

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 3, 2004 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-1101 to 2004-1128
ORDINANCES – 2004-1096 to 2004-1132
RESOLUTION – 2004-0021

2004-1100-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Wiseman

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

MAYOR'S REPORTS - Municipal Court Reforms

Motion 2004-1101 – Suspend rules to hear financial report first

Motion 2004-1102 – Accept reports

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

CONSENT AGENDA NUMBERS 1 through 70

MISCELLANEOUS - NUMBERS 1 through 8

1. Pulled-Not Considered

REQUEST from Mayor for confirmation of the appointment of **MS. ELIZABETH LYNN** (Humble Independent School District Representative) to Position 7 of the **LAKE HOUSTON REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2005

MISCELLANEOUS - continued

2. Motion 2004-1103

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

Position 1 - **MR. JAMES D. SHANKS**, reappointment, for a term to expire 12/31/2005

Position 2 - **MS. DIANA MORALES TAYLOR**, appointment, for a term to expire 12/31/2004

Position 3 - **MR. JOSEPH L. STUNJA**, reappointment, for a term to expire 12/31/2005 and to serve as Chair for a term ending 12/31/2004

Position 4 - **MR. JOSEPH A. CLEARY, JR.**, appointment, for a term to expire 12/31/2004

Position 5 - **MR. MICHAEL FRAZIER**, reappointment, for a term to expire 12/31/2005

3. Motion 2004-1104

REQUEST from Mayor for confirmation of the appointment of **MR. RUSSELL JACKSON** (Houston Independent School District Representative) to Position 6 of the **UPPER KIRBY REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire July 20, 2005

4. Motion 2004-1105

REQUEST from Mayor for confirmation of the appointment of **MR. ARTHUR M. LINCOLN**, to serve as Part-Time Municipal Court Judge, for a term to expire two years from the date of appointment

5. Motion 2004-1106

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

6. Motion 2004-1121

RECOMMENDATION from City Attorney for settlement of Civil Action No. H-97-3471, Vela, et al v. the City of Houston and authorize execution of related documents - \$79,725,000.00 Judgment Bond Funds

7. Motion 2004-1107

RECOMMENDATION from Chief of Police for Extension of Injury on Duty Leave for Officer **ROBERT DOYLE**

8. Motion 2004-1108

RECOMMENDATION from Chief of Police for Extension of Injury on Duty Leave for Officer **LEROY U. WEAVER**

ACCEPT WORK - NUMBERS 9 through 12

9. Council Members Galloway, Garcia, Green and Alvarado tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,510,774.87 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-P5-3 (4235-17) - 00.95% over the original contract amount

10. Council Members Galloway, Alvarado, Green, Garcia and Quan tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,352,176.95 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-T2-3 (4235-19) - 00.33% under the original contract amount

ACCEPT WORK - continued

11. Motion 2004-1114

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$417,926.00 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Millbanks Lift Station Rehabilitation, GFS R-0267-77-3 (4276-37) - 00.32% under the original contract amount - **DISTRICT C - GOLDBERG**

12. Motion 2004-1115

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,193,927.92 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Construction of 84-inch Water Line along West 24th Street from Durham Drive to Airline Drive, GFS S-0900-65-3 (WA10638) - 09.19% over the original contract amount - **DISTRICT H - GARCIA**

PROPERTY - NUMBERS 13 through 15

13. Ordinance 2004-1096

ORDINANCE appropriating \$95,639.00 out of Water & Sewer System Consolidated Construction Fund Number 755 to pay the amount needed to settle this case and pay the City's costs of court in connection with the eminent domain proceeding styled City of Houston v. Kirby 610 Tech, Ltd., a Texas limited partnership, et al., to acquire Parcel Number CY1-1, for the Kirby No. 3 Lift Station Project; GFS/CIP R-0267-65-1 - **DISTRICT D - EDWARDS**

a. Motion 2004-1116

RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Kirby 610 Tech, Ltd., a Texas limited partnership, et al.; Cause No. 776,689; for a total amount of \$100,000.00 and pay the City's costs of court, in connection with **KIRBY NO. 3 LIFT STATION PROJECT**; GFS/CIP R-0267-65-1 - **DISTRICT D - EDWARDS**

14. Motion 2004-1117

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Yvette Palomo, on behalf of Rose K. Cemino and Anna M. Allen, declining the acceptance of, rejecting, and refusing the dedication of a 30-foot-wide unnamed road, from Taft Street to Rhode Place, Settegast and Rohde Subdivision, Parcel SY5-013 - **DISTRICT I - ALVARADO**

