her colleagues for their support on Item No. 30, that she really appreciated it and was looking forward for the northeast area to making progress in developing new homes.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval of Affirmative Action Goal for airport leasing (concession) contracts through September 30, 2004, in compliance with DBE Ordinance Nos. 89-226, 99-893 and DOT/FAA requirements - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1572 ADOPTED.

ACCEPT WORK

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,884,963.58 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Lyons Avenue Paving from Waco Street to Railroad East of Sakowitz Street, GFS N-0719-01-3 (SB9015) - 03.53% over the original contract amount - **DISTRICTS B - GALLOWAY and H - VASQUEZ** - was presented, moved by Council Member Quan, seconded by Council Member Tatro. Council Member Edwards voting no, balance voting aye. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1573 ADOPTED.

PROPERTY

12. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels KY3-068A and KY3-068B, located at 13210 Katy Freeway and in the 13000 block of Old Katy Road, owned by ConocoPhillips Company, a Delaware

Corporation, J. J. Mulva, President and C.E.O., for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Tatro. Council Member Edwards voting no, balance voting aye. Council Member Robinson absent on personal business. Council Member Goldberg absent. MOTION 2003-1574 ADOPTED.

ORDINANCES

26. ORDINANCE approving and authorizing sale to Harris County, Texas of a tract or parcel of land containing 2,354 square feet, more or less with improvements, being out of the City of Houston's Chasewood Well No. 3 Site, located at 14400 Hillcroft Street, Parcel SY3-037, for and in consideration of the conveyance to the City of Houston of a tract or parcel of land containing 2,354 square feet, more or less with improvements, Parcel AY4-003, both parcels located in the T.T.R.R. Co., Section 1 Survey, A-1005; subject to the terms and conditions of the conveyances **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1342 ADOPTED.
32. ORDINANCE approving and authorizing second amendment to lease agreement between the City, as landlord, and **LAKEWOOD CHURCH**, as tenant, for the property formerly known as the Compaq Center, modifying the original tenant's concept plan and substituting a new legal description - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1343 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, providing up to \$1,450,010.00 in Housing Opportunities for Persons with AIDS ("HOPWA") Funds, which sum includes a limitation of additional funding in the amount of \$725,005.00, for the Operation of a Community Residence and Administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with Supportive Services - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1344 ADOPTED.
36. ORDINANCE approving and authorizing a first amendment to a contract between the City of Houston and **ZINA GARRISON ALL COURT TENNIS ACADEMY** for a Tennis Program for Youth and **ZINA GARRISON**, individually - was presented, and tagged by Council Members Goldberg and Wiseman. Council Members Wiseman and Berry absent.
37. ORDINANCE approving and authorizing first contract amendment between the City of Houston and **CAPPS RENT A CAR, INC** for Revisions and clarifications to the contract - was presented, and tagged by Council Member Ellis. Council Members Vasquez and Berry absent.
39. ORDINANCE approving and authorizing a contract between the City and **SOUTHWESTERN BELL TELEPHONE, L.P. d/b/a SBC TEXAS** for internet connectivity service for the Houston Area Library Automated Network - 3 Years with two one-year options - \$340,677.00 - HALAN Fund - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1345 ADOPTED.
40. ORDINANCE deappropriating the sum of \$642,901.00 out of the Street And Bridge Consolidated Construction Fund (appropriated under Ordinance No. 2003-0940) and appropriating \$642,901.00 out of the Special METRO Construction Fund, for Professional Program Management Services between the City of Houston and **LOCKWOOD**,

ANDREWS & NEWNAM, INC for Spur 527 Traffic Mitigation Area Improvements Plan; CIP N-0668-08-2 (SB9167) **DISTRICTS C - GOLDBERG; D - EDWARDS; G - KELLER and I - ALVARADO** - was presented. Council Member Edwards voting no, balance voting aye. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1346 ADOPTED.

42. ORDINANCE appropriating \$800,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Professional Construction Inspection Services Contract with **OMEGA ENGINEERS, INC** (approved by Ordinance No. 01-0388), CIP S-0517-03-2 - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1347 ADOPTED.
43. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Environmental Consulting Services under Professional Environmental Services Contract with **GEO ENVIRONMENTAL CONSULTANTS, INC** (approved by Ordinance No. 01-0794); providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1348 ADOPTED.
44. ORDINANCE appropriating \$75,000.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Environmental Consulting Services under Professional Environmental Services Contract with **RAO ENVIRONMENTAL** (approved by Ordinance No. 01-0796); providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented, and tagged by Council Member Galloway. Council Members Vasquez and Berry absent.
45. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Environmental Consulting Services under Professional Environmental Services Contract with **GROUND TECHNOLOGY, INC** (approved by Ordinance No. 01-0798); providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1349 ADOPTED.
46. ORDINANCE appropriating \$75,000.00 out of General Improvements Consolidated Construction fund as an additional appropriation for Environmental Consulting Services under Professional Environmental Services Contract with **CORRIGAN CONSULTING, INC** (approved by Ordinance No. 99-0513); providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented, and tagged by Council Member Galloway. Council Members Vasquez and Berry absent.
47. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services Contract between the City of Houston and **HARKEY, WIKI and BENAVIDES, INC d/b/a ICU ENVIRONMENTAL HEALTH AND SAFETY, INC** for Asbestos and Environmental Consulting Services; GFS D-0073-83-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Members Vasquez and Berry absent. ORDINANCE 2003-1350 ADOPTED.

48. ORDINANCE appropriating additional funds of \$88,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing first amendment to Engineering Services Contract between the City of Houston and **LANDTECH CONSULTANTS, INC** for Neighborhood Reconstruction Project No. 440A; CIP N-0373-02-2 (N-0373-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1351 ADOPTED.
53. ORDINANCE appropriating \$776,474.50 out of Parks Consolidated Construction Fund, awarding construction contract to **STRUCTURE MANAGEMENT L.L.C.** for Construction of Parks Master Plan - Burnett Bayland Park, GFS F-504A-16-3; providing funding for engineering testing services, Civic Art Program and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - \$300,000.00 CDBG Funds - **DISTRICT F - ELLIS** - was presented, and tagged by Council Member Ellis. Council Member Berry absent.
54. ORDINANCE appropriating \$399,017.85 out of Parks Consolidated Construction Fund, awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Construction of Roof System Repairs and Replacement at Miller Outdoor Theater, GFS F-504C-23-3 and F-0509-11-3; providing funding for contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1352 ADOPTED.
58. ORDINANCE appropriating \$788,000.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **CANNES ENTERPRISES, INC** for Safe Sidewalk Program, GFS N-0610A-09-3; providing funding for engineering testing construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS E - WISEMAN and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1353 ADOPTED.

MATTERS HELD - NUMBERS 67 through 87

67. MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Finance & Administration Department to award to **CARLTON-BATES COMPANY (Bid #2)** - \$119,777.54, **INDUSTRIAL ELECTRONICS, INC** - \$113,206.76 and **TURTLE AND HUGHES, INC (Bid #11)** - \$151,143.46 for Electrical, Instrument Relays, Meters and Fuses Contract for Various Departments - \$396,008.00 minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$11,880.24 for a net award amount not to exceed \$384,127.76 - General, Enterprise and Fleet Management Funds - **(This was Item 21 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. Council Member Tatro voting no, balance voting aye. Council Member Robinson absent on personal business. Council Member Berry absent. MOTION 2003-1575 ADOPTED.
70. ORDINANCE approving and authorizing acceptance of grant funds from the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for the No Suspect Casework DNA Backlog Reduction Program and an interlocal agreement with the Texas Department of Public Safety; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief or the Acting Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for

and accept all subsequent awards, if any, pertaining to the program - **(This was Item 35 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER PARKER)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1354 ADOPTED.

72. ORDINANCE approving and authorizing contract between the City of Houston and the **WESTERN REGIONAL ENVIRONMENTAL EDUCATION COUNCIL, INC d/b/a COUNCIL FOR ENVIRONMENTAL EDUCATION, INC** to Sponsor the WET in the City and the Team WET Schools Water Programs; providing a maximum contract amount - \$421,500.00 - Enterprise Fund - (Water Education for Teachers "WET") - **(This was item 38 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1355 ADOPTED.
74. ORDINANCE awarding contract to **THE PRUITT COMPANY** for Automotive, Heavy-Duty Front-End Truck Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$664,750.00 - General and Enterprise Funds - **(This was Item 45 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1356 ADOPTED.
75. ORDINANCE appropriating \$994,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction Management Services Contract with **LOCKWOOD, ANDREWS & NEWNAM, INC** (approved by Ordinance No. 99-312), CIP S-0900-43-3 (10448-2) - **(This was Item 49 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1357 ADOPTED.
76. ORDINANCE approving and authorizing amendment to interlocal agreement between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS (METRO)** for Spur 527 Traffic Mitigation Plan Improvements - **DISTRICTS C - GOLDBERG; D - EDWARDS; G - KELLER and I - ALVARADO** - **(This was Item 55 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER PARKER)** - was presented. Council Member Edwards voting no, balance voting aye. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1358 ADOPTED.
77. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services contract between the City of Houston and **TLC ENGINEERING, INC** for Asbestos and Environmental Consulting Services, GFS D-0073-80-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **(This was Item 57 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER BERRY)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1359 ADOPTED.
78. ORDINANCE approving and authorizing contract between the City of Houston and **WORLDWIDE FLIGHT SERVICES, INC** for Baggage Handling and Aircraft Support Systems Maintenance and Operations Services for the Houston Airport System - 3 Years with two one-year options \$14,352,519.15 - Enterprise Fund - **DISTRICTS B - GALLOWAY and I - ALVARADO** - **(This was Item 70 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** - was presented, and tagged

by Council Member Goldberg. Council Member Berry absent. (Note: Council Member Goldberg released his tag later in the meeting.)

79. ORDINANCE approving and authorizing Amendment No. 1 to engagement letter between the City of Houston and **ZUCKERT, SCOUTT & RASENBERGER, L.L.P.** for provision of Specialized Legal Services for the Houston Airport System; providing a maximum contract amount - 3 years \$1,540,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO - (This was Item 71 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER QUAN)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1360 ADOPTED.
80. ORDINANCE authorizing acceptance of a grant from the U. S. Department of Justice's Community Oriented Policing Services for Interoperable Communications Equipment; declaring the City's eligibility for such grant; authorizing the Director of the Mayor's Office of Public Safety and Drug Policy as the City's Representative and to accept such grant funds and all subsequent awards, if any, pertaining to the project - \$4,934,760.00 - Grant Fund - **(This was Item 72 on Agenda of December 17, 2003, TAGGED BY COUNCIL MEMBER PARKER)** - was presented. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1361 ADOPTED.
86. REQUEST from Mayor for confirmation of the reappointment of **MR. WILLIE COLEMAN, JR.**, to serve as Chair, to the **REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT AREA) BOARD OF DIRECTORS**, for a term to expire 12/31/2003 - **(This was a portion of Item 91 on Agenda of December 17, 2003, POSTPONED BY MOTION #2003-1532)** - was presented. Council Member Berry absent.
Council Member Galloway moved to refer Item No. 86 back to the administration, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. MOTION 2003-1576 ADOPTED.
87. REQUEST from Mayor for confirmation of the reappointment of **MR. WILLIE COLEMAN, JR.**, as Chair, to the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2003 - **(This was Item 92 on Agenda of December 17, 2003, POSTPONED BY MOTION #2003-1535)** - was presented. Council Member Berry absent.

Council Member Galloway moved to refer Item No. 87 back to the administration, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. MOTION 2003-1577 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that he wanted to salute all the colleagues who had served the past term, especially those who would be ending their tenure on Council today, that he wanted to say how much he thought the City had benefited by their work and dedication and especially the Mayor, the work that he had done, he thought that generations in the future would look back and say that the City of Houston was far better for having Mayor Brown as Mayor and for his leadership in so many vital issues, that he just wanted to wish each of them the very best in their new endeavors and new positions that some of them would be assuming and wished everyone a Merry Christmas and Happy New Year. Council Member Berry absent.

Council Member Sekula-Gibbs stated that she wanted to wish a Merry Christmas and Happy Holiday to Mayor Brown and his family and best of luck in his new role as an academic in the ivory tower, that they knew it would be a challenging and fun endeavor and looked forward

to his many work products, that also best of luck to all of the Council Members who were going on to new lives and careers and new sectors of the community, both private and public, and thank you to the staff and all the administration who had worked with her throughout the first term in City Council, that she wished them a safe and Merry Christmas and Happy Holidays to all of the citizens of Houston. Council Member Berry absent.

Council Member Parker stated that she wanted to thank the citizens of Houston for the opportunity to have served the City for six years and for the opportunity to continue to serve in her new role of Controller, that she wanted to thank the many very dedicated City employees with whom she had worked over the last six years, they did for the most part served the City very well, that she wanted to thank her staff who time and again had made her look good and who she considered to be some of the best on the City Council floor. Council Member Berry absent.

