

**AGENDA - COUNCIL MEETING - TUESDAY- DECEMBER 23, 2003 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2003-1544 to 2003-1577**  
**ORDINANCES 2003-1309 to 2003-1362**  
**RESOLUTION – None**

**2003-1543-2**

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

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Galloway

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**MAYOR'S REPORTS**

**CONSENT AGENDA NUMBERS 1 through 64**

**MISCELLANEOUS** - NUMBERS 1 through 6

**1. Motion 2003-1544**

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

**2. Motion 2003-1545**

CONFIRMATION of the appointment of **MS. CASSANDRA HILL** to Position 20 of **HOUSTON READ COMMISSION** to complete an unexpired term ending February 1, 2004

**3. Motion 2003-1572**

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

**MISCELLANEOUS** - continued

**4. Motion 2003-1546**

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**

**5. Motion 2003-1547**

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

**6. Motion 2003-1548**

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**

**DAMAGES** - NUMBERS 7 and 8

**7. Motion 2003-1563**

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

**8. Motion 2003-1564**

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

**ACCEPT WORK** - NUMBERS 9 and 10

**9. Motion 2003-1565**

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**

**10. Motion 2003-1573**

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**

**PROPERTY** - NUMBERS 11 and 12

**11. Motion 2003-1566**

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**

**12. Motion 2003-1574**

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**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 13 through 17

**13. Motion 2003-1567**

**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

**14. Motion 2003-1568**

**OUTDOOR OUTFITS** for Special Purpose Clothing, Part II for Fire Department - \$394,416.75 General Fund

**15. Motion 2003-1569**

**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

**16. Motion 2003-1570**

**SHERWIN-WILLIAMS** for Paint, Street Marking Contract for Public Works & Engineering and Solid Waste Management Departments - \$563,534.75 - General and Enterprise Funds

**17. Motion 2003-1571**

**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)**

**ORDINANCES** - NUMBERS 18 through 64

**18. Ordinance 2003-1323**

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

**ORDINANCES** - continued

**Motion 2003-1557 – Suspend rules to consider Items 19, 21, 22, 23, 62, 66, 68, 73, 82, 83, 84 and 85 out of order**

**Written Motion by Council Member Parker to Item 19 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 – COUNCIL MEMBER EDWARDS TAGGED**

**19. Council Member Edwards tagged**

**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

**20. Ordinance 2003-1324**

**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

**Written Motion by Council Member Edwards 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**

**21. Council Members Sekula-Gibbs, Parker and Quan tagged**

**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)

**22. Ordinance 2003-1314**

**ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, authorizing the Mayor to establish Safety Zones around Major Event Sites

**23. Ordinance 2003-1315**

**ORDINANCE AMENDING SECTION 8-123 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, establishing a City Fee on Non-consent Vehicle Towing Services

**24. Ordinance 2003-1325**

**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**

**ORDINANCES** - continued

**25. Ordinance 2003-1326**

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**

**26. Ordinance 2003-1342**

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**

**27. Ordinance 2003-1327**

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

**28. Ordinance 2003-1328**

ORDINANCE consenting to the addition of 12.2089 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 46**, for inclusion in its district

**29. Ordinance 2003-1329**

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

**30. Ordinance 2003-1330**

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**

**31. Ordinance 2003-1331**

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**

**ORDINANCES** - continued

**32. Ordinance 2003-1343**

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**

**33. Ordinance 2003-1344**

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

**34. Ordinance 2003-1310**

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**

**35. Ordinance 2003-1311**

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**

**36. Council Members Goldberg and Wiseman tagged**

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

**37. Council Member Ellis tagged**

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

**38. Ordinance 2003-1332**

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)

**39. Ordinance 2003-1345**

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

**ORDINANCES** - continued

**40. Ordinance 2003-1346**

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**

**41. Ordinance 2003-1333**

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**

**42. Ordinance 2003-1347**

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

**43. Ordinance 2003-1348**

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

**44. Council Member Goldberg tagged**

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

**45. Ordinance 2003-1349**

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

**46. Council Member Galloway tagged**

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

**ORDINANCES** - continued

**47. Ordinance 2003-1350**

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

**48. Ordinance 2003-1351**

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**

**49. Ordinance 2003-1334**

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**

**50. Ordinance 2003-1335**

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**

**51. Ordinance 2003-1336**

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**

**52. Ordinance 2003-1337**

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**



**ORDINANCES** - continued

**53. Council Member Ellis tagged**

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**

**54. Ordinance 2003-1352**

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**

**55. Ordinance 2003-1338**

ORDINANCE appropriating \$50,910.71 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**

**56. Ordinance 2003-1339**

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**

**57. Ordinance 2003-1340**

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**

**58. Ordinance 2003-1353**

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**

**ORDINANCES** - continued

**59. Pulled - Not Considered**

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

**60. Ordinance 2003-1341**

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**

**61. Pulled - Not Considered**

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

**62. Ordinance 2003-1316**

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**

**63. Ordinance 2003-1191 – Passed third and final reading**

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**

**64. Ordinance 2003-1196 – Passed third and final reading**

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**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA - NUMBER 65**