15. Motion 2004-1118

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower of Brown & Gay Engineers, Inc, on behalf of Vista Equities Group, Inc. (Woody Mann Jr., president), declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide sanitary sewer easement, from Almeda Road east to its terminus at Old Brays Bayou Channel, out of a ±4.74-acre tract, located within the G. P. Foster Survey, Abstract 273, and recorded in Volume 785, Page 715, Harris County Deed Records, Parcel SY5-017 - **DISTRICT D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 through 21

16. Motion 2004-1119

GRAYBAR ELECTRIC CO. - \$686,916.79 and **CITY BUILD UTILITY SUPPLY** - \$93,536.00 for Communication Cable and Supplies for Information Technology Department - Central Service Revolving Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Motion 2004-1122

TELECOM REMARKETING CORP. OF AMERICA - \$561,814.60, **GRAYBAR ELECTRIC CO.** \$499,849.90, **DC SERVICES, LLC** - \$408,587.00 and **LANTANA COMMUNICATIONS** \$430,689.00 for Telephone Equipment Contract for Information Technology Department \$1,900,940.50 - Central Service Revolving Fund

18. Motion 2004-1123

AMEND MOTION #2001-1281, 11/28/01, TO EXTEND expiration date from November 28, 2004 to November 27, 2006, for Mountain Bikes Contract for Houston Police Department, awarded to **BOWLING BICYCLES, INC**

19. Motion 2004-1124

AMEND MOTION #2000-1367, 11/8/00, as amended by #2003-1219, 10/15/03, TO EXTEND expiration date from November 9, 2004 to November 8, 2005, and **TO INCREASE** spending authority from \$2,277,880.00 to \$2,847,350.00, for Chemical, Liquid Ferrous Iron Solution Contract for Department of Public Works & Engineering, awarded to **KEMIRON NORTH AMERICA CORP.**

20. Motion 2004-1125

PMO LINK for Professional Services to provide for development of a Comprehensive Process Management System - \$37,200.00 - Enterprise Fund

21. Motion 2004-1120

AMEND MOTION #2000-1336, 11/1/00, as amended by #2003-1220, 10/15/03, TO EXTEND expiration date from November 6, 2004 to November 5, 2006, for Industrial, Medical and Specialty Gases Contract for Various Departments, awarded to **AIRGAS SOUTHWEST, INC**

ORDINANCES - NUMBERS 22 through 70

Motion 2004-1109 – Suspend rules to consider Items 22, 24, 25 and 71 out of order

22. Council Members Edwards, Wiseman and Galloway tagged

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2004-0845) to amend the Master Pay Structure amending the City's Authorized list of Job Classifications by changing the pay grade of five specialized classifications; substituting the amended exhibits as part of the current Master Classifications Listing

23. Council Members Wiseman, Khan, Garcia and Sekula-Gibbs tagged

ORDINANCE **AMENDING SECTION 9-4 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, authorizing the Director of the Houston Airport System to execute License Agreements on behalf of the City

24. Motion 2004-1110 – Refer to Governance Committee

ORDINANCE **AMENDING THE CODE OF ORDINANCE, HOUSTON, TEXAS**, relating to the term Department Director; containing other provisions relating thereto; providing for severability

25. Motion 2004-1111 – Refer to Governance Committee

ORDINANCE **AMENDING SECTION 14-182 OF THE CODE OF ORDINANCE, HOUSTON, TEXAS**, relating to Removal, Demotion and Suspension of Employees; providing for severability

ORDINANCES - continued

Motion 2004-1112 – Suspend rules to remain in session beyond the scheduled 12 noon recess to complete the Agenda

26. Ordinance 2004-1121

ORDINANCE authorizing issuance of the City of Houston Taxable Pension Obligation Note; making other findings and provisions relating to the subject and matters incident thereto

27. Ordinance 2004-1122

ORDINANCE approving and authorizing agreement between the City and **VALIC RETIREMENT SERVICES COMPANY** for Police Deferred Compensation Plan Administration Services; approving and authorizing agreement with AIG Federal Savings Bank for Section 457 Police Custodial Account Services; approving and authorizing Police Deferred Compensation Plan

28. Ordinance 2004-1097

ORDINANCE approving and authorizing lease agreement between the City of Houston and **TEX-AIR HELICOPTERS, INC** for Certain Premises at William P. Hobby Airport - **DISTRICT I - ALVARADO**

29. Ordinance 2004-1098

ORDINANCE accepting the KGA Art Bench for placement in the Bob Lanier Public Works and Engineering Building and approving and authorizing an agreement between the City of Houston and **PETER AND ALISON BAUMANN** for Donation of such work of art - **DISTRICT I - ALVARADO**

30. Council Members Wiseman and Garcia tagged

ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty; providing for severability; