

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 23, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2003-1134 to 2003-1153
ORDINANCES 2003-0872 to 2003-0901
RESOLUTION – 2003-0026

2003-1133-1

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

Motion 2003-1134 – Procedural motion
Motion 2003-1135 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 24, 2003 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 44

MISCELLANEOUS - NUMBERS 1 through 7

1. Motion 2003-1142

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BUILDING AND STANDARDS COMMISSION**:

Panel 1:

- Position One - **MS. GLORIA HOBBS**, reappointment, for a term to expire December 31, 2004
- Position Three - **MR. EURAL JOHNSON**, appointment, for a term to expire December 31, 2004
- Position Five - **MR. KEITH JORDAN**, reappointment, for a term to expire December 31, 2004
- Alternate Position One - **MR. EDWARD GONZALES**, reappointment, for a term to expire December 31, 2004
- Alternate Position Three - **MS. LISA HELFMAN**, appointment, for a term to expire December 31, 2004

Panel 2:

- Position One - **MR. JACKSON CHANG**, reappointment, for a term to expire December 31, 2004
- Position Three - **MR. LARRY LEE**, reappointment, for a term to expire December 31, 2004
- Position Five - **MR. STEVE H. WHITFIELD**, reappointment, for a term to expire December 31, 2004
- Alternate Position One - **MR. NOMAAN K. HUSAIN**, appointment, for a term to expire December 31, 2004
- Alternate Position Three - **MS. MARY K. VARGO**, reappointment, for a term to expire December 31, 2004
- Alternate Position Four - **MS. UMA MANTRAVADI**, appointment, for a term to expire December 31, 2005

Panel 3:

- Position One - **MS. EILEEN SUBINSKY**, reappointment, for a term to expire December 31, 2004
- Position Three - **MR. ALPHONSO DELANEY**, reappointment, for a term to expire December 31, 2004
- Position Five - **MR. MICHAEL L. CATRETT**, reappointment, for a term to expire December 31, 2004
- Alternate Position One - **MR. WARD GRAY**, reappointment, for a term to expire December 31, 2004
- Alternate Position Three - **MS. VIRGINIA L. DUKE**, reappointment, for a term to expire December 31, 2004

Panel 4:

- Position One - **MR. TALMADGE SHARP, SR.**, reappointment, for a term to expire December 31, 2004
- Position Three - **MR. MICHAEL O'BRIEN**, reappointment, for a term to expire December 31, 2004
- Position Five - **MR. ROBERT L. GRAY**, reappointment, for a term to expire December 31, 2004
- Alternate Position One - **MR. J. GOODWILLE PIERRE**, appointment, for a term to expire December 31, 2004
- Alternate Position Three - **MS. MARCIA PERRY**, reappointment, for a term to expire December 31, 2004
- Alternate Position Four - **MR. EDWARD LEE, JR.**, appointment, for a term to expire December 31, 2005

MISCELLANEOUS - continued

2. Motion 2003-1140

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON CLEAN CITY COMMISSION**:

- Position 3 - **MR. DONALD POARCH**, appointment, for a term to expire February 1, 2005
- Position 5 - **MR. W. J. BOWEN**, reappointment, for a term to expire February 1, 2005
- Position 7 - **MS. PATRICIA WALSH**, appointment, for a term to expire February 1, 2005
- Position 9 - **MR. EDWARD REYES**, reappointment, for a term to expire February 1, 2005
- Position 11 - **MS. TANAZ CHOUDHURY**, reappointment, for a term to expire February 1, 2005
- Position 12 - **MR. BRIAN FRANCO**, appointment, to complete an unexpired term ending February 1, 2004
- Position 13 - **MS. CHARLOTTE A. HAYNES**, reappointment, for a term to expire February 1, 2005
- Position 15 - **MR. ROBERT RIDGE**, appointment, for a term to expire February 1, 2005
- Position 21 - **MR. BRETT FRAZIER**, reappointment, for a term to expire February 1, 2005
- Position 23 - **MR. KEN HARRY**, reappointment, for a term to expire February 1, 2005
- Position 25 - **MR. KEIJI ASAKURA**, reappointment, for a term to expire February 1, 2005
- Position 29 - **MR. JOSÉ GRIÑÁN**, reappointment, for a term to expire February 1, 2005

3. Motion 2003-1143

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON MEDIASOURCE BOARD OF DIRECTORS**:

- Position 1 - **MR. JAY MALHOTRA**, reappointment, for a term to expire 12/31/2004
- Position 2 - **MS. MARILYN LINLEY**, appointment, for a term to expire 12/31/2003
- Position 3 - **MS. MYRLEEN KNOTT**, reappointment, for a term to expire 12/31/2004
- Position 4 - **MR. EDWARD YBARRA**, reappointment, for a term to expire 12/31/2003
- Position 5 - **MS. GAYLA HEATH GARRISON**, appointment, for a term to expire 12/31/2004
- Position 6 - **MS. ALICE VALDEZ**, appointment, for a term to expire 12/31/2003
- Position 7 - **MS. R. ELAINE JEFFERSON**, appointment, for a term to expire 12/31/2004
- Position 8 - **MR. GEORGE NWANGUMA**, reappointment, for a term to expire 12/31/2003
- Position 9 - **MS. SANDRA FRIEDEN**, reappointment, for a term to expire 12/31/2004
- Position 10 - **MR. CARLOS SERA**, reappointment, for a term to expire 12/31/2003
- Position 11 - **MR. MARK D. LEE**, reappointment, for a term to expire 12/31/2004
- Position 12 - **MS. MAURYZIA WONG**, appointment, for a term to expire 12/31/2003
- Position 13 - **MS. JUDITH BRUNI**, reappointment, for a term to expire 12/31/2004
- Position 14 - **DR. GARTH JOWETT**, appointment, for a term to expire 12/31/2003
- Position 15 - **MR. FREDERICK FERGUSON**, reappointment, for a term to expire 12/31/2004

4. Motion 2003-1144

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE EIGHTEEN, CITY OF HOUSTON, TEXAS, (FIFTH WARD ZONE)**:

MR. HARVEY CLEMONS, JR., reappointment, to serve as Chair, for a term to expire December 21, 2003

- Position One - **MR. RICHARD VARA**, appointment, for a term to expire June 21, 2005
- Position Three - **MS. KATHY PAYTON**, appointment, for a term to expire June 21, 2005
- Position Five - **MR. TYRONE P. DORIAN**, reappointment, for a term ending June 21, 2005

5. Motion 2003-1145

REQUEST from Mayor for confirmation of the reappointment of **MR. HARVEY CLEMONS, JR.**, to serve as Chair of the **FIFTH WARD REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2003

MISCELLANEOUS - continued

6. Council Members Sekula-Gibbs and Quan tagged

RECOMMENDATION from Director Office of Public Safety and Drug Policy for approval of funds in the amount of \$664,000.00 on contract with **PRC PUBLIC SECTOR, INC** for Preventive Maintenance Coverage for the Houston Emergency Center's Dispatching System - Houston Emergency Center Fund

7. Motion 2003-1141

RECOMMENDATION from Acting Director Building Services Department for approval of Computer Image for Dedication Plaque for Veterans Memorial Park (formerly Hardy Tidwell Park), GFS F-0504B-03-3 - **DISTRICT H - VASQUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 12

8. Council Members Quan and Sekula-Gibbs tagged

ORTHO-MCNEIL PHARMACEUTICAL, INC for Contraceptives from the State of Texas Building and Procurement Commissions contract through the State of Texas Cooperative Purchasing Program for Health and Human Services Department - \$171,803.76 - General Fund

Motion 2003-1136 – Suspend rules to consider Items 9, 9a, 15, 53, 55, 55a and 17 out of order

9. Council Members Berry and Keller tagged

ORDINANCE appropriating \$362,760.00 out of Harris County Construction Fund for Purchase of Vehicle Video Imaging Detection Systems for Public Works & Engineering Department

a. Council Members Berry and Keller tagged

TEXAS HIGHWAY PRODUCTS LTD., for Vehicle Video Imaging Detection Systems from the State of Texas Building and Procurement Commissions contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$362,760.00

10. Motion 2003-1146

AMEND MOTION #2000-1149, 9/20/00, TO EXTEND expiration date from October 1, 2003 to September 30, 2004, for Steel Construction Materials for Various Departments, awarded to **NORTH SHORE SUPPLY CO., INC**

11. Council Member Wiseman tagged

J. TYLER SERVICES, INC for Office Furniture for Various Departments - \$51,582.22 - General, Grant and Enterprise Funds

12. Motion 2003-1147

AMEND MOTION #2000-1058, 8/23/00, TO EXTEND expiration date from October 1, 2003 to September 30, 2004, for Chemicals, Water Test Materials for Various Departments, awarded to **HACH COMPANY**

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 44

13. Resolution 2003-0026

RESOLUTION in support of pending Federal Legislative proposals that seek to address the growing problems related to Spam, or unsolicited commercial E-mails

14. Council Member Wiseman tagged

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

RESOLUTIONS AND ORDINANCES - continued

15. Council Member Edwards tagged

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Mortgage Revenue Bonds (GNMA Collateralized Mortgage Loan - North Forest Trails Apartments) Series 2003 and approving the Preliminary Official Statement with respect to such bonds - **DISTRICT B - GALLOWAY**

16. Ordinance 2003-0886

ORDINANCE **AMENDING ITEM (2) OF SECTION 45-172 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** to clarify that the minimum and maximum long term parking meter rates are City-Wide averages rather than per meter minimum and maximum rates

17. Ordinance 2003-0874

ORDINANCE amending City of Houston Ordinance No. 2002-1181 relating to Postponement of a City Council Meeting

18. Ordinance 2003-0875

ORDINANCE consenting to the addition of 104.0198 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district

19. Ordinance 2003-0876

ORDINANCE consenting to the addition of 81.632 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 82**, for inclusion in its district

20. Ordinance 2003-0877

ORDINANCE consenting to the addition of 254.97 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 278**, for inclusion in its district

21. Ordinance 2003-0878

ORDINANCE consenting to the addition of 110.3983 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383**, for inclusion in its district

22. Ordinance 2003-0887

ORDINANCE approving and authorizing Memorandum of Agreement SW-493 with the Federal Aviation Administration (FAA) for Reimbursement of costs for Miscellaneous Improvements at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

23. Ordinance 2003-0879

ORDINANCE approving and authorizing Supplemental Agreement No. 2 to lease agreement DTFA 07-02-L-02783 between the City of Houston and the **FEDERAL AVIATION ADMINISTRATION** to Install a Precision Approach Path Indicator (PAPI) Facility for Runway 15R/33L at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

24. Ordinance 2003-0880

ORDINANCE approving and authorizing lease agreement with the **FEDERAL AVIATION ADMINISTRATION (FAA)** to Accommodate Runway 15L/33R Navigational Aids Sites at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

25. Ordinance 2003-0881

ORDINANCE approving and authorizing lease agreement with the **FEDERAL AVIATION ADMINISTRATION (FAA)** to Accommodate Low Level Windshear Alert System Sites at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

26. Ordinance 2003-0882

ORDINANCE approving and authorizing lease agreement with the **FEDERAL AVIATION ADMINISTRATION (FAA)** to Accommodate Runway 8L/26R Navigational Aids Sites at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

27. Ordinance 2003-0883

ORDINANCE approving and authorizing ground lease agreement with the **FEDERAL AVIATION ADMINISTRATION (FAA)** to Accommodate the Remote Transmitter/Receiver (RTR) Site at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

28. Ordinance 2003-0884

ORDINANCE approving and authorizing Supplemental Agreement No. 1 to Lease DTFA07-94-L-01116 with the **FEDERAL AVIATION ADMINISTRATION (FAA)** to Accommodate Runway 15R/L 33L/R Navigational Aids Sites at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

29. Pulled - Not Considered

ORDINANCE approving and authorizing lease agreement between the City of Houston and **FRIEDKIN REALTY - HOBBY, LTD** at William P. Hobby Airport - **DISTRICT I - ALVARADO**

30. Ordinance 2003-0888

ORDINANCE approving and authorizing contract between the City and **TEXAS A&M'S TEXAS ENGINEERING EXTENSION SERVICE** for the State Homeland Security Grant Program as funded by the U. S. Department of Homeland Security, Office of Domestic Preparedness \$810,081.00 - Grant Fund

31. Ordinance 2003-0889

ORDINANCE amending Ordinance Number 2000-1086 for grant assistance from the Governor's Criminal Justice Division for funding for a Local Delinquency Prevention Program - \$757,576.00 General and Grant Funds

32. Ordinance 2003-0890

ORDINANCE amending Ordinance Number 98-855 to provide for Fourth and Fifth Year funding through the Juvenile Accountability Incentive Block Grant - \$2,842,892 - General and Grant Funds

33. Ordinance 2003-0891

ORDINANCE approving and authorizing submittal of a grant application to the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** for a Lead Hazard Reduction Demonstration Grant Program (which application includes a cash match of \$750,000.00 that is contingent upon future funding); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's representative in the application process; authorizing the Director of Health & Human Services Department to accept the grant and the grant funds if awarded and to apply for and accept all subsequent awards, if any, pertaining to the grant

34. Ordinance 2003-0892

ORDINANCE appropriating \$300,000.00 out of Homeless and Housing Consolidated Bond Fund; deappropriating \$585,892.01 out of Low Income Housing Fund 876; de-appropriating \$1,344,107.99 out of Low Income Housing Fund 162 and reappropriating \$490,000.00 out of said fund; providing \$1,406,400.00 of Federal "HOME" Program Funds; providing a maximum contract amount; approving and authorizing contract with **HOUSING OPPORTUNITIES OF HOUSTON, INC** to administer a Homebuyer Assistance Program

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2003-0893

ORDINANCE appropriating \$500,000.00 out of Homeless and Housing Consolidated Bond Fund; providing \$3,728,199.54 of Federal "HOME" Program Funds; providing a maximum contract amount; approving and authorizing contract with **HOUSTON HOUSING FINANCE CORPORATION** to administer a Homebuyer Assistance Program for New Homes

36. Council Member Tatro tagged

ORDINANCE approving and authorizing contract between the City **ACTUARIAL SERVICE COMPANY, P.C.** for Actuarial Consulting Services - \$35,000.00 - General Fund

37. Council Members Ellis, Vasquez, Robinson and Keller tagged

ORDINANCE appropriating \$42,000,000.00 out of Water & Sewer Contributed Capital Fund and approving and authorizing funding agreement between the City of Houston and **HOUSTON AREA WATER CORPORATION** for Phase Two Expansion of the Northeast Water Purification Plant

38. Passed second reading in full

ORDINANCE Nos. 2003-853 through 2003-866, passed first reading September 17, 2003 ORDINANCE (14 separate ordinances) granting to, 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 to the following - **SECOND READING:**

1. 2003-853 - **AARON OIL COMPANY, INC, D/B/A AARON ENVIRONMENTAL COMPANY,** an Alabama Corporation
2. 2003-854 - **ATLANTIC WASTE, INC,** a Texas Corporation
3. 2003-855 - **BERKELEY OUTSIDE SERVICES, INC,** a Texas Corporation
4. 2003-856 - **CUT RATE VACUUM SERVICES, INC,** a Texas Corporation
6. 2003-857 - **ENVIRO-VAC, INC,** a Texas Corporation
7. 2003-858 - **HOUSTON HARRIS COUNTY SEPTIC TANK SERVICE,** a Sole Proprietorship
8. 2003-859 - **KWS COMMERCIAL HAULERS, INC,** a Texas Corporation
9. 2003-860 - **LIQUID ENVIRONMENTAL SOLUTION L.P.,** a Texas Limited Partnership
10. 2003-861 - **MIDNI BLUE TRUCKING, INC,** a Texas Corporation
11. 2003-862 - **NEXUS DISPOSAL, L.L.C.,** a Texas Limited Liability Corporation
12. 2003-863 - **NORTHSTAR ENVIRONMENTAL GROUP, INC,** a Tennessee Corporation
13. 2003-864 - **PIT STOP PORTA POTS,** a Texas Sole Proprietorship
14. 2003-865 - **R. M. WOODS, INC, D/B/A DRANE RANGER,** a Texas Corporation
15. 2003-866 - **RECOVERY CONTRACTORS, INC,** a Texas Corporation

39. Ordinance 2003-0885

ORDINANCE consenting to the assignment from **KMC/TL SERVICES, LLC** as assignors to **KOETTER FIRE PROTECTION OF HOUSTON, LLC** as assignees of the contract for Fire Alarm System Replacement (No. C54780) authorized by Ordinance No. 2003-208 - **DISTRICT D - EDWARDS**

40. Ordinance 2003-0894

ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY FLOOD CONTROL DISTRICT (HCFCD)** for Development of Park Land around HCFCD's Willow Waterhole Detention Basin - \$750,000.00 - Grant Fund - **DISTRICT C - GOLDBERG**

Motion 2003-1137 – Suspend rules to consider Item 41 out of order

41. Council Member Berry tagged

ORDINANCE appropriating \$1,713,362.00 out of Harris County Construction Fund, awarding contract to **KENMOR ELECTRIC COMPANY, L.P.** for Traffic Signal Construction - Spur 527 Mitigation Area (Work Order Contract), GFS N-0662-23-3 (SB9139-04); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Harris County Construction Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS; G - KELLER and I - ALVARADO**

42. Ordinance 2003-0895

ORDINANCE appropriating \$450,000.00 out of Fire Consolidated Construction Fund for Purchase of Equipment for New Fire Station No. 83 - **DISTRICT G - KELLER**

Motion by Council Member Keller/Seconded by Council Member Ellis to amend Item 43 to provide a fee equal to the estimated amount of 1¢ of property tax – Tagged by Council Member Vasquez

Written motion by Council Member Goldberg to amend Item 43 as follows:

- 1) Remove the exemption for City owned and operated facilities
- 2) The drainage fee shall be applicable to all City of Houston property whether or not the City of Houston operates it -

Tagged by Council Members Robinson, Wiseman, Parker and Vasquez

43. Council Members Wiseman, Tatro, Robinson, Parker, Sekula-Gibbs, Keller, Quan, Vasquez, Berry and Ellis tagged

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Charges and Terms of Service for Drainage Service; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefore; containing a repealer; providing for severability

Motion 2003-1139 – Suspend rules to consider Items 44 and 43 out of order

Motion by Council Member Berry/Seconded by Council Member Tatro to amend Item 44 to provide \$.485 for M & O and reduce property tax rate to \$.645 per \$100 of assessed value – Tagged by Council Members Ellis, Vasquez, Robinson, Wiseman and Sekula-Gibbs

Motion by Council Member Keller/ Seconded by Council Member Ellis to provide a tax rate of \$.635 per \$100 with \$.48452 per \$100 for M & O and \$.15048 per \$100 for Interest and Sinking Fund – Tagged by Council Members Ellis, Vasquez, Robinson and Wiseman

44. Council Members Robinson, Wiseman, Tatro and Sekula-Gibbs tagged

ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2003

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 45 through 56

45. Motion 2003-1148 – Postpone one (1) week

ORDINANCE **AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to sick and vacation leave benefits for certain city employees; authorizing the creation of a plan under 26 U.S.C. § 401(a) for unused sick leave and vacation pay

POSTPONED BY MOTION #2003-1096, 9/10/03

This was Item 13 on Agenda of September 10, 2003

46. Motion 2003-1149 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for payment of FY 2004 Annual Membership dues for the **AMERICAN WATER WORKS ASSOCIATION RESEARCH FOUNDATION** Subscription Program - \$215,559.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBER KELLER

This was Item 6 on Agenda of September 17, 2003

47. Ordinance 2003-0896

ORDINANCE issuing a permit to **TE PRODUCTS PIPELINE COMPANY, LP.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 30 on Agenda of September 17, 2003

48. Ordinance 2003-0897

ORDINANCE relating to the issuance and sale of City of Houston, Texas, Public Improvement and Refunding Bonds, Series 2003A, City of Houston, Texas, Certificates of Obligation, Series 2003B, and City of Houston, Texas, Public Improvement Taxable Refunding Bonds, Series 2003C; including authorizing the finance working group to proceed with the sale of such bonds and certificates, approving and authorizing distribution of the preliminary official statement related to such bonds and certificates, approving matters incidental to the issuance and sale and making various finds and provisions related thereto; and declaring an emergency

TAGGED BY COUNCIL MEMBERS ELLIS, TATRO, KELLER and WISEMAN

This was Item 32 on Agenda of September 17, 2003

49. Motion 2003-1150 – Postpone one (1) week

ORDINANCE granting to **EARTHAMERICA 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 - **FIRST READING**,

TAGGED BY COUNCIL MEMBER ROBINSON

This was Item 45-5 on Agenda of September 17, 2003

50. Ordinance 2003-0898 – Passed first reading in full

ORDINANCE granting to **WASTE TRANSPORTATION, INC D/B/A UNIVERSAL WASTE, 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 - **FIRST READING** - **TAGGED BY COUNCIL MEMBER ROBINSON**

This was Item 45-16 on Agenda of September 17, 2003

MATTERS HELD – continued

Motion 2003-1151 – Postpone one (1) week – “Rescinded”

Motion 2003-1153 – Suspend rules to reconsider Item 51 and rescind Motion 2001-1151

51. Ordinance 2003-0901 - Adopt

ORDINANCE approving and authorizing professional architectural services contract between the City of Houston and **JAMES S. WALKER ARCHITECTS, INC** for the Gregory School, CIP E-0144-02; providing funding for Environmental Task Order Contract No. 050900, the Civic Art Program; and contingencies relating to construction of facilities financed by the Special EDI Grant Fund 98H

TAGGED BY COUNCIL MEMBERS GALLOWAY, PARKER, ELLIS and VASQUEZ

This was Item 47 on Agenda of September 17, 2003

52. Ordinance 2003-0899

ORDINANCE appropriating \$2,495,576.92 out of Houston Airport System Consolidated 1998B AMT Construction Fund CIP A-0483 and \$38,309.00 out of the Houston Airports Improvement Fund CIP A-0422; awarding construction contract to **CONSTRUCTION LTD.**, for Terminal D Core Room/MDF Upgrades - SITA Relocation at George Bush Intercontinental Airport/Houston (Project 500Q); 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** - **TAGGED BY COUNCIL MEMBER VASQUEZ**

This was Item 48 on Agenda of September 17, 2003

53. Ordinance 2003-0872

ORDINANCE appropriating \$540,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **RAGO, LTD.** for Safe Sidewalk Program B1 Work Order Project, GFS N-0610A-B1-3 (SB9113-01); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER VASQUEZ**

This was Item 49 on Agenda of September 17, 2003

54. Ordinance 2003-0900

ORDINANCE appropriating \$172,000.00 out of Police Consolidated Construction Fund for George R. Brown Convention Center Police Station Furnishings - GFS G-0096-01-5 - **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS GOLDBERG AND PARKER**

This was Item 51 on Agenda of September 17, 2003

55. Ordinance 2003-0873

ORDINANCE appropriating \$83,648.25 out of the Harris County Construction Fund for Greenbriar at Lexington Intersection Construction for the Department of Public Works & Engineering, N-0662-21-3

a. Motion 2003-1138 - Adopt

MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **PEDKO PAVING, INC** for Greenbriar at Lexington Intersection Construction for Department of Public Works & Engineering - \$79,665.00 and contingencies for a total amount not to exceed \$83,648.25

TAGGED BY COUNCIL MEMBER EDWARDS

These were Items 55 and 55A on Agenda of September 17, 2003

MATTERS HELD – continued

56. Motion 2003-1152 – Refer back to the Administration

ORDINANCE appropriating \$6,750,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of Neighborhood Sewer System Improvements under an engineering services contract between the City of Houston and **MONTGOMERY WATSON HARZA AMERICAS, INC** (approved by Ordinance No. 99-0855), CIP R-0544-01-2 (4751)

POSTPONED BY MOTION #2003-1132, 9/17/03

This was Item 58 on Agenda of September 17, 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

9/23/2003 – Council Member Galloway absent on personal business

9/24/2003 – Council Member Galloway absent on personal business