

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 25, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0168 to 2002-0209
ORDINANCES 2003-0196 to 2003-0203
RESOLUTION – 2003-0003

2003-0167-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Edwards

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

Motions 2003-0168 to 2003-171 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 26, 2003 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2003-0176 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **CHARTERWOOD MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Charterwood Municipal Utility District and certain territory located in the vicinity of Charterwood Municipal Utility District, in Harris County, Texas

2. Motion 2003-0177 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **CNP UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within CNP Utility District and certain territory located in the vicinity of CNP Utility District, in Harris County, Texas

HEARINGS - continued

3. **Motion 2003-0178 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Municipal Utility District No. 120 and certain territory located in the vicinity of Harris County Municipal Utility District 120, in Harris County, Texas

4. **Motion 2003-0179 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 249** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Municipal Utility District No. 249 and certain territory located in the vicinity of Harris County Municipal Utility District No. 249, in Harris County, Texas

5. **Motion 2003-0180 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Municipal Utility District No. 61 and certain territory located in the vicinity of Harris County Municipal Utility District No. 61, in Harris County, Texas

6. **Motion 2003-0181 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **MALCOMSON ROAD UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Malcomson Road Utility District and certain territory located in the vicinity of Malcomson Road Utility District, in Harris County, Texas

7. **Motion 2003-0182 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **MEMORIAL HILLS UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Memorial Hills Utility District and certain territory located in the vicinity of Memorial Hills Utility District, in Harris County, Texas

8. **Motion 2003-0183 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Mission Bend Municipal Utility District No. 1 and certain territory located in the vicinity of Mission Bend Municipal Utility District No. 1, in Harris County, Texas

9. **Motion 2003-0184 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Mission Bend Municipal Utility District No. 2 and certain territory located in the vicinity of Mission Bend Municipal Utility District No. 2, in Harris County, Texas

HEARINGS - continued

10. **Motion 2003-0185 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **NORTHWEST PARK MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Northwest Park Municipal Utility District and certain territory located in the vicinity of Northwest Park Municipal Utility District, in Harris County, Texas

11. **Motion 2003-0186 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Water Control and Improvement District No. 110 and certain territory located in the vicinity of Harris County Water Control and Improvement District No. 110, in Harris County, Texas

12. **Motion 2003-0187 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **WEST MEMORIAL MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within West Memorial Municipal Utility District and certain territory located in the vicinity of West Memorial Municipal Utility District, in Harris County, Texas

13. **Motion 2003-0188 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 51** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Fresh Water Supply District No. 51 and certain territory located in the vicinity of Harris County Fresh Water Supply District No. 51, in Harris County, Texas

14. **Motion 2003-0189 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **CIMARRON MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Cimarron Municipal Utility District and certain territory located in the vicinity of Cimarron Municipal Utility District, in Harris County, Texas

15. **Motion 2003-0190 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 86** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Harris County Municipal Utility District No. 86 and certain territory located in the vicinity of Harris County Municipal Utility District No. 86, in Harris County, Texas

16. **Motion 2003-0191 – Closed**

PUBLIC HEARING on a proposal for the City of Houston and **PONDEROSA FOREST UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory located within Ponderosa Forest Utility District and certain territory located in the vicinity of Ponderosa Forest Utility District, in Harris County, Texas

HEARINGS - continued

17. Motion 2003-0192 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 62** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory within Harris County Municipal Utility District No. 62, in Harris County, Texas

18. Motion 2003-0193 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **WESTON MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory within Weston Municipal Utility District, in Harris County, Texas

19. Motion 2003-0194 – Closed

PUBLIC HEARING on a proposal for the City of Houston to disannex a certain area to be located within **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas

20. Motion 2003-0195 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area to be located within Clear Brook City Municipal Utility District, in Harris County, Texas

21. Motion 2003-0196 – Closed

PUBLIC HEARING on a proposal to disannex a certain area to be located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89**, in Harris County, Texas

22. Motion 2003-0197 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain territory to be located within Harris County Water Control and Improvement District No. 89 and additional territory located within Harris County Water Control and Improvement District No. 89, in Harris County, Texas

23. Motion 2003-0198 – Closed

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes all of the area in Harris County Municipal Utility District No. 63 and certain territory located in the vicinity of Harris County Municipal Utility District No. 63, in Harris County, Texas

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 24 through 45

MISCELLANEOUS - NUMBER 24

24. Motion 2003-0200

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.877 per square foot for properties connecting to the 8-inch water line constructed by **SWISS BUILDERS, INC** located in the 6400 block of Westcott Street - **DISTRICT G - KELLER**

ACCEPT WORK - NUMBER 25

25. Motion 2003-0201

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,299,288.79 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Construction of Northeast Wastewater Treatment Plant Renewal/Replacement, GFS R-0265-13-3 (4790) - 01.29% over the original contract amount - **DISTRICT I - ALVARADO**

PROPERTY - NUMBERS 26 through 27

26. Ordinance 2003-0196

ORDINANCE appropriating \$2,500.00 out of Street & Bridge Consolidated Construction Fund Number 437 to pay the amount of the Agreed Final Judgment in connection with the Settlement of eminent domain proceeding styled City of Houston v. Sterling Trust Company for the Benefit of Angela J. Swain, et al, to acquire Parcel Number A99-114, for **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Pinemont - W. Little York)**; GFS/CIP N-0546-01-1 **DISTRICT B - GALLOWAY**

a. Motion 2003-0202

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Sterling Trust Company, et al; Cause No. 772,897; for a total consideration of \$2,500.00 in connection with **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Pinemont - W. Little York)**; GFS/CIP N-0546-01-1 - **DISTRICT B - GALLOWAY**

27. Motion 2003-0199

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY2-079, located at 7219 Fairview Street, owned by Reagan A. Folmar and wife, Marilyn Kay Folmar, for the **SPENCER ROAD WATERLINE PROJECT from Brittmoore to Jersey Village Pump Station**, CIP S-0900-71-3 - \$130,000.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - NUMBERS 28 through 29A

28. Motion 2003-0203

C & C SERVICE & SUPPLY CO., INC for Valve Box Risers for Department of Public Works & Engineering - \$124,316.93 - Enterprise Fund

29. Ordinance 2003-0197

ORDINANCE appropriating \$193,719.75 out of Water & Sewer System Consolidated Construction Fund, for the purchase of Large Water Meter Replacement Services for Public Works & Engineering Department, CIP C-0958

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2003-0204**

UNITED METERING, INC for Large Water Meter Replacement Services for Department of Public Works & Engineering - \$184,495.00 and contingencies for a total amount not to exceed \$193,719.75

RESOLUTIONS AND ORDINANCES - NUMBERS 30 through 45

30. Council Members Wiseman and Robinson tagged

RESOLUTION urging the 78th Texas Legislature to continue supporting the University of Houston as the next Flagship Research University in the State of Texas

31. Resolution 2003-0005

RESOLUTION urging the Texas Congressional Delegation to support funding for President Bush's \$3.5 Billion First Responder Initiative during the 108th Session of Congress

Motion 2003-0172 – Suspend rules to consider Items 32, 37, 47, 48, 31, 30 and 38 out of order

Council Members Robinson, Galloway, Vasquez, Keller, Sekula-Gibbs and Tatro tagged

Motion by Council Member Robinson to:

- Amend Item 32 to allow for the implementation of a four (4) day work week for civilian employees.
- Amend Item 32 to mandate that before any plan authorized under Chapter 14 is implemented, it must first be approved by City Council.

32. Council Members Robinson, Galloway, Alvarado, Vasquez, Keller, Sekula-Gibbs, and Tatro tagged

ORDINANCE amending the Code of Ordinances, Houston, Texas to allow for economic savings through salary cost reduction and administrative or fiscal measures in difficult economic circumstances including furloughs, voluntary separations, salary assistance, layoffs and employee reclassifications; containing findings and other provisions relating to the foregoing subjects; providing for severability

33. Ordinance 2003-0198

ORDINANCE approving and authorizing contract between the City of Houston and **GULF COAST WORKFORCE DEVELOPMENT BOARD** for Certification of Qualified Child Care costs and transfer of funds under Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("PRWORA")

34. Council Members Wiseman, Alvarado and Goldberg tagged

ORDINANCE approving and authorizing professional services contract between the City of Houston and **KEEP HOUSTON BEAUTIFUL** for Clean Neighborhood Program for the Solid Waste Management Department - \$100,000.00 - General Fund

35. Ordinance 2003- 0199

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Drainage Improvements along Ward Boulevard, GFS M-0242-08-3 (SM5045) - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

36. Ordinance 2003-0200

ORDINANCE appropriating \$453,375.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **SYLVA ENGINEERING CORPORATION** for Design of Central Street Grade Separation at P.T.R.A. Railroad (approved by Ordinance No. 98-1156) CIP N-0676-01-2 (N-0676-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO**

37. Council Member Galloway tagged

ORDINANCE approving and authorizing first amendment to professional engineering services contract between the City of Houston and **OTHON, INC** for Neighborhood Sewer Systems Improvements (approved by Ordinance No. 01-0064), GFS R-2011-18-2 (WW4809) - **DISTRICT B - GALLOWAY**

38. Council Member Berry tagged

ORDINANCE appropriating \$467,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for engineering services associated with the Condition Assessment of existing large Diameter Water Mains, CIP S-0019-25-2 (WA10760); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO**

39. Ordinance 2003-0201

ORDINANCE appropriating \$664,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in the Kennedy Heights Subdivision, GFS S-0035-KH-3 (WA10086-3); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

40. Ordinance 2003-0156 – Passed third and final reading

ORDINANCE No. 2003-0156, passed second reading 2/19/03

ORDINANCE granting to **BFI WASTE SERVICES OF TEXAS, L.P. a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

41. Ordinance 2003-0157 – Passed third and final reading

ORDINANCE No. 2003-0157, passed second reading 2/19/03

ORDINANCE granting to **NATION WASTE, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

RESOLUTIONS AND ORDINANCES - continued

42. Ordinance 2003-0158 – Passed third and final reading

ORDINANCE No. 2003-0158, passed second reading 2/19/03

ORDINANCE granting to **ENSOURCE CORPORATION, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

43. Ordinance 2003-0165 – Passed third and final reading

ORDINANCE No. 2003-0165, passed second reading 2/19/03

ORDINANCE granting to **CSDS MEDICAL WASTE/CRIME SCENE DECONTAMINATION SERVICES, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

44. Ordinance 2003-0166 – Passed third and final reading

ORDINANCE No. 2003-0166, passed second reading 2/19/03

ORDINANCE granting to **HIPPO WASTE SYSTEMS, L.L.C. a Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

45. Ordinance 2003-0167 – Passed third and final reading

ORDINANCE No. 2003-0167, passed second reading 2/19/03

ORDINANCE granting to **CRAIG PUCKETT D/B/A INDEPENDENCE DISPOSAL SYSTEMS, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and Industrial Waste from Commercial properties located within the City of Houston, Texas pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 46 through 48

PROPERTY

46. Motion 2003-0205

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower of Brown & Gay Engineers, Inc., on behalf of MNC Mall, Ltd., a Texas limited partnership [MNC Realty Management, LLC (James R. Jard, president), general partner], for abandonment and sale of (1) seven water line easements, (2) a 10-foot wide underground electrical and telephone line easement, (3) a 15-foot-wide water line, gas line, and private sanitary sewer line easement in exchange for the conveyance to the City of a 20-foot wide water line easement and two fire hydrant easements, all located within Memorial City Mall, Partial Replat of Tract A, Memorial City Subdivision, Section 1, Parcels SY3-034A through I and KY3-066A through C – **(Tom Kvinta and Tom Edmonds, Appointed) - APPRAISERS DISTRICT G - KELLER**

RESOLUTIONS

47. Resolution 2003-0004 – “FAILED”

RESOLUTION supporting the United Nations Inspectors in Iraq
(Requested by Council Member Quan)

Motion 2003-0173 – Call the question on Item 48

Motion 2003-0174 – “FAILED”

Council Member Ellis presented the following written motion to amend Item 48 as follows:

“Amendment to Item 48

Whereas, Americans have always risen to the need to protect our freedom and security, as well as the freedom and security of other nations around the world, when a clear danger is demonstrated; and

WHEREAS, the United States of America has given its treasure and blood in defense of liberty and peace on its own shores and abroad since its founding;

WHEREAS, nearly three thousand men and women, fathers and mothers, sons and daughters, citizens of the United States of America and countries the world over lost their lives in a murderous attack on innocents on September 11, 2001;

WHEREAS, on that same day mere minutes after terrorists drove their hijacked planes into the World Trade Center in New York and the Pentagon in Washington, D.C., the men and women of Flight 93 thwarted their murderers’ plans, causing the crash of their plane and the loss of their own lives rather than allowing the terrorists to achieve their goals and murder more innocents;

WHEREAS, the President of the United States and the United States Congress have determined that the United States of America will no longer allow the existence of such terrorists or the rogue states that support and sponsor them;

WHEREAS, the President of the United States and the United States Congress have determined that Saddam Hussein and his tyrannical regime is a rogue state that supports and sponsors terror and maintains weapons of mass destruction that may be used by Saddam Hussein, the terrorists he currently supports, or the terrorists he will support in the future to inflict death and destruction far surpassing that incurred on September 11, 2001;

WHEREAS, the President of the United States and the United States Congress, exercising their solemn duties under the United States Constitution to act for the common defense of the United States of America, have determined that Saddam Hussein and his tyrannical regime must destroy those weapons of mass destruction or face their own destruction;

WHEREAS, the United States of America has sought the assistance of the United Nations to disarm Saddam Hussein and his regime of his weapons of mass destruction by seeking to enforce the resolutions passed by the United Nations over the last twelve years that prohibit Saddam Hussein from possessing such weapons;

WHEREAS, the United States of America through the United Nations has provided Saddam Hussein with one last chance to destroy his weapons of mass destruction and provide proof of such destruction to the United Nations;

WHEREAS, Saddam Hussein has failed to provide any proof of the destruction of his weapons of mass destruction;

NON-CONSENT AGENDA – continued

RESOLUTIONS – continued

Item 48 - continued

WHEREAS, as of the date of this Resolution, a coalition of more than 25 nations, including allies such as Britain, Italy, Spain, Portugal, Israel and Turkey, supports the immediate removal of Saddam Hussein and the threat to world peace and the liberty of his own people he poses; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON:

On behalf of the citizens of the United States of America residing in the great State of Texas in the City of Houston, we support the decision of the President of the United States and the United States Congress to use force, if necessary, to remove Saddam Hussein and his regime from power and destroy his weapons of mass destruction to safeguard the citizens of the United States of America and the World from further attacks like those perpetrated on September 11, 2001;

BE IT FURTHER RESOLVED, that we support the use of force against Saddam Hussein and his regime for this purpose whether or not it is ultimately approved by the United Nations Security Council.

BE IT FURTHER RESOLVED, that this resolution be forwarded to the President of the United States and to our Senatorial and Congressional delegates with the accompanying message: "Mr. President, Senators and Representatives, United We Stand!"

48. Motion 2003-0175 – Refer back to the Council Member Robinson

RESOLUTION on Iraq
(Requested by Council Member Robinson)

MATTERS HELD - NUMBERS 49 through 53

49. Motion 2003-0206

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **R. B. EVERETT & COMPANY** for Asphalt Rollers for Department of Public Works & Engineering - \$173,732.00 Equipment Acquisition Consolidated Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 10 on Agenda of February 19, 2003

50. Ordinance 2003-0202

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2001-1149 by adding two (2) Identification Officer positions; adding one Police Sergeant position; adding one (1) Executive Assistant Chief of Police position; deleting three (3) Police Communication Specialist II positions and deleting one (1) Assistant Chief of Police position; substituting the amended exhibit as part of the current Police Department Classified Personnel ordinance
TAGGED BY COUNCIL MEMBERS ALVARADO and VASQUEZ
This was Item 14 on Agenda of February 19, 2003

MATTERS HELD – continued

51. Motion 2003-0207 – Postpone onte (1) week

ORDINANCE amending Ordinance No. 97-1167 to allocate \$900,000.00 of previously unallocated Section 108 HUD-Guaranteed Loan Funds and \$81,250.00 of previously unallocated Economic Development Initiative Grant Funds to the Small Business Loan Program administered by the Houston Small Business Development Corporation (“HSBDC”) and approving and authorizing a fourth amendment to Subrecipient Loan Agreement with HSBDC to extend the time to commit funds thereunder and to provide additional funding

TAGGED BY COUNCIL MEMBERS ELLIS and VASQUEZ

This was Item 19 on Agenda of February 19, 2003

Motion 2003-0208 – Postpone (V) of Item 52 for one (1) week (Latino Learning Center)

52. Ordinance 2003-0203 – Adopt except Item (V) Latino Learning Cetner

ORDINANCE approving and authorizing the selection of (I) **COMMUNITY ARTISTS’ COLLECTIVE**, (II) **YOUNG WOMEN’S CHRISTIAN ASSOCIATION OF HOUSTON, INC - GATEWAY CENTER (YWCA)**, (III) **MULTICULTURAL EDUCATION COUNSELING THROUGH THE ARTS (MECA)**, (IV) **LOVE AND TRUTH MINISTRIES**, (V) **LATINO LEARNING CENTER**, and (VI) **COMMUNITY FAMILY CENTERS**, all being non-profit organizations, to participate, subject to further City Council approval of funding contracts, in the Neighborhood Facilities Renovation Program; further approving and authorizing the selection of **TALENTO BILINGUE DE HOUSTON**, a Community Development Block Grant funded project that is managed by the Convention and Entertainment Facilities Department, for participation in the Neighborhood Facilities Renovation Program, subject to further City Council approval -

DISTRICTS D - EDWARDS; H - VASQUEZ and I - ALVARADO

TAGGED BY COUNCIL MEMBERS EDWARDS, ELLIS and PARKER

This was Item 20 on Agenda of February 19, 2003

Council Member Goldberg presented the following written motion to amend Item 53 as follows:

“Changes in revised first amendment to a contract for Alarm Tracking and Billing Services Item 53 on Agenda

The Revised First Amendment contains the following changes:

- (1) Page One, paragraph one has been amended to add that Electronic Data Systems Corporation is a Delaware corporation doing business in Texas.**
- (2) Definition of “Acceptance” has been added to spell out the Acceptance criterion for each of the milestones defined in the Implementation Schedule, Exhibit “A-5”.**
- (3) The Definition of the Fire Alarm Tracking and Billing System, FATSB has been amended to clarify that the System is referenced in Exhibit “A-3” in Sections entitled “EDS Pricing”, “Cost Breakdown” and “Hardware Costs.”**
- (4) The FATSB System becomes the property of the City in case of early termination for purposes other than cause and the City would pay the current price of the System at the time of termination with depreciation calculated on a three year straight line basis. The Revised Amendment adds that if City has paid for the Hardware in full prior to such termination; no costs will be charged to the City for the Hardware.**
- (5) Payment Terms have been amended to tie payment of Start-Up costs to the completion of milestones such as the delivery of the software, the completion of the direct mail campaign to existing burglar alarm permit holders and the completion of the remainder of the tasks detailed in the Implementation Schedule, Exhibit “A-5”.**

MATTERS HELD – continued

Item 53 - continued

- (6) The City's standard Acceptance provision has been amended to provide for a criterion for acceptance by the City for each of the tasks outlined as milestones in Exhibit "A-5".
- (7) The Exhibits have been revised to provide for Sub-Sections which are specifically referenced in the body of the Amendment for both Implementation and for what constitutes "Acceptance" by the City.
TAGGED BY COUNCIL MEMBER GOLDBERG

53. Motion 2003-0209 – Postpone one (1) week

ORDINANCE amending Ordinance No. 2000-1113 (passed by the City Council on December 20, 2000) to increase the maximum contract amount and approving and authorizing first amendment to contract (approved by Ordinance No. 2000-1113) between the City of Houston and **ELECTRONIC DATA SYSTEMS CORPORATION** for Alarm Tracking, Billing and Collections for the Fire Department - \$2,506,100.00 - General Fund

TAGGED BY COUNCIL MEMBERS KELLER and GOLDBERG

This was Item 21 on Agenda of February 19, 2003

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

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

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

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

2/25/2003 – Mayor Brown absent on City business

Council Member Wiseman absent due to being ill

Mayor Pro-tem Quan presiding

2/26/2003 – All Present