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

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
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 ±5 feet into the 38-foot-wide alley, adjoining the property located at 717 West 17th Street, being Lots 39, 40 and the west ½ 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 ½ 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 Greenvue 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 FAULKKEY 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 FAULKKEY GULLY MUNICIPAL UTILITY DISTRICT and certain territory located in the vicinity of FAULKKEY 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
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