

**AGENDA - COUNCIL MEETING - TUESDAY - APRIL 20, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0388 to 2004-0417**  
**ORDINANCES – 2004-0296 to 2004-0342**  
**RESOLUTION – None**

**2004-0387-1**

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

**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 2004-0388 to 2004-0393 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - APRIL 21, 2004 - 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 2004-0394 – Close hearing**

City Council will conduct a review hearing under Section 370.002 of the Texas Local Government Code regarding the Juvenile Curfew Ordinance (Ch. 28, Art. V, City of Houston Code of Ordinances) to determine whether the Curfew Ordinance should be abolished, continued or modified. Copies of the Curfew Ordinance, applicable State Law and data provided by the Houston Police Department are available for inspection in the Office of the City Secretary

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 62**

**MISCELLANEOUS** - NUMBERS 2 through 5

**2. Motion 2004-0408**

REQUEST from Mayor for confirmation of the reappointment of the following to the **COASTAL WATER AUTHORITY**, for a term to expire March 31, 2006:

Position One - **MR. RICK CLOUTIER**

Position Two - **MS. DOROTHY WASHINGTON**

**Motion 2004-0395 – Suspend rules to consider Items 3, 69 and 34 out of order**

**3. Motion 2004-0397**

REQUEST from Mayor for confirmation of the appointment of **REV. JAMES DIXON** to the Board of Directors of the **METROPOLITAN TRANSIT AUTHORITY**, for a two year term

**4. Motion 2004-0407**

RECOMMENDATION from Director Department of Public Works & Engineering for additional allocation of \$60,000.00 on contract with **STORK SOUTHWESTERN LABORATORIES, INC** for Engineering and Testing Services for project Neighborhoods to Standard, Tier IX Overlay, GFS N-1037-02-3 (OL2039) - **DISTRICTS B - GALLOWAY; D - EDWARDS and I - ALVARADO**

**5. Motion 2004-0417**

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 12 in the amount of \$70,528.00 on contract with **THE TREVINO GROUP, INC** for Construction of Fire Station 27, GFS C-0072-01-3 - CDBG Funds - **DISTRICT H - GARCIA**

**DAMAGES** - NUMBER 6

**6. Council Member Goldberg tagged**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **WILLIAM G. STANLEY** vs. City of Houston, et al.; in the 295th Judicial District Court of Harris County, Texas; Cause No. 2003-16068 - \$45,000.00 - Property and Casualty Fund

**ACCEPT WORK** - NUMBER 7

**7. Motion 2004-0409**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$11,284,623.52 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Construction of 72-inch Water line along West 12th Street, N. Post Oak Road and Westview Drive from 1000 feet east of Hempstead Road to Silber Road - Contract 6E-2, GFS S-0900-72-3 (WA10645) - 00.12% over the original contract amount **DISTRICTS A - LAWRENCE; B - GALLOWAY and H - GARCIA**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 13

**8. Motion 2004-0410**

**AMEND MOTION #2001-592, 6//6/01, TO EXTEND** expiration date from June 15, 2004 to June 14, 2005, for Rolls-Royce Turbine Engine Replacement Parts, Overhaul and Exchange Contract for Police Department, awarded to **STANDARD AERO, INC**

**9. Council Member Galloway tagged**

ORDINANCE appropriating \$1,100,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 72-inch Sanitary Sewer Line at N. Braeswood and the Bintliff Ditch for the Public Works & Engineering Department - **DISTRICT C - GOLDBERG**

**PURCHASING AND TABULATION OF BIDS** - continued

- a. **Council Member Galloway tagged**  
**INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 72-inch Sanitary Sewer Line at N. Braeswood and the Bintliff Ditch for the Public Works & Engineering Department

**10. Council Member Galloway tagged**

ORDINANCE appropriating \$1,050,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 66-inch Sanitary Sewer Line at 655 Maxey Road for the Public Works & Engineering Department **DISTRICT I - ALVARADO**

- a. **Council Member Galloway tagged**

**INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 66-inch Sanitary Sewer Line at 655 Maxey Road for the Public Works & Engineering Department

**11. Council Members Galloway and Goldberg tagged**

ORDINANCE appropriating \$950,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 48-inch Sanitary Sewer Line at N. Braeswood and Loop 610 for the Public Works & Engineering Department - **DISTRICT C - GOLDBERG**

- a. **Council Members Galloway tagged**

**INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 48-inch Sanitary Sewer Line at N. Braeswood and Loop 610 for the Public Works & Engineering Department

**12. Ordinance 2004-0332**

ORDINANCE appropriating \$195,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for the Emergency Repair of the Renwick Force Main for the Public Works & Engineering Department - **DISTRICT C - GOLDBERG**

- a. **Motion 2004-0411**

**JALCO, INC** for Emergency Replacement of the Renwick Force Main in the 5500 Block of N. Braeswood for the Public Works & Engineering Department

**13. Council Member Wiseman tagged**

DECLARE **L & N UNIFORM SUPPLY CO.** in default and hold them non-responsible for one year due to failure to deliver complete shipments on award for Apparel Uniforms for Various Departments

**RESOLUTIONS AND ORDINANCES** - NUMBERS 14 through 62

**14. Council Member Wiseman tagged**

RESOLUTION relating to the Development of a Plan to end Homelessness

**15. Council Member Wiseman tagged**

ORDINANCE **AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to flood prone areas

**RESOLUTIONS AND ORDINANCES** - continued

**16. Council Member Goldberg tagged**

ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2004A; 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 Mayor and City Controller to approve the amounts, interest rates, prices and terms of such bonds, the bonds to be refunded thereby and certain other matters related thereto; 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, 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

**17. Ordinance 2004-0302**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a sanitary sewer easement containing 6,889 square feet of land, more or less, being located in the John Reinerman Survey, A-642, Harris County, Texas; vacating and abandoning said tract of land to Silver Eagle Distributors, L. P., the abutting owner, in consideration of owner's dedication of a sanitary sewer easement containing 13,682 square feet of land, more or less, and payment of \$300.00 and other consideration to the City - **DISTRICT G - HOLM**

**18. Ordinance 2004-0303**

ORDINANCE approving and authorizing consent to encroach, allowing the existing improvements owned by Paul A. Ladd and Carrie A. Ladd, the abutting owners, to encroach  $\pm 5$  feet into the 38-foot-wide alley, adjoining the property located at 717 West 17th Street, being Lots 39, 40 and the west  $\frac{1}{2}$  of 41, Block 124, Houston Heights Addition, Harris County, Texas; Parcel ENY2-01; subject to the terms and conditions of the consent to encroach

**19. Ordinance 2004-0304**

ORDINANCE consenting to the addition of 107.295 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district

**20. Ordinance 2004-0305**

ORDINANCE consenting to the addition of 5.1363 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 9**, for inclusion in its district

**21. Ordinance 2004-0333**

ORDINANCE releasing certain territory in Harris County in the vicinity of the City of Tomball, Texas, from the extraterritorial jurisdiction of the City of Houston

**22. Ordinance 2004-0306**

ORDINANCE establishing the north and south sides of the 600 and 700 blocks of East 12th Street and the south side of the 700 block of East 12th  $\frac{1}{2}$  Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**RESOLUTIONS AND ORDINANCES** - continued

**23. Ordinance 2004-0307**

ORDINANCE establishing the north and south sides of the 600 block of Wendel Avenue, the north and south sides of the 800 block of Sledge Street, the south side of the 700 block of Usener Boulevard, the north side of the 2000 and 2100 blocks of White Oak Drive, the west side of the 2600 block of Thelma Drive, the east and west sides of the 2600 block of Green Leaf Street, and the east side of the 2300 and 2600 blocks of Watson Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**24. Ordinance 2004-0308**

ORDINANCE establishing the south side of the 1000 and 1100 blocks of West Temple Street, the east and west sides of the 4000 block of Pineridge Street, and the west side of the 4000 block of Michaux Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**25. Council Member Galloway tagged**

ORDINANCE changing the name of Old Westheimer Road to West Houston Center Boulevard between Westheimer Road and Alief Clodine Road - **DISTRICT G - HOLM**

**26. Ordinance 2004-0334**

ORDINANCE issuing permit to **EXXONMOBIL OIL CORPORATION**, 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 - **DISTRICT E - WISEMAN**

**27. Council Members Ellis and Wiseman tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, PC** for Legal Services related to Centerpoint Energy's 2004 Stranded Costs True-up to be considered by the Public Utility Commission of Texas and other matters relating to the Electric Utility Rates of Centerpoint - \$1,500,000.00 Maximum contract - General Fund

**28. Council Member Wiseman tagged**

ORDINANCE amending Ordinance No. 99-521 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **CENTRAL LANDSCAPE MAINTENANCE** for Grounds Maintenance Services for the Health & Human Services Department - \$147,679.69 - General Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN; F - KHAN; H - GARCIA and I - ALVARADO**

**29. Council Member Goldberg tagged**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **J E SPECIALTIES, INC dba J & E ASSOCIATES** for Cleaning & Janitorial Services for the Health & Human Services Department (as approved by Ordinance No. 00-49) - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**Motion 2004-0412 – Suspend rules to hear Mr. Thomas Buchanan relative to Item 30**

**30. Council Members Quan and Sekula-Gibbs tagged**

ORDINANCE approving and authorizing contract between the City and **NOVUS WOOD GROUP, L.P.** for Residential Wood Waste Recycling; providing a maximum contract amount - 1 Year with four one-year renewals - \$250,000.00 - General Fund

**31. Ordinance 2004-0335**

ORDINANCE appropriating \$196,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing developer participation contract between the City of Houston and **KELLOGG BROWN & ROOT, INC** for Construction of Water Lines to serve the Greens Bayou Fabrication Yard Development, CIP R-0802-20-03 - **DISTRICT E - WISEMAN**

**32. Ordinance 2004-0309**

ORDINANCE approving and authorizing Waste Disposal Contract between the City of Houston and **K. MILL HOLDINGS, LTD.** and **K. MILL DEVELOPMENT, LTD.** on behalf of the proposed **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98** - Revenue

**33. Ordinance 2004-0310**

ORDINANCE approving and authorizing treated water supply contract between the City of Houston and **K. MILL HOLDINGS, LTD.** and **K. MILL DEVELOPMENT, LTD.** on behalf of the proposed **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98** - Revenue

**Motion 2004-0399 – Postpone Item 34 to the end of the Agenda**

**34. Council Members Holm and Khan tagged**

ORDINANCE appropriating \$234,000.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **EPSILON ENGINEERING, INC** for Two Neighborhood Depositories for Solid Waste Management, CIP L-0043-01-2; providing funding for contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; H - GARCIA and I - ALVARADO**

**35. Ordinance 2004-0311**

ORDINANCE appropriating \$439,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **JAYMARK ENGINEERING CORPORATION** for Design of Water Line Replacement in the Junction City Area, CIP S-0035-C5-2 (WA10787); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

**36. Ordinance 2004-0312**

ORDINANCE awarding construction contract to **RAY SMITH CONSTRUCTION, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Regents Village Subdivision; approving and authorizing assignment of the construction contract to Regents Park Associates, LTD., CIP S-0800-93-03 and R-0800-93-03 (DPC-032) - **DISTRICT F - KHAN**

**RESOLUTIONS AND ORDINANCES** - continued

**37. Ordinance 2004-0336**

ORDINANCE appropriating \$284,662.45 out of General Improvement Consolidated Construction Fund, awarding construction contract to **C. F. MCDONALD ELECTRIC, INC** for Construction of IT Department Low Voltage Feeders for Core Facilities, GFS D-0113-05-03; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT I - ALVARADO**

**38. Ordinance 2004-0313**

ORDINANCE appropriating \$252,500.00 out of Airport System 2000 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon out of Greenview Manor Sections Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-27.1; approving purchase and sale agreements with the owners of the land (Everardo Barriga and Beatriz Barriga; and Noel Sanchez and Graciela G. Gonzalez) - **DISTRICT B - GALLOWAY**

**39. Ordinance 2004-0314**

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 **CHARTERWOOD MUNICIPAL UTILITY DISTRICT** to enter into an amendment to a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **CHARTERWOOD MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

**40. Ordinance 2004-0315**

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 **FALLBROOK 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 **FALLBROOK UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

**41. Ordinance 2004-0316**

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 **FAULKEY GULLY 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 **FAULKEY GULLY MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of **FAULKEY GULLY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

**42. Ordinance 2004-0317**

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 **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 50** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 50** and certain territory located in the vicinity of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 50**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

**RESOLUTIONS AND ORDINANCES** - continued

**43. Ordinance 2004-0318**

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 **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 35** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 35**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

**44. Ordinance 2004-0319**

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 **GRAND LAKES WATER CONTROL AND IMPROVEMENT 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 **GRAND LAKES WATER CONTROL AND IMPROVEMENT DISTRICT**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

**45. Ordinance 2004-0320**

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 **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT 52** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT 52**, in Harris County, Texas; providing for the publication of notice of such hearings

**46. Ordinance 2004-0321**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 102** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 102**, in Harris County, Texas; providing for the publication of notice of such hearings

**47. Ordinance 2004-0322**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 147** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 147** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 147**, in Harris County, Texas; providing for the publication of notice of such hearings

**48. Ordinance 2004-0323**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 150** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 150** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 150**, in Harris County, Texas; providing for the publication of notice of such hearings



**RESOLUTIONS AND ORDINANCES** - continued

**49. Ordinance 2004-0324**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 211** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 211**, in Harris County, Texas; providing for the publication of notice of such hearings

**50. Ordinance 2004-0325**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 233** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 233** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 233**, in Harris County, Texas; providing for the publication of notice of such hearings

**51. Ordinance 2004-0326**

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 **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 248** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 248** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 248**, in Harris County, Texas; providing for the publication of notice of such hearings

**52. Ordinance 2004-0327**

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 **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 116** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 116** and certain territory located in the vicinity of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 116**, in Harris County, Texas; providing for the publication of notice of such hearings

**53. Ordinance 2004-0328**

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 **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 36** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 36** and certain territory located in the vicinity of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 36**, in Harris County, Texas; providing for the publication of notice of such hearings

**54. Pulled-Not Considered**

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 **KINGSBRIDGE 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 **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

**RESOLUTIONS AND ORDINANCES** - continued

**55. Ordinance 2004-0329**

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 **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 20** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 20**, in Harris County, Texas; providing for the publication of notice of such hearings

**56. Ordinance 2004-0330**

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 **REID ROAD MUNICIPAL UTILITY DISTRICT 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 **REID ROAD MUNICIPAL UTILITY DISTRICT 1** and certain territory located in the vicinity of **REID ROAD MUNICIPAL UTILITY DISTRICT 1**, in Harris County, Texas; providing for the publication of notice of such hearings

**57. Ordinance 2004-0331**

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 **WESTLAKE MUNICIPAL UTILITY DISTRICT 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 **WESTLAKE MUNICIPAL UTILITY DISTRICT 1** and certain territory located in the vicinity of **WESTLAKE MUNICIPAL UTILITY DISTRICT 1**, in Harris County, Texas; providing for the publication of notice of such hearings

**Motion 2004-0400 – Suspend rules to consider Item 58 out of order**

**58. Ordinance 2004-0296**

ORDINANCE relating to the composition of the Board of Directors of the Houston Convention Center Hotel Corporation; approving a second amendment to the Articles of Incorporation, confirming Richard J. Campo as a member and as the Chairman of the Board of Directors, and containing other provisions relating to the subject

**Motion 2004-0396 – Suspend rules to consider Item 59 out of order**

**59. Council Members Holm, Garcia, Alvarado, Wiseman, Galloway, Sekula-Gibbs, Khan, Quan, Edwards and Green tagged**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Towing of Vehicles and the Operation of Auto Wreckers; authorizing the Chief of Police to enter into agreements for Police authorized Major Freeway Vehicle Tows, providing for procedures, fees, and other requirements for certain vehicle tows and containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful; providing for severability

**60. Ordinance 2004-0337**

ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Booting Fees for Parking Citation Enforcement; containing findings and other provisions relating to the foregoing subject; providing for severability

