

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 21, 2003 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2003-1233 to 2003-1263**  
**ORDINANCES 2003-0981 to 2003-1017**  
**RESOLUTIONS – 2003-0030 to 2003-0031**

**2003-1232-1**

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

**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

**Motion 2003-1233 – Procedural motion**

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - OCTOBER 22, 2003 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**Presented -**  
Presentation to André Leon Talley by Mayor Brown and Mrs. Elyse Lanier

**CONSENT AGENDA NUMBERS 1 through 59**

**MISCELLANEOUS** - NUMBERS 1 through 10A

**1. Motion 2003-1240**

CONFIRMATION of the reappointment of **MR. JOHN E. MCLEAN, JR.** to Position 4 of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for a term to expire March 1, 2004

**MISCELLANEOUS** - continued

**2. Motion 2003-1241**

CONFIRMATION of the appointment of the following to the board of **REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, for terms to expire December 31, 2003

Position 5 - **MS. ARIELLE LAWSON**

Position 8 - **MR. WALTER S. GOFF**

**3. Motion 2003-1242**

CONFIRMATION of the appointment of **MR. DON CLARK** to serve as Chair to the board of **REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, for a term to expire December 31, 2003

**4. Motion 2003-1243**

CONFIRMATION of the appointment of the following to the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, with two year terms expiring August 21, 2005:

Position One - **DR. BARRY BISHOP**

Position Two - **MR. JIM HUNDEMER**

Position Three - **MRS. BRENDA TIRRELL**

**5. Motion 2003-1244**

CONFIRMATION of the appointment of the following to the **CITY HALL PRESERVATION COMMITTEE**:

Position 11 - **MS. JOELLYN CHAMPAGNE**, for a term to expire December 31, 2004

Position 12 - **MS. ANITA GARTEN**, for a term to expire December 31, 2003

Position 13 - **MR. W. M. AKALOU**, for a term to expire December 31, 2004

Position 14 - **MR. JOHN NIXON WHEAT**, for a term to expire December 31, 2003

Position 15 - **MR. MICHAEL K. BROWN**, for a term to expire December 31, 2004

**6. Motion 2003-1245**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice in the amount of \$31,025.00 from the **ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES (AMSA)** for 2004 Membership Fee - Enterprise Fund

**7. Ordinance 2003-1016**

ORDINANCE appropriating \$288,527.25 out of Street & Bridge Consolidated Construction Fund and \$2,650.00 out of Water & Sewer System Consolidated Construction Fund for a total of \$291,177.25 and approving and authorizing amendment to the Construction Contract (approved by Ordinance No. 2002-0543) between the City of Houston and **CONRAD CONSTRUCTION COMPANY, INC** for Neighborhood Street Reconstruction Project No. 435 - **DISTRICT D - EDWARDS**

**a. Motion 2003-1262**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 4 in the amount of \$291,177.25 on contract with **CONRAD CONSTRUCTION COMPANY, INC** for Neighborhood Street Reconstruction Project No. 435, GFS N-0367-01-3 (N-0367-01) - **DISTRICT A - TATRO**

**8. Pulled - Not Considered**

ORDINANCE appropriating \$31,250.70 out of Storm Water Utility Fund as an additional appropriation for Construction of Storm Sewer Improvements along Ward Street under Construction contract with **DCE CONSTRUCTION, INC** (approved by Ordinance. No. 2003-0592) **DISTRICT D - EDWARDS**

**MISCELLANEOUS** - continued

**a. Motion 2003-1249**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 in the amount of \$31,250.70 on contract with **DCE CONSTRUCTION, INC** for Storm Sewer Improvements along Ward Street, GFS M-0242-08-3 (SM5045) - **DISTRICT D - EDWARDS**

**9. Ordinance 2003-1017**

ORDINANCE appropriating \$436,309.55 out of Street & Bridge Consolidated Construction Fund, \$47,500.00 out of Storm Sewer Consolidated Construction Fund, and \$61,000.00 out of Water & Sewer System Consolidated Construction Fund for a total of \$544,809.55 and approving and authorizing amendment to construction contract (approved by Ordinance No. 2000-0579) between the City of Houston and **TEXAS-STERLING CONSTRUCTION, L.P.** for Almeda Genoa Road **DISTRICT D - EDWARDS**

**a. Motion 2003-1263**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 4 in the amount of \$554,186.26 on contract with **TEXAS-STERLING CONSTRUCTION, L.P.** for Almeda Genoa Road, GFS N-0493-01-3 (N-0493-01) - **DISTRICT D - EDWARDS**

**Motion 2003-1234 – Suspend rules to consider Items 10, 10a, 68, 44, 43, 42, 40, 25 and 11 out of order**

**Motion 2003-1235 – Postpone Items 10 and 10a to the end of the Agenda**

**10. Motion 2003-1260**

CONFIRMATION of the appointment by the Acting Fire Chief of **MR. DANIEL G. SNELL** to the Position of Assistant Fire Chief of the Special Operations and **MR. CHARLES JULIAN** to the Position of Assistant Fire Chief of the Professional Development Command  
**Mr. Daniel G. Snell referred back to the Administration**  
**Mr. Charles Julian appointed**

**a. Motion 2003-1261**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CHARLES JULIAN** vs. City of Houston - \$266,169.10 - Property and Casualty Fund

**DAMAGES** - NUMBER 11

**11. Council Member Ellis tagged**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **MEADOWBRIAR HOME FOR CHILDREN** vs. Gunn; Civil Action No. H-91-3398; in the United States District Court, Southern District of Texas-Houston Division - \$117,647.06 - Property and Casualty Fund

**ACCEPT WORK** - NUMBERS 12 through 16

**12. Motion 2003-1250**

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$649,687.00 and acceptance of work on contract with **STRIPING UNLIMITED CORPORATION** to Replace Apparatus Approach Slabs and Parking Lots at Fire Stations 07, 26, 44, 47, 48, 49 and 59 (Group I), GFS C-0089-02-3 - 21.76% over the original contract amount **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; F - ELLIS; H - VASQUEZ and I - ALVARADO**

**ACCEPT WORK** - continued

**13. Motion 2003-1251**

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$2,709,726.46 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Bid Package No. 16 - Candlelight, Charlton, Proctor Parks, GFS F-0363-16-3, F-0363-13-3 and F-0363-89-3 - 11.05% over the original contract amount **DISTRICTS A - TATRO; H - VASQUEZ and I - ALVARADO**

**14. Motion 2003-1252**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,149,594.44 and acceptance of work on contract with **INTRA CONSTRUCTION CORPORATION, INC** for Construction of Spring Lea Storm Sewer Facilities, GFS M-0367-01-3 (M-0367-01) - 11.14% over the original contract amount - **DISTRICT A - TATRO**

**15. Motion 2003-1246**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,172,342.78 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Sanitary Sewer Rehabilitation by the Point Repair Method, GFS R-0266-24-3 (4235-12) - 00.57% over the original contract amount

**16. Motion 2003-1247**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,034,830.55 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Construction of Water Line Replacement in Eastex Oaks III Subdivision, GFS S-0035-80-3 (WA10666) - 02.00% under the original contract amount **DISTRICT B - GALLOWAY**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 17 through 20

**17. Motion 2003-1248**

**MCHENRY MECHANICAL, INC** to Install HVAC Systems at Fire Station Nos. 58 and 61 for Building Services Department - \$80,950.00 and contingencies for a total amount not to exceed \$84,997.50 - Fire Department Revolving Fund

**18. Council Member Tatro tagged**

**PENCCO, INC (Bid No. 7)** for Chemical, Hydrofluosilicic Acid for Department of Public Works & Engineering - \$619,080.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$18,572.40 for a net award amount not to exceed \$600,507.60 Enterprise Fund

**19. Motion 2003-1253**

**AMEND MOTION #2001-362, 4/4/01, TO INCREASE** spending authority from \$2,368,890.00 to \$2,961,112.50 for Chemical, Caustic Soda for Department of Public Works & Engineering, awarded to **DX DISTRIBUTORS, INC** - Enterprise Fund

**20. Council Members Quan and Parker tagged**

**AMEND MOTION #2000-571, 4/26/00 and #2003-376, 4/16/03, TO INCREASE** spending authority from \$3,200,294.27 to \$4,018,172.29 for Two-Way Radios, Parts & Accessories for Various Departments, awarded to **BEARCOM** by \$87,666.00 from \$219,165.00 to \$306,831.00 and **HOUSTON COMMUNICATIONS** by \$730,212.02 from \$2,920,848.07 to \$3,651,060.09 General, Enterprise and 911 Emergency Network Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 21 through 59

**21. Council Members Parker and Keller tagged**

RESOLUTION approving proposal for the Harris County Appraisal District to acquire certain real property located at 13013 Northwest Freeway in Houston, Texas

**22. Resolution 2003-0030**

RESOLUTION requesting Financial Assistance from the Texas Water Development Board; authorizing the submission of the application for such financial assistance; and designating the authorized representatives for executing the application and appearing before the board

**Motion 2003-1254 – Call the question on Item 23**

**23. Resolution 2003-0031**

RESOLUTION supporting the Houston Community College System's Facilities Expansion Program and the Proposition on the November 4, 2003 Ballot for the sale of General Obligation Bonds to finance that program

**24. Council Member Wiseman tagged**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new Article VIII to Chapter 33, relating to the Super Neighborhood Initiative

**Motion 2003-1239 – Suspend rules to hear from Ms. Dawn Ullrich on Item 25**

**25. Ordinance 2003-0983**

ORDINANCE relating to the 2004 Super Bowl in Houston, Texas; creating the 2004 Houston Super Bowl Fund; appropriating proceeds, if any, from the 2004 Super Bowl Fund for the purposes described in the Interlocal Agreement to be approved herein; approving and authorizing Interlocal Agreement between the City, Harris County and the 2004 Houston Super Bowl XXXVIII Host Committee relating to the establishment of a State Trust Fund and expenditure of the proceeds of the State Trust Fund, if any

**26. Ordinance 2003-1002**

ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston Elections to be held in 2003; authorizing the payment of certain costs of such elections - \$300,000.00 - General Fund

**27. Ordinance 2003-0984**

ORDINANCE **AMENDING ORDINANCE NUMBER 2001-991** to change the name of the abutting owner in Section Three to **SHAHROKH ADUJANI** and to change the name of the abutting owner in Section Four to **ALIEF ENGLISH CONGREGATION OF JEHOVAH'S WITNESSES, HOUSTON, TEXAS - DISTRICT F - ELLIS**

**28. Ordinance 2003-0985**

ORDINANCE consenting to the creation of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district

**29. Ordinance 2003-0986**

ORDINANCE consenting to the addition of 83.755 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 158**, for inclusion in its district

**30. Ordinance 2003-0987**

ORDINANCE consenting to the addition of 2.377 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 216**, for inclusion in its district

**RESOLUTIONS AND ORDINANCES** - continued

**31. Ordinance 2003-0988**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 393 - DISTRICT D - EDWARDS**

**a. Ordinance 2003-0989**

ORDINANCE approving and authorizing Utility Functions and Services Allocation Agreement between the City of Houston and **MARYFIELD, LTD., SUNLAKE LIMITED** and **WEST LITTLE YORK 62 ACRES, LTD.** on behalf of the proposed Harris County Municipal Utility District No. 393

**32. Ordinance 2003-0990**

ORDINANCE consenting to the addition of 1.046 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 19**, for inclusion in its district

**33. Ordinance 2003-1003**

ORDINANCE granting the petition of the **WOODLANDS LAND DEVELOPMENT COMPANY, L.P.** to include certain land owned by it within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with Section 42.022(b) of the Texas Local Government Code

**34. Ordinance 2003-0991**

ORDINANCE calling Public Hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston and **CHELFORD CITY MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within Chelford City Municipal Utility District, in Harris County, Texas and in Fort Bend County, Texas; providing for the publication of notice of such hearings

**35. Ordinance 2003-0992**

ORDINANCE calling Public Hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston and **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within Cypress Hill Municipal Utility District No. 1 and certain territory located in the vicinity of Cypress Hill Municipal Utility District No. 1, in Harris County, Texas; providing for the publication of notice of such hearings

**36. Ordinance 2003-1004**

ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement and Refunding Bonds, Series 2003A-1; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale of the bonds and authorizing execution of a purchase contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the bonds; authorizing the defeasance of certain outstanding bonds and Commercial Paper Notes, the execution and delivery of Escrow Agreements, the purchase of and subscription for certain securities and the use of certain funds related to the bonds and notes to be defeased; authorizing Escrow Verification; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, a Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency

**RESOLUTIONS AND ORDINANCES** - continued

**a. Ordinance 2003-1005**

ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2003A-2; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale of the bonds and authorizing execution of a purchase contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the bonds; authorizing the defeasance of certain Outstanding Bonds, the execution and delivery of an Escrow Agreement for such bonds, the purchase of and subscription for certain securities and the use of certain funds related to the bonds to be defeased; authorizing Escrow Verification; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, a Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency

**b. Ordinance 2003-1006**

ORDINANCE authorizing the issuance of City of Houston, Texas, Certificates of Obligation, Series 2003B; prescribing the terms and form thereof; providing for the payment of Principal and interest thereon; awarding the sale of the Certificates and authorizing execution of a purchase contract; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the certificates; making other provisions regarding such certificates and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency

**37. Ordinance 2003-1007**

ORDINANCE approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Senior Bonds (Longboat Key Apartments) 2003 Series A and Multifamily Housing Revenue Subordinate Bonds (Longboat Key Apartments) 2003 Series B; approving the Preliminary Official Statement with respect to such Bonds; approving an agreement for payments in lieu of ad valorem taxes in connection with the issuance of such Bonds **DISTRICT E - WISEMAN**

**38. Ordinance 2003-0993**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON HELP, INC**, providing up to \$714,477.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds, which sum includes a limitation of additional funding in the amount of \$277,731.00, for the administration and operation of a Community Residence and Child Care Facility and Construction of a Security Fence and Minor Building Repairs at the Community Residence and Child Care Facility, along with the provision of supportive services - **DISTRICT D - EDWARDS**

**39. Ordinance 2003-0994**

ORDINANCE approving and authorizing contract between the City of Houston and **NEW HOPE COUNSELING CENTER, INC**, providing up to \$347,528.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds, which sum includes a limitation of additional funding in the amount of \$173,764.00, for the administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with supportive services

**Motion 2003-1238 – Divide the question on Item 40 – Bread of Life, Inc. and Phoenix Outreach Youth Center Mission, Inc.**

**RESOLUTIONS AND ORDINANCES** - continued

- 40. Ordinance 2003-0982 – Adopt except Bread of Life, Inc and Phoenix Outreach Mission, Inc.**  
ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of five (5) Independent School Districts [**ALIEF ISD, CLEAR CREEK ISD, NORTH FOREST ISD and SPRING BRANCH ISD**] and each sixteen (16) non-profit organizations [~~**BREAD OF LIFE, INC, CHANCELLORS FAMILY CENTER, CHINESE COMMUNITY CENTER, THE DRAW ACADEMY, INC, THE IMANI SCHOOL, JULIA C. HESTER HOUSE, INC, KIPP, INC, MARTIN LUTHER KING, JR. COMMUNITY CENTER, MULTI-CULTURAL EDUCATION AND COUNSELING THROUGH THE ARTS, MOUNTAIN TOP LEARNING CENTER, INC, PHOENIX OUTREACH YOUTH CENTER MISSION, INC, PRO VISION MINISTRIES, INC, SOUTHEAST HOUSTON COMMUNITY DEVELOPMENT CORPORATION, ST. JAMES SCHOOL, WESLEY COMMUNITY CENTER, INC OF HOUSTON, TEXAS and YOUTH CAMP OF EXCELLENCE, INC**~~] to administer an After School Achievement Program (“ASAP”) - General, Grant and Housing Special Revenue Funds  
**Council Member Ellis tagged – Contracts with Bread of Life, Inc. and Phoenix Outreach Mission, Inc.**
- 41. Ordinance 2003-1008**  
ORDINANCE approving and authorizing contract between the City and **EPSTEIN, BECKER & GREEN, WICKLIFF & HALL, P.C.** for Legal Services related to CenterPoint Energy’s 2004 Stranded Costs True-up and other matters to be considered by the Public Utility Commission of Texas relating to the Electric Utility Rates of CenterPoint
- 42. Council Member Ellis tagged**  
ORDINANCE approving and authorizing agreement for a News, Gift and Specialty Retail Concession at George Bush Intercontinental Airport/Houston by and between the City of Houston and **PARADIES-IAH, L.L.C.**
- 43. Council Member Wiseman tagged**  
ORDINANCE approving and authorizing agreement for a News, Gift and Specialty Retail Concession at George Bush Intercontinental Airport/Houston by and between the City of Houston and **HOST INTERNATIONAL, INC**
- 44. Council Member Ellis tagged**  
ORDINANCE awarding contract to **PRIME TREES, INCORPORATED** for Tree Removal Services for Parks & Recreation Department; providing a maximum contract amount - 1 Year with two one-year options - \$749,981.25 - General Fund
- 45. Ordinance 2003-1009**  
ORDINANCE awarding contract to **JOHNSON CONTROLS, INC** for Alarm, Monitoring, Inspection, Maintenance and Telephone Response Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$815,177.58 - General and Enterprise Funds
- 46. Ordinance 2003-1010**  
ORDINANCE approving the creation of two (2) Houston Airport System Consolidated Construction Funds; the Consolidated 2004 AMT Construction Fund and the Consolidated 2004 NON-AMT Construction Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**



**RESOLUTIONS AND ORDINANCES** - continued

**47. Not Received - Not Considered**

ORDINANCE amending Ordinance No. 2002-781 to decrease the amount encumbered for Civic Art Program purposes and appropriating \$8,100,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund as an additional appropriation for professional services contract between the City of Houston and **PARSONS BRINCKERHOFF CONSTRUCTION SERVICES, INC** for professional architectural, engineering, construction management and program management services in connection with the International Services Expansion Program at George Bush Intercontinental Airport/Houston (IAH), Project No. 500A; CIP A-0203 and A-0422; originally approved and authorized under City of Houston Ordinance Nos. 2000-1036 and 2002-0781 - **DISTRICT B - GALLOWAY**

**48. Pulled - Not Considered**

ORDINANCE approving and authorizing contract between the City and **NOVUS WOOD GROUP, L. P.** for Residential Wood Waste Recycling; providing a maximum contract amount

**49. Ordinance 2003-0995**

ORDINANCE approving and authorizing first amendment to the contract (approved by Ordinance No. 02-0265) between the City and **AMERICAN PAYMENT SYSTEMS, INC (APS)** for Automated Bill Collection and Processing System through Agent Network System

**50. Ordinance 2003-0996**

ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston, **MAZZIO'S CORPORATION** and **PEACOCK/SHEPARD 19**, to settle a lawsuit \$42,644.00 - Water & Sewer Impact Fee Fund

**51. Ordinance 2003-1011**

ORDINANCE appropriating \$256,051.61 out of Water & Sewer System Consolidated Construction Fund and \$222,000.00 out of Housing and Homeless Consolidated Fund and approving and authorizing Developer Participation contract between the City of Houston and **KENDALL HOMES CORPORATION** for construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Six of the Post Oak Subdivision, CIP S-0800-A5-03 and R-0800-A5-03 **DISTRICT D - EDWARDS**

**52. Ordinance 2003-0997**

ORDINANCE appropriating \$157,553.29 out of Water & Sewer System Consolidated Construction Fund and \$141,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund and approving and authorizing Developer Participation contract between the City of Houston and **KENDALL HOMES CORPORATION** for construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Seven of the Post Oak Subdivision, CIP S-0800-A6-03 and R-0800-A6-03 - **DISTRICT D - EDWARDS**

**53. Ordinance 2003-0998**

ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Homeless & Housing Consolidated Fund, approving and authorizing Developer Participation contract between the City of Houston and **JACK C. CANNATO DBA CANNATA CONSTRUCTION** for the construction of water, sanitary sewer and storm sewer lines to serve Section Three of the Willow Glen Subdivision, CIP S-0800-98-03 and R-0800-98-03 - **DISTRICT D - EDWARDS**

**RESOLUTIONS AND ORDINANCES** - continued

**54. Ordinance 2003-0999**

ORDINANCE appropriating \$178,756.94 out of Water & Sewer System Consolidated Construction Fund and \$204,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing developer participation contract between the City of Houston and **ROYCE LAND, L.P.** for the construction of water, sanitary sewer and storm sewer lines for Phase III of the Ashford Gardens Subdivision - CIP S-0800-97-03 and R-0800-97-03 - **DISTRICT F - ELLIS**

**55. Ordinance 2003-1000**

ORDINANCE approving and authorizing an insurance contract between the City of Houston and **AMERICAN SPECIALTY LINES COMPANY, a Member of the American International Group**, for the purchase of Environmental Insurance relating to the construction of the Gessner Detention Pond; authorizing the Director of Public Works or His Designee to execute all applications and other documents necessary for such contract; establishing a maximum contract amount; providing for brokers fees, GFS N-0658-02-3 (SB9024) - **DISTRICT A - TATRO**

**56. Ordinance 2003-1012**

ORDINANCE appropriating \$132,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional construction management and inspections services contract between the City and **WALTER P. MOORE, INC** for Bertner Bridge and Paving from Holcombe to South Braeswood, Package 1, Holcombe to Brays Bayou, CIP N-0722-01-3 (SB9089) - **DISTRICT D - EDWARDS**

**57. Ordinance 2003-1001**

ORDINANCE appropriating \$12,687,880.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund CIP A-0203 and \$234,693.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund CIP A-0422; awarding construction contract to **STEWART-MATL, LTD.** for the Central FIS Building related projects at George Bush Intercontinental Airport/Houston (Project 500M); providing funding for engineering testing and for contingencies and the Civic Art Program relating to the construction of facilities financed by such funds - **DISTRICT B - GALLOWAY**

**58. Council Member Goldberg tagged**

ORDINANCE appropriating \$575,880.00 out of General Improvement Consolidated Construction Fund and \$33,000.00 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Replacement of Multi-Use Pavilions at Clinton Park and Gutierrez Park, GFS F-0466-01-3; providing funding for engineering testing services and contingencies relating to construction of facilities financed by General Improvement Consolidated Construction Fund and Parks Consolidated Construction Fund - \$250,000.00 CDBG Grant Fund - **DISTRICTS C - GOLDBERG; H - VASQUEZ and I - ALVARADO**

**59. Council Member Keller tagged**

ORDINANCE appropriating \$285,142.00 out of General Improvements Consolidated Construction Fund and approving and authorizing first amendment to the professional architectural services contract (approved by Ordinance No. 02-0239) between the City of Houston and **PROZIGN, INC D/B/A PROZIGN ARCHITECTS** for Design Improvements and Renovations to Jesse H. Jones Library, Carnegie Branch Library, Library Resource Center, and Julia Ideson Building CIP E-0011-01-2, E-0142-01-02, E-0076-01-2 and E-0049-01-2; providing funding for the Civic Art Program and contingencies relating to Design Improvements and Renovations of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICTS I - ALVARADO and H - VASQUEZ**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 60 through 68

**60. Motion 2003-1255 – Adopt**

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **PHILPOTT MOTORS LTD.** for Hybrid-Electric Compact Automobiles from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Planning & Development Department - \$439,024.00 - Building Inspection Fund  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 9 on Agenda of October 15, 2003

**61. Motion 2003-1256 – Adopt**

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **VEHICLE MAINTENANCE PROGRAM, INC (Bid No. 5)** for Automotive Wiper Blades for Various Departments - \$60,223.29, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$1,806.70 for a net award amount not to exceed \$58,416.59 - General, Enterprise and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER TATRO**  
This was Item 12 on Agenda of October 15, 2003

**62. Motion 2003-1257 – Postpone two (2) weeks**

ORDINANCE **AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and the **FIRE CODE** relating to Fire Alarm Systems and Various Fees; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **TAGGED BY COUNCIL MEMBERS WISEMAN and KELLER**  
This was Item 14 on Agenda of October 15, 2003

**63. Ordinance 2003-1015**

ORDINANCE approving and authorizing contract between the City, **CLAY POPE** and **CLIFF JOHNSON** for Assistance on Water` and Wastewater related issues in the Texas Legislature and Various State Agencies; providing a maximum contract amount - 3 Years plus one option year - \$720,000.00 - Enterprise Fund  
**TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, KELLER and TATRO**  
This was Item 46 on Agenda of October 15, 2003

**64. Ordinance 2003-1013**

ORDINANCE approving and authorizing one (1) Year Renewal Term for contract between the City and **PATTON BOGGS LLP**, Contract No. 53319 for Federal Representation - \$316,000.00 General Fund - **TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and WISEMAN**  
This was Item 47 on Agenda of October 15, 2003

**MATTERS HELD** - continued

**65. Ordinance 2003-1014**

ORDINANCE appropriating \$6,750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fourth amendment to engineering services contract between the City of Houston and **MWH AMERICAS, INC** for Neighborhood Sewer System Improvements - **TAGGED BY COUNCIL MEMBER TATRO**

This was Item 54 on Agenda of October 15, 2003

**66. Motion 2003-1258 – Postpone two (2) weeks**

RECEIVE nominations for Position 5 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for terms to expire March 1, 2004 and March 1, 2005, respectively

**POSTPONED BY MOTION #2003-1212, 10/15/03**

This was a portion of Item 62 on Agenda of October 15, 2003

**67. Motion 2003-1259 – Close nominations**

RECEIVE nominations for Position 4 to the board of **REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, for a term to expire December 31, 2003 – Mr. Tim L. Meyers nominated

**POSTPONED BY MOTION #2003-1224, 10/15/03**

This was a portion of Item 63 on Agenda of October 15, 2003

**Motion 2003-1236 – Divide the question on Item 68 to separate first City of San Jacinto and City of LaPorte**

**Motion 2003-1237 – Postpone Interfaith Ministries for Greater Houston and Young Women's Christian Association of Houston until Committee meeting**

**68. Ordinance 2003-0981 – Adopt except Interfaith Ministries for Greater Houston and Young Women's Christian Association of Houston**

ORDINANCE approving and authorizing contracts between the City and the **FIRST PRESBYTERIAN CHURCH OF GOOSE CREEK TEXAS, CITY OF SAN JACINTO, CITY OF LAPORTE, INTERFAITH MINISTRIES FOR GREATER HOUSTON and YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** for the provision of Nutrition and Transportation Services for the elderly; providing a maximum contract amount - \$18,537,300.00 - Grant Fund

**POSTPONED BY MOTION #2003-1232, 10/15/03**

This was Item 73 on Agenda of October 15, 2003

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Goldberg 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 - OCTOBER 22, 2003 - PAGE 13**

**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

**10/21/2003 – Council Member Vasquez absent due to being ill**

**10/22/2003 – All Present**