**MISCELLANEOUS**

**Motion 2003-1549 – Suspend rules to consider Items 65, 81, 34, 35, 71, 69 and 64 out of order**

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

**Motion 2003-1550 – Appoint Ms. Cheryl Armitige to Position 7**

**Motion 2003-1551 – Appoint Ms. Jolanda Jones to Position 6**

**Motion 2003-1552 – Suspend rules to hear from Ms. Jolanda Jones**

**MATTERS HELD** - NUMBERS 66 through 87

**Motion 2003-1559 – Suspend rules to hear from Mr. Hector Trevino, Fire Dept. on Item 66**

**66. Council Member Goldberg tagged**

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** - **TAGGED BY COUNCIL MEMBER TATRO**

This was Item 15 on Agenda of December 17, 2003

**Motion 2003-1560 – Postpone Item 66 for two weeks – “**FAILED**”**

**67. Motion 2003-1575 – Adopt**

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

**TAGGED BY COUNCIL MEMBER TATRO**

This was Item 21 on Agenda of December 17, 2003

**68. Ordinance 2003-1317 – “**FAILED**”**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to create the Department of Community Services Assistance

**TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN and PARKER**

This was Item 22 on Agenda of December 17, 2003

**MATTERS HELD** - continued

**Motion 2003-1558 - Written motion to amend Item 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.**

**69. Ordinance 2003-1313**

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

**TAGGED BY COUNCIL MEMBER BERRY**

This was Item 23 on Agenda of December 17, 2003

**70. Ordinance 2003-1354**

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 - **TAGGED BY COUNCIL MEMBER PARKER**

This was Item 35 on Agenda of December 17, 2003

**71. Ordinance 2003-1312**

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"

**TAGGED BY COUNCIL MEMBERS ROBINSON and SEKULA-GIBBS**

This was Item 36 on Agenda of December 17, 2003

**72. Ordinance 2003-1355**

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") - **TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 38 on Agenda of December 17, 2003

**MATTERS HELD** - continued

**73. Ordinance 2003-1318**

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**

**TAGGED BY COUNCIL MEMBER TATRO**

This was Item 40 on Agenda of December 17, 2003

**74. Ordinance 2003-1356**

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

**TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 45 on Agenda of December 17, 2003

**75. Ordinance 2003-1357**

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) - **TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 49 on Agenda of December 17, 2003

**76. Ordinance 2003-1358**

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** - **TAGGED BY COUNCIL MEMBER PARKER**

This was Item 55 on Agenda of December 17, 2003

**77. Ordinance 2003-1359**

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

**TAGGED BY COUNCIL MEMBER BERRY**

This was Item 57 on Agenda of December 17, 2003

**78. Ordinance 2003-1362**

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**

**TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

This was Item 70 on Agenda of December 17, 2003

**MATTERS HELD** - continued

**79. Ordinance 2003-1360**

ORDINANCE approving and authorizing Amendment No. 1 to engagement letter between the City of Houston and **ZUCKERT, SCOTT & 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** - **TAGGED BY COUNCIL MEMBER QUAN**

This was Item 71 on Agenda of December 17, 2003

**80. Ordinance 2003-1361**

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

**TAGGED BY COUNCIL MEMBER PARKER**

This was Item 72 on Agenda of December 17, 2003

**81. Ordinance 2003-1309 – Adopt as amended**

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 - **TAGGED BY COUNCIL MEMBER TATRO**

This was Item 75 on Agenda of December 17, 2003

**Motion 2003-1561 - Written Motion by Council Member Alvarado to amend Item 82 as follows:**

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.

**Motion 2003-1562 – Written motion by Council Member Parker to amend Item 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.”

**82. Ordinance 2003-1319 – Adopt as amended**

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 - **TAGGED BY COUNCIL MEMBER BERRY**

This was Item 82 on Agenda of December 17, 2003

**MATTERS HELD** - continued

**83. Ordinance 2003-1320**

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 - **TAGGED BY COUNCIL MEMBERS ROBINSON, ELLIS and KELLER**  
This was Item 86 on Agenda of December 17, 2003

**84. Ordinance 2003-1321**

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  
**POSTPONED BY MOTION #2003-1542, 12/17/03**  
This was Item 103 on Agenda of December 17, 2003

**85. Ordinance 2003-1322**

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  
**TAGGED BY COUNCIL MEMBERS QUAN, ELLIS and GALLOWAY**  
This was Item 26 on Agenda of December 17, 2003

**86. Motion 2003-1576 – Refer back to the Administration**

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  
**POSTPONED BY MOTION #2003-1532, 12/17/03**  
This was a portion of Item 91 on Agenda of December 17, 2003

**87. Motion 2003-1577 – Refer back to the Administration**

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  
**POSTPONED BY MOTION #2003-1535, 12/17/03**  
This was Item 92 on Agenda of December 17, 2003

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Quan first

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

**AGENDA - DECEMBER 23, 2003 - PAGE 16**

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

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

**12/23/2003 – Council Member Robinson absent on personal business**