**RESOLUTIONS AND ORDINANCES** - continued

**61. Council Members Alvarado, Galloway, Quan, Khan and Sekula-Gibbs tagged**  
ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Truck Loading Zones; containing findings and other provisions relating to the foregoing subject; providing for severability

**62. Council Members Garcia and Galloway tagged**  
ORDINANCE relating to Impairments and Obstructions of Roadways and Sidewalks; **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability

**END OF CONSENT AGENDA**

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

**Motion 2004-0414 – Suspend rules to remain in session beyond the scheduled 12 noon recess**

**MATTERS HELD** - NUMBERS 63 through 70D

**63. Motion 2004-0413**  
RECOMMENDATION from Director Houston Airport System for approval of membership fees in Industry Organizations (Airport Council International & American Association of Airport Executives) for the period January 1, 2004 through December 31, 2004 - \$177,200.00 Enterprise Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 2 on Agenda of April 14, 2004

**Motion 2004-0415 – Amend Item 64 as follows:**

(b) When the alternate appraiser will be substituted for one of the regularly appointed appraiser, the director of public works and engineering or an authorized deputy or assistant director will notify city council in writing of the substitution

**64. Ordinance 2004-0338 – Adopt as amended**  
ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Appointment of Alternate Appraisers for certain real estate transactions; containing findings and other provisions relating to the foregoing subject; providing for severability  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 11 on Agenda of April 14, 2004

**65. Ordinance 2004-0339**  
ORDINANCE appropriating \$1,000,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing City of Houston to enter into contract with **HOUSING AUTHORITY OF THE CITY OF HOUSTON**, to provide funding for Handicap Accessibility Improvements to various public housing developments - **DISTRICTS B - GALLOWAY; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO**  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 18 on Agenda of April 14, 2004

**MATTERS HELD** – continued

**66. Ordinance 2004-0340**

ORDINANCE appropriating \$552,555.00 out of Airport System Consolidated 2000 AMT Construction Bond Fund; authorizing the expenditure of \$1,493,945.00 out of funds appropriated by Ordinance 2003-664; approving the purchase of approximately 55.55 acres of land out of the J. B. Brockman Surveys, A-1647 and A-1648, Houston, Harris County, Texas, for the Expansion of Hobby Airport CIP A-0170 and the Jahnke Fire Training Facility, CIP C-0068; approving purchase and sale agreement with **LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.**, to acquire the land - **DISTRICT E - WISEMAN**  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 19 on Agenda of April 14, 2004

**67. Ordinance 2004-0341**

ORDINANCE appropriating \$450,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional traffic engineering services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Signal Timing Optimization and Implementation, GFS N-0650-16-2 (SB9050-04); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund  
**TAGGED BY COUNCIL MEMBER GOLDBERG**  
This was Item 31 on Agenda of April 14, 2004

**68. Ordinance 2004-0342**

ORDINANCE appropriating \$330,000.00 out of the Street & Bridge Consolidated Construction Fund as an additional appropriating under professional engineering services contract between the City and **SADEGHPOUR & ASSOCIATES, INC d/b/a SCIENTECH** (approved by Ordinance No. 2000-0077) CIP N-0445-N-20-2 (SB9005) - \$292,096.00 - General Fund  
**TAGGED BY COUNCIL MEMBER GREEN**  
This was Item 33 on Agenda of April 14, 2004

**69. Motion 2004-0398 – Postone two (2) weeks**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the payment of fines for citations issued for parking violations on rental vehicles  
**POSTPONED BY MOTION #2004-371, 4/15/04**  
This was Item 39 on Agenda of April 14, 2004

**Motion 2004-0401 – Suspend rules to consider Items 70, 70a, 70b, 70c and 70d out of order**

**70. Ordinance 2004-0297**

ORDINANCE relating to charges and terms of service for Water and Wastewater Service; **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** and containing finding and other provisions relating to the foregoing subject; providing a repealing clause; providing for severability  
**TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, WISEMAN and GARCIA**  
This was Item 36 on Agenda of April 14, 2004

**a. Ordinance 2004-0298**

ORDINANCE authorizing and providing for certain amendments to the City of Houston, Texas, Water & Sewer System Bond Ordinance; making other provisions regarding such amendments and matters incident thereto; and declaring an emergency  
**TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, SEKULA-GIBBS, QUAN and KHAN**  
This was Item 36A on Agenda of April 14, 2004

MATTERS HELD – continued

**Motion 2004-0402 – Amend Item 70b as follows:**

- (g) **Drainage Purposes.** For planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to the system or network of storm water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basin, infiltration facilities, and other components, including, without limitation, the costs of developing, implementing, and enforcing a storm water management program to reduce the discharge of pollutants from the City's storm sewer system and protect water quality, and the costs related to obtaining, renewing, or maintaining any required permits related to the operation of the storm sewer system, and also including payment of debt service on bonds, notes, or other obligations issued for the purposes listed in this paragraph (g); provided that the aggregate amount withdrawn from the General Purpose Fund pursuant to this paragraph (g) during any Fiscal Year shall not exceed 8% of the Gross Revenues of the System for the immediately preceding Fiscal Year.

**Motion 2004-0403 – Call the question on motion by Council Member Goldberg to amend Item 70b**

**Motion 2004-0404 – Suspend rules to hear from a representative of the Financial Advisors on Item 70b proposed amendment**

**Motion 2004-0405 – Motion to amend Item 70b as follows:**

**Section 5.2. Rates and Charges, Subsection (b):**

**Change the following language: "...shall be adjusted based on the percentage change (if any) in the Designated Index or other appropriate index for the preceding calendar year."**

**To read as follows: "...may be adjusted upon a majority vote of the City Council of the City."**

**FAILED**

**b. Ordinance 2004-0299 – Adopt as amended**

ORDINANCE providing for issuance of City of Houston, Texas, Combined Utility System Revenue Obligations, providing for the payment thereof; making other provisions regarding such obligations and matters incident thereto, including covenants and agreements relating to the operation and management of the Combined Utility System, the revenues derived from its operation and ownership, the establishment and maintenance of funds and accounts for the payment of such obligations, specifying the terms and conditions for the issuance of such obligations and other matters incident and related to their issuance and security - **TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, SEKULA-GIBBS, QUAN, KHAN and GARCIA**  
This was Item 36B on Agenda of April 14, 2004

**Motion 2004-0406 – Amend Item 70c as follows:**

The investment banking team recommend for the use of the above items, (known as the "Series 2004A Bonds") will also include the firm of Estrade Hinojosa Co. Inc. as co managers.

**MATTERS HELD** – continued

**c. Ordinance 2004-0300 – Adopt as amended**

ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds in several series designations, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain Water and Sewer System Commercial Paper Notes and certain Water and Sewer System outstanding bonds; authorizing the execution and delivery of Escrow Agreements; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing qualified Hedge Agreements with respect to the bonds; authorizing Bond Insurance, Reserve Fund Surety Policies, Escrow Verification and Engagement of Escrow Agents, a Co-bond Counsel Agreement, Special Disclosure Co-counsel Agreement Supplemental Financial Advisor Agreement, Swap Advisor Agreement, and agreements with respect to payment of Bond Counsel and Financial Advisor Fees of the Texas Water Development Board; authorizing execution and delivery of a Paying Agent/Registrar Agreement - **TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, GARCIA, SEKULA-GIBBS, KHAN and QUAN**

This was Item 36C on Agenda of April 14, 2004

**d. Ordinance 2004-0301**

ORDINANCE ratifying and confirming the Stormwater Utility Fund, as previously created, amending prior Ordinances related to such fund, renaming and modifying the purposes for which such fund may be used; rescinding the prior funding sources of such fund; providing that all transfers from the General Purpose Fund under the combined utility system Ordinance be made to the re-named Stormwater Fund - **TAGGED BY COUNCIL MEMBERS LAWRENCE, WISEMAN, HOLM, SEKULA-GIBBS, QUAN and KHAN**

This was Item 36D on Agenda of April 14, 2004

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Sekula-Gibbs 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

**4/20/2004 – Council Member Berry absent on personal business**

**4/21/2004 – All Present**