Council Member Alvarado stated that she wished Mayor Brown and her colleagues who were leaving, well in their next endeavors, that she wanted to thank Mayor Brown for everything he had done for the City, that it was amazing that it had been six years but she had enjoyed working with him both on his senior staff and serving with him on Council, that she thought the City was a better place because he was their Mayor, that he really did a lot for their children, their neighborhoods and for the downtown revitalization and bringing major events like the Super Bowl and the All Star Game to the City, that it would not have happened without his leadership, that she certainly appreciated it, that she looked forward to continue working with those colleagues who were going to be on Council with the new administration, and Happy Holidays. Council Member Berry absent.

Council Member Ellis stated that he wanted to wish everybody a Merry Christmas and Happy Holidays, that he hoped everyone would enjoy the vacation and have a safe New Year, that to his colleagues who sat around the table he thanked them for having the courage and commitment to run for office and believed that each and everyone around the table had something to offer during their terms, that those leaving would be missed, that he personally thanked them for the work they put in and for having the courage and commitment to be a public servant. Council Member Berry absent.

Council Member Goldberg stated that it was a lot of sadness because they knew for some of them it was the end of the first, second and third term and was getting closer and closer to that point since it was a maximum of six years that they could all serve and thought if it was not for term limits, he thought, they would all want to stay on Council as long as possible, that he really loved the job and term limits was probably the only thing that would get him out. Council Member Berry absent.

Council Member Goldberg stated that at the end of the term he liked to recognize the Council Members who had perfect attendance, that he had asked Ms. Anna Russell to do the research, who said that actually until last week he was the only Council Member who attended every meeting, but he missed the last meeting, that he still wanted to give an award, that he was backing off of the requirements and now it was every regularly scheduled Council meeting and the only meeting that Council Member Alvarado missed was Council Member Tatro's special session, so the award went to Council Member Alvarado for perfect attendance for every regularly scheduled Council meeting. Council Member Berry absent.

Council Member Goldberg stated that a couple of months ago he complained bitterly about all the political signs that were up in illegal places and there were some Council Members who had a lot or none and some who really had a lot, so he asked those Council Members to remove them and he was proud to say that District C was "Berry" free, there was not one single Michael Berry sign anywhere in District C, that he wanted to recognize his efforts. Council Member Berry absent.

Council Member Goldberg stated that he wanted to remove his tag on Item No. 78. Council Member Berry absent.

78. ORDINANCE approving and authorizing contract between the City of Houston and **WORLDWIDE FLIGHT SERVICES, INC** for Baggage Handling and Aircraft Support Systems Maintenance and Operations Services for the Houston Airport System - 3 Years with two one-year options \$14,352,519.15 - Enterprise Fund - **DISTRICTS B - GALLOWAY and I - ALVARADO** - (This was Item 70 on Agenda of December 17, 2003, **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**) - was again before Council. All voting aye. Nays none. Council Member Robinson absent on personal business. Council Member Berry absent. ORDINANCE 2003-1362 ADOPTED.

Council Member Wiseman stated that with term limits not only did they use wonderful colleagues who had worked so very hard and dedicated themselves to the City but they lose institutional history, that she learned a lot from Mayor Brown and her colleagues. Council Member Berry absent.

Council Member Wiseman stated that this time of year it was difficult to say goodbye and it was especially difficult when they had to goodbye to people who had passed away, that she had the misfortune of having to say goodbye to two very wonderful Houstonians this week, two separate instances, that she was very saddened at the loss of a very wonderful constituent and a former City employee, Mr. Bob Otterer, who passed away Thursday, that he was 76 and retired as a Chief Building Inspector with the City of Houston after 21 years of service, that he was a great constituent, that another loss was a dear old friend, a resident of District E before she was ever the representative of District E, Mr. T. Shawn Shannon, that after she got elected he came to her and asked if she would present him with a proclamation signed by the Mayor and he went off and won himself an Emmy and she thanked Mayor Brown for the proclamation that they presented to them, that she had the opportunity to present it to him at the annual Shannon Brothers Christmas Special and his older brother Charlie helped her in surprising T. Shawn with the proclamation at their show, that the show was scheduled for tonight and she was so looking forward to seeing the Shannon Brothers and unfortunately, Charlie, the older brother passed away on Monday evening, that he would be missed and had so many credits of his own, that he was a comedy writer and performer for television shows, and asked for a moment of silence for the two men that the City had lost. Council Member Berry absent.

Council Member Galloway stated that she wanted to give kudos to the Mayor, that she thought he had been a great leader in the City and had led the City into the twenty first century and had done a wonderful job, that she knew there had been some pros and cons, but he was definitely going to go down in the history books, that he had really made them proud as African Americans, that was the same way many of her constituents felt about Mayor Brown; that she wanted to thank her colleagues who she had worked with and who would be moving on, they had some differences, but she could say they cared about one another and respected one another and just wanted them to know that she would still be there for them, that she wanted to thank the Houston community for giving her their support and to wish them all Happy Holidays, and also to the various companies and business and just volunteers who helped with the toy drive on Saturday, that it was most successful. Council Member Berry absent.

Council Member Galloway stated that as to the Scenic Woods Library she wanted to thank the Library Director for seeing to the temporary facility and having the computers up and running, that it was a temporary facility until they renovated the library. Council Member Berry absent.

Council Member Galloway stated that on a sad note it seemed like the district that went without and had less was always continuing to have the least and it was sad and was one reason why she had worked so hard and tried to serve the constituents of District B because she had lived there all of her life, to see how they did not get the representation that they

deserved, that the reason she said that was because she did have a nominee up for the land assemblage, one of the target areas that was going to be redeveloped and for District B and for the Fifth Ward community not to get any support it saddened her for the lesser representation. Council Member Berry absent.

Council Member Edwards stated that she and the Mayor went back along way and thought it had evolved and really showed that the race was not given to the swift but to those who endured and thanked the Mayor for enduring, that she wanted to thank him for the work not only for what he had done for the City but had been emulated throughout the Country, that she wanted to lift up Council Member Robinson, who was away with his father who was very seriously ill, that all of them she would miss very greatly, that she enjoyed working with them, that she would like to say thank you to her staff and to the City staff, that she would like to make a challenge to Council Member Quan on the housing issues, that she had two major concerns, that she wanted to congratulate them today on the appointment of Ms. Jolanda Jones, that it sent a message to their young people in the community that they did not have to be 60 years old and breaking down to be appointed and be given responsibilities and leadership, that to those who celebrate to have a blessed Ramadan, a Happy Hanaka, a Merry Christmas and a Happy Kwanza. Council Member Berry absent.

Council Member Tatro stated that he wanted to wish everyone a Merry Christmas and Happy Holidays, that he wanted to announce and invite them all on May 22, 2004 to Saint Michaels Church where he and Ms. Cecilia Garcia would be getting married. Council Member Berry absent.

Council Member Vasquez stated that on behalf of everyone he wanted to congratulate Council Member Tatro on his engagement, that he would also like to thank the citizens of District H for electing him to office and being supportive throughout the years and wanted to thank his family for their support throughout the years, that he wanted to thank the Mayor personally, that there had been a lot of accomplishments in District H and he had been a strong supporter of District H, that many of the Directors had been supportive of his district as well, that he wanted to thank Mr. Fiederlein, Mr. John Silva, Ms. Sara Culbreth, Mr. Al Haines and Mr. Jordy Tollett for their contributions to his district as well, that he wanted to wish Happy Holidays and Merry Christmas to everyone. Council Member Berry absent.

Council Member Keller stated that he wanted to thank Kate, Frank, Isabel, Mike Howard, Michele and Stephanie and Janet Carr, that Kate was going to work with Mayor Bill King, that as for the election, they got the opportunity to learn from those moments, it would be real boring if all they had was success and when they failed at some it was a type of success, they grew from it and learned from it, that he looked forward to working with everyone on their campaigns or anything they wanted him to help with in their districts. Council Member Berry absent.

Mayor Brown stated that he wanted to close by thanking Ms. Barbara Guzman, a great timekeeper, who kept us on target, they appreciated it, and thanked Ms. Anna Russell for her continuous great service to their City, and Ms. Marty Stein for doing an outstanding job as Agenda Director, and Mr. Hall and his legal staff for doing a great job and Ms. Culbreth for the good work she had done as Acting CAO, they appreciated that, that as he reflected back he thought it was quite appropriate to say they had done some good things for the City and it was done because of the City employees so he wanted to give a recognition to the Directors and all of the employees who worked under them for the work they had done over the years, that he also wanted to thank the Members of the Council for their hard work on behalf of the City, that not everyone was willing to put themselves in the position they had to become a public service, they had done so because they cared about the City and worked hard on behalf of the City so on behalf of a grateful City he expressed their sincere thanks and appreciation to them, and to all of them listening and all Houstonians they wanted to collectively wish them the best of the Holidays, be safe and healthy and have a good time. Council Member Berry absent.

There being no further business before Council, the City Council adjourned at 11:42 a.m. upon MOTION by Council Member Quan, seconded by Council Member Tatro. Council Member Robinson absent on personal business. Council Member Berry absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary