

AGENDA - COUNCIL MEETING - TUESDAY - NOVEMBER 25, 2003 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2003-1400 to 2003-1431
ORDINANCES 2003-1129 to 2003-1162
RESOLUTIONS – 2003-0034 to 0038

2003-1399-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Berry

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 61

MISCELLANEOUS - NUMBERS 1 through 6

1. Motion 2003-1405

CONFIRMATION of the reappointment of the following to the **HOUSTON CLEAN CITY COMMISSION**, the one year terms to expire February 1, 2004
Position G - **MR. HARRY J. PHILLIPS**
Position H - **MS. TERISA TAYLOR**

2. Motion 2003-1406

RECOMMENDATION from Director Finance & Administration for renewal of Annual Membership Dues in the **HOUSTON-GALVESTON AREA COUNCIL** - \$78,145.24 - General Fund

3. Motion 2003-1407

RECOMMENDATION from Director Finance & Administration Department for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$68,613.00 - General Fund

4. Motion 2003-1408

RECOMMENDATION from Director Finance & Administration Department for Leave of Absence Without Pay for **GLORIA ECHEVARRIA**

MISCELLANEOUS - continued

5. Motion 2003-1417

RECOMMENDATION from Director Department of Planning & Development for the designation of five residential parking permit areas and related parking regulations in the Super Neighborhoods of University Place, Midtown and Medical Center - **DISTRICTS C - GOLDBERG and D - EDWARDS**

6. Motion 2003-1418

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.381 per square foot for properties connecting to the 8-inch water line constructed by **GCA DEVELOPERS, INC** located in the 6600 block of Taggart Avenue - **DISTRICT G - KELLER**

DAMAGES - NUMBERS 7 through 10

7. Motion 2003-1409

RECOMMENDATION from City Attorney for settlement of lawsuit styled **LORETTA MCCUIN** v. City of Houston; in the 61st District Court of Harris County, Texas; Cause No. 2002-42190 \$20,000.00 - Property and Casualty Fund

8. Motion 2003-1410

RECOMMENDATION from City Attorney for settlement of lawsuit styled **NATTHU S. PARATE** vs. Donald D. Elder, et al., in the County Civil Court at Law Number Three (3), Harris County, Texas; Cause No. 785,123 - \$25,000.00 - Property and Casualty Fund

9. Motion 2003-1411

RECOMMENDATION from City Attorney for settlement of lawsuit styled **RENELLA ROY** v. Robert K. Speckman and City of Houston; in the County Court at Law No. Four (4) of Harris County, Texas; Cause No. 712,146 - \$22,500.00 - Property and Casualty Fund

10. Motion 2003-1412

RECOMMENDATION from City Attorney for settlement of lawsuit styled **LOUIS TRINIDAD** vs. David Ray Bradley and City of Houston; in the County Court at Law No. Two (2) of Harris County, Texas; Cause No. 773,515 - \$30,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 11 and 12

11. Council Member Quan tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,129,655.17 and acceptance of work on contract with **VADCO ELECTRIC, INC** for Traffic Signal Construction - South Zone; GFS N-0650-02-3 (N-0650-02) 01.80% under the original contract amount

12. Motion 2003-1419

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$935,696.60 and acceptance of work on contract with **BLASTCO, INC** for Rehabilitation of Four Ground Water Storage Tanks at Four Pumping Stations, GFS S-0600-26-3 (10596-26) - 06.40% under the original contract amount - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG and F - ELLIS**

PROPERTY - NUMBERS 13 and 14

13. Motion 2003-1420

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel CY3-006, located at 1804 Bay Area Boulevard, owned by Baybrook Investment and Development, Inc., Stephen Pohl, Vice President, for the **BAY AREA LIFT STATION REPLACEMENT PROJECT**, CIP R-0267-07-1 - **DISTRICT E - WISEMAN**

14. Motion 2003-1421

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcels DY3-008 and DY3-008A, located at 1919 Runnels Street, owned by The Housing Authority of the City of Houston, Texas, Ernie Etuk, Executive Director, for the **RUNNELS STREET LIFT STATION PROJECT**, GFS R-0267-21-3 - \$73,956.00 - **DISTRICT H - VASQUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 15 through 24

15. Motion 2003-1413

MID-MINNESOTA WIRE AND MFG., INC for Wall-Mounted and Mobile Turnout Gear Storage Systems and Accessories for Building Services Department - \$322,430.00 - Fire Department Revolving Fund

16. Motion 2003-1414

SUPERIOR BUILDING SERVICES, INC to Wash and Seal the Exterior Panels of George R. Brown Convention Center for Convention & Entertainment Facilities Department - \$90,000.00 Enterprise Fund

17. Ordinance 2003-1131

ORDINANCE appropriating \$127,050.00 out of GRB Consolidated Construction Fund to Paint the Exterior of the George R. Brown Convention Center for the Convention & Entertainment Facilities Department

a. Motion 2003-1415

SUPERIOR BUILDING SERVICES, INC to Paint the Exterior of the George R. Brown Convention Center for Convention & Entertainment Facilities Department - \$121,000.00 and contingencies for a total amount not to exceed \$127,050.00 - Enterprise Fund

18. Council Member Tatro tagged

TIKON CONSTRUCTION & FLOORING COMPANY for Communication Buildings for the Building Services Department - \$51,979.96 and contingencies for a total amount not to exceed \$54,578.96 - Fire Department Revolving Fund

19. Motion 2003-1430

HOUSTON-GALVESTON AREA COUNCIL for Ambulances, Cabs & Chassis and Emergency Response Utility Vehicles for the Fire Department - \$2,649,248.68 - Equipment Acquisition Consolidated and Fire Consolidated Construction Funds

20. Ordinance 2003-1161

ORDINANCE appropriating \$110,768.60 out of Fire Consolidated Construction Fund for the Purchase of Equipment for New Fire Station No. 83 for the Fire Department (CIP C-0055)

PURCHASING AND TABULATION OF BIDS - continued

a. Motion 2003-1431

HOUSTON-GALVESTON AREA COUNCIL for Firefighting Emergency Vehicles through the Interlocal Agreement for Cooperative Purchasing for Fire Department - \$5,753,500.00 - Fire Consolidated Construction and Equipment Acquisition Consolidated Funds

21. Ordinance 2003-1162

ORDINANCE approving and authorizing contract between the City and **E-ONE, INC** for Lease/Purchase of Five Aerial Ladder Fire Trucks for the Houston Fire Department - \$200,000.00 General Fund

22. Council Member Wiseman tagged

AMEND MOTION #2003-567, 6/4/03, TO INCREASE quantity to purchase additional Grounds Keeping Equipment for Parks & Recreation Department, awarded to **BROOKSIDE EQUIPMENT SALES, INC** for a total increase of \$62,175.00 - Equipment Acquisition Consolidated and Park Special Revenue Funds

23. Motion 2003-1416

WILLIS DEMOLISHING for Site Clean-up Services for Planning & Development Department \$30,500.00 and contingencies for a total amount not to exceed \$32,025.00 - Dangerous Building Consolidated Fund

24. Motion 2003-1422

AMEND MOTION #2003-1503, 12/13/00, TO EXTEND expiration date from December 13, 2003 to December 12, 2004, for Turbine and Magnetic Type Water Meters for Department of Public Works & Engineering, awarded to **NEPTUNE TECHNOLOGY GROUP, INC (Formerly SCHLUMBERGER RESOURCE MANAGEMENT SERVICES, INC)**

Motion 2003-1423 – Call the question on Council Member Vasquez motion

Motion 2003-1424 – Motion by Council Member Vasquez to reconsider vote of 11/19/2003 which postponed Items 60, 60a, 60b and 60c to 12/10/2003 and report on Agenda of 12/3/2003

RESOLUTIONS AND ORDINANCES - NUMBERS 25 through 61

25. Resolution 2003-0035

RESOLUTION designating certain properties in the City of Houston as Historic Landmarks Mallalieu United Methodist Church and Parsonage, Magnolia Brewery Building and Gregory School) - **DISTRICTS H - VASQUEZ and I - ALVARADO**

26. Resolution 2003-0036

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of variable rate demand multifamily housing revenue bonds (Little Nell Apartments) Series 2003 and approving the Official Statement with respect to such bonds - **DISTRICT F - ELLIS**

27. Resolution 2003-0037

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Mortgage Revenue Bonds (Parkside Point Apartments) Series 2003 **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

28. Resolution 2003-0038

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of multifamily housing revenue bonds (Sterlingshire Apartments) Series 2003 A-1 and Series 2003 A-2 - **DISTRICT B - GALLOWAY**

29. Resolution 2003-0034

RESOLUTION establishing a date for a Public Hearing on the creation of a proposed Reinvestment Zone for Tax Increment Finance purposes pursuant to Chapter 311, Texas Tax Code within a contiguous Geographic Area of the City (Leland Woods Area); authorizing and directing other actions preliminary to the creation of the proposed Reinvestment Zone

30. Council Members Wiseman, Edwards, Tatro and Sekula-Gibbs tagged

ORDINANCE **AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Flood Prone Areas

31. Ordinance 2003-1160

ORDINANCE amending Section 31-11 of the Code of Ordinances, Houston, Texas, relating to adding Oil Drilling Blocks to the description of the **WEBSTER AND OLCOTT FIELDS** for purposes of the City's Oil and Gas Wells Regulations; containing other provisions relating to the foregoing subject - **DISTRICT E - WISEMAN**

32. Ordinance 2003-1144

ORDINANCE amending City of Houston Ordinance No. 2002-1181 relating to Rescheduling and Postponement of City Council Meetings

33. Ordinance 2003-1132

ORDINANCE consenting to the addition of 213.521 acres of land to **MOUNT HOUSTON ROAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

34. Ordinance 2003-1145

ORDINANCE approving and authorizing contract between the City of Houston and **THE STAR OF HOPE MISSION**, to provide \$40,000.00 in Community Development Block Grant Funds for Administration of a Food Program at the Men's Development Center located at 1811 Ruiz Street **DISTRICT I - ALVARADO**

35. Ordinance 2003-1133

ORDINANCE approving and authorizing Lease Agreement between **HOUSTON INDUSTRIAL PARTNERS, LTD.**, as landlord, and the City of Houston, Texas as tenant, for space at 8272 El Rio, Houston, Texas, for use by the Health and Human Services Department **DISTRICT D - EDWARDS**

36. Ordinance 2003-1134

ORDINANCE approving and authorizing a lease agreement between the City of Houston and **ATLANTIC AVIATION CORPORATION** for certain premises at William P. Hobby Airport **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

37. Ordinance 2003-1146

ORDINANCE approving and authorizing ninth contract amendment between the City of Houston and **GANO, INC (Gulfton Area Neighborhood Organization, Inc.)**, to provide for an extension of such contract and additional funding in the amount of \$100,000.00 to cover costs associated with the operation of the Day Labor Site Program located at 6909 Hillcroft - CDB Grant Funds **DISTRICT F - ELLIS**

38. Ordinance 2003-1135

ORDINANCE approving and authorizing amendment to Transportation Improvement Agreement between the City and the **METROPOLITAN TRANSIT AUTHORITY (METRO)** approved by Council on March 17, 1993 (Ordinance No. 93-274) to include the Reconstruction, Reconditioning and/or Resurfacing of Franklin Street from Louisiana Street to Hamilton Street and Congress Street from Jackson Street to Hamilton Street - **DISTRICT I - ALVARADO**

39. Ordinance 2003-1147

ORDINANCE approving and authorizing the submission of a grant application to the Texas Department of Health for the City's HIV/Sexually Transmitted Disease Prevention and Control Program (TDH Contract No. 7460011640-05); declaring the City's eligibility for such grants; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any

40. Ordinance 2003-1148

ORDINANCE approving and authorizing Communication Equipment License between the City of Houston and **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS** for the Use of an area on the Northeast corner of the Terminal B Parking Garage at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

Motion 2003-1404 – Suspend rules to hear from Mr. Philip Schepps on Item 41

41. Council Member Tatro tagged

ORDINANCE amending and restating the Cable Television Franchise granted to **GRANDE COMMUNICATIONS, INC**, pursuant to City of Houston Ordinance No. 2000-0679

42. Ordinance 2003-1136

ORDINANCE approving and authorizing The First Amendment to the Operating Contract between the City of Houston and **THE COASTAL WATER AUTHORITY**

43. Ordinance 2003-1137

ORDINANCE approving and authorizing The First Amendment to the Contract relating to the Operation and Maintenance of the Lake Houston Pump Station, West Canal and related facilities between the City of Houston and **THE COASTAL WATER AUTHORITY**

44. Ordinance 2003-1138

ORDINANCE approving and authorizing treated water supply contract between City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 33** on behalf of the Central Harris County Water Users Consortium

RESOLUTIONS AND ORDINANCES - continued

45. Ordinance 2003-1139

ORDINANCE appropriating \$25,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation contract between the City of Houston and **HEIGHTS/MADISON PARK, L.P.** for the construction of an 8-inch water line along Harvard Street and Wagner Street, CIP S-0802-12-03 - **DISTRICT H - VASQUEZ**

46. Ordinance 2003-1149

ORDINANCE appropriating \$161,900.00 out of Police Consolidated Construction Fund for Installation of New Phones, Network System, Security System, and Fencing at the George R. Brown Convention Center Police Station, CIP G-0096-01-3 - **DISTRICT I - ALVARADO**

47. Ordinance 2003-1150

ORDINANCE approving and authorizing professional services contract between the City of Houston and **APPLIED INNOVATIVE MANAGEMENT, INC** in connection with job order contracting for the Houston Airport System - \$95,000.00 - 3 years with 2 one year options Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

48. Council Member Sekula-Gibbs tagged

ORDINANCE appropriating \$8,140,000.00 out of Airports Improvement Fund, awarding Job Order Construction Contract to **KELLOGG BROWN & ROOT SERVICES, INC** for Project No. 516, CIP A0348.5 and A-04220; providing funding for the Civic Art Program - 5 years **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

49. Ordinance 2003-1140

ORDINANCE appropriating \$86,000.00 out of Airport System Consolidated 2000B NON-AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Three, McAuley Survey, A-577, Houston Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport (CIP A-0476-04-1); approving purchase and sale agreements with the owners of the land (Diana Aiken, Elizabeth Valdez Alvarez, and Jose Luis Garza) - **DISTRICT B - GALLOWAY**

50. Ordinance 2003-1151

ORDINANCE appropriating \$141,950.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Section One, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport (CIP A-0476-11-1); approving purchase and sale agreements with the owners of the land (Atlantic National Corporation; Felipe Mendoza and Crystal J. Mendoza; and Estate of Jack S. Lee c/o Georgia O. Lee) - **DISTRICT B - GALLOWAY**

51. Ordinance 2003-1141

ORDINANCE appropriating \$211,600.00 out of Airport System 98C NON-AMT Construction Bond Fund; authorizing purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-03-1; approving purchase and sale agreements with the owners of the land (Timothy John Buchanan and Juanita F. Buchanan; Drake Communities, Ltd.; Oscar R. Flores) - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

52. Ordinance 2003-1142

ORDINANCE appropriating \$385,500.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One, Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport (CIP A-0476-10-1); approving purchase and sale agreements with the owners of the land (Jesus Balderas and Sonya Balderas; Carol Konesheck Holman and Joseph Holman, Jr.; Arleitha F. Johnson; Jacqueline B. Kilgore; and Mariam Tasini and Alisa Sorkin) - **DISTRICT B - GALLOWAY**

53. Ordinance 2003-1143

ORDINANCE appropriating \$482,000.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Three, and Waverly Farms Addition, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport (CIP A-0476-12-1); approving purchase and sale agreements with the owners of the land (William C. Albright and Sherry L. Albright; Alice Marie Farrell; GKB Realty Investments, Ltd.; Mary Verdie Robbins; Jennifer Brooks Slivensky and Luis M. Vasquez and Carmen Vasquez) - **DISTRICT B - GALLOWAY**

54. Ordinance 2003-1152

ORDINANCE approving and authorizing amendment to an Advance Funding Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** and an amendment to sponsorship agreement between the City and the Main Street Coalition (Ordinance No. 01-020) to expand the limits of the project on South Main Street from Kirby Drive to Brays Bayou and on Old Spanish Trail from South Main Street to North Stadium Drive, GFS N-0611-13-3 (N-0611-13) **DISTRICTS C - GOLDBERG and D - EDWARDS**

55. Ordinance 2003-1153

ORDINANCE appropriating \$950,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing agreements between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT**, the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION**, and the City of Houston and **BUFFALO BAYOU PARTNERSHIP**, relating to construction of the Buffalo Bayou Hike & Bike Trail Bagby to Sabine GFS N-0420T-38-2 (SB9123) - **DISTRICT I - ALVARADO**

56. Ordinance 2003-1154

ORDINANCE appropriating \$1,163,000.00 out of Police Consolidated Construction Fund, awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Construction of Police Administration Building Repairs, GFS G-0072-08-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT I - ALVARADO**

57. Council Member Ellis tagged

ORDINANCE awarding construction contract to **RAY SMITH CONSTRUCTION, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Northborough Village, Section Two; approving and authorizing assignment of the construction contract to **UNIVERSITY DEVELOPMENT, INC**, CIP S-0800-91-3 and R-0800-91-3 (DPC-025) - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

58. Council Member Ellis tagged

ORDINANCE awarding construction contract to **RAY SMITH CONSTRUCTION, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Northborough Village, Section Three; approving and authorizing assignment of the construction contract to **UNIVERSITY DEVELOPMENT, INC**, CIP S-0800-92-3 and R-0800-92-3 (DPC-026) - **DISTRICT B - GALLOWAY**

59. Council Member Keller tagged

ORDINANCE deappropriating \$10,363.40 out of Fire Consolidated Construction Fund which was appropriated under Ordinance No. 2000-0955, and appropriating \$726,703.40 out of Fire Consolidated Construction Fund as additional funding for Contract No. 54941 with **GREYHAWK NORTH AMERICA** for Construction and Project Management Services, GFS C-0148-01-5 and E-0143-01-5

60. Ordinance 2003-1155

ORDINANCE appropriating \$1,277,802.00 out of Parks Consolidated Construction Fund, \$185,714.00 out of General Improvements Consolidated Construction Fund and \$997,329.00 out of Police Consolidated Construction Fund as an additional appropriation for a Program Management Services Contract with **SUNLAND ENGINEERING COMPANY** (approved by Ordinance No. 2002-631)

61. Ordinance 2003-1156

ORDINANCE appropriating \$121,000.00 out of Storm Sewer Consolidated Construction Fund as an additional appropriation for Professional Engineering Services under contract with **J. F. THOMPSON, INC**, (approved by Ordinance No. 99-0002) GFS M-1001-01-2 (M-1001-01); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund - **DISTRICT G - KELLER**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 62 through 67A

62. Motion 2003-1425 – Postpone one (1) week

ORDINANCE appropriating \$335,000.00 out of Equipment Acquisition Fund and approving as additional funding for contract with **GETRONICSWANG L.L.C.** for Network Master Planning **TAGGED BY COUNCIL MEMBERS WISEMAN, KELLER and SEKULA-GIBBS**
This was Item 43 on Agenda of November 19, 2003

Motion 2003-1400 – Suspend rules to consider Items 63, 67 and 29 out of order

Motion 2003-1402 – Suspend rules to hear from Mr. Bob Bowers on Item 63

63. Ordinance 2003-1129

ORDINANCE approving and authorizing contract between the City and **LOPEZ MANAGEMENT GROUP, INC** for Concession Services at Glenbrook Park Golfcourse **TAGGED BY COUNCIL MEMBER QUAN**
This was Item 44 on Agenda of November 19, 2003

MATTERS HELD - continued

Motion 2003-1426 – Divide the question in Item 64 into 2 parts

Motion 2003-1427 – Suspend rules to hear Mr. Lonnie Jones on Item 64

Motion 2003-1428 – Written motion to amend Item 64 relating to Swap Policy as follows:

The policy shall request all information that is necessary for full disclosure in both the primary and secondary markets, specifically as it relates to the mix of fixed and variable rate debt. In turn, this will assist in understanding the nature and potential volatility of the issuer's financial profile to changing interest rate environments. Comprehensive disclosure of swap transactions, whether entered into to modify the risk of future interest rate changes with respect to any series of bonds or for balance sheet management reasons, helps the analyst more fully develop an overall picture of the issuer's financial operations, asset-liability management philosophy and financial prospects.

Additionally, although analyst for institutional investors and other fiduciaries rely upon tax counsel's opinion and assessment that a particular issue of bonds is tax-exempt, greater transparency with regard to the facts that underlie the tax characterization is desired in order to understand if the swap is included in arbitrage calculations.

Issues of key interest to this policy are:

- Mix of fixed and variable rate debt
- Liquidity
- Required cash flows related to the swaps and the impact those payments have on the financial results.
- Disclosure of how any up-front payment received by an issuer through a swap or in exchange for a swaption has been used to meet the issuer's budgetary or cash flow needs.
- The mechanism for any termination payment that may be ultimately due from the issuer
- If a swap transaction is being integrated for tax yield calculation purposes

64. Adopted by 2 ordinances (Swap Policy – Ordinance 2003-1157 and Swap Agreement – Ordinance 2003-1158)

ORDINANCE approving City of Houston Master Swap Policy; authorizing an Interest Rate Swap Agreement with respect to certain City of Houston, Texas, Public Improvement Bonds; authorizing the Mayor and City Controller to enter into such Swap Agreement with **RFPC, LLC** as Counterparty; making other provisions regarding such Swap Agreement and incident thereto; authorizing a Bond Counsel Agreement

POSTPONED BY MOTION #2003-1384, 11/19/03

This was Item 53 on Agenda of November 19, 2003

65. Ordinance 2003-1159

ORDINANCE approving and authorizing Advance Funding Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Expansion of State Highway 6 North of IH-10 to South of IH-10 under TXDOT's Unified Transportation Program, N-0611-48-2 (SB9144-03) - **DISTRICTS A - TATRO and G - KELLER**

POSTPONED BY MOTION #2003-1395, 11/19/03

This was Item 55 on Agenda of November 19, 2003

MATTERS HELD - continued

66. Motion 2003-1429 – Postpone two (2) weeks

RECEIVE nominations for Position A on the **HOUSTON CLEAN CITY COMMISSION**, the one year term to expire February 1, 2004

POSTPONED BY MOTION #2003-1396, 11/19/03

This was a portion of Item 58 on Agenda of November 19, 2003

67. Ordinance 2003-1130

ORDINANCE appropriating \$577,793.85 out of Street & Bridge Consolidated Construction Fund and approving and authorizing amendment to construction contract (approved by Ord. No. 2002-0224) between the City of Houston and **TEXAS STERLING, L.P.** for Construction of an 84-inch water line along West 24th Street from Durham Drive to Airline Drive, CIP S-0900-65-3 (WA10638); providing funding for engineering testing services relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - VASQUEZ**

POSTPONED BY MOTION #2003-1398, 11/19/03

Motion 2003-1401 – Suspend rules to consider Item 67a out of order

a. Motion 2003-1403 – Adopt

MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of Change Order No. 6 in the amount of \$732,186.00 on contract with **TEXAS STERLING, L.P.** for Construction of an 84-inch water line along West 24th Street from Durham Drive to Airline Drive, CIP S-0900-65-3 (WA10638) - **DISTRICT H - VASQUEZ**

POSTPONED BY MOTION #2003-1399, 11/19/03

These were Items 59 and 59A on Agenda of November 19, 2003

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Edwards 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

11/25/2003 – Council Member Robinson absent on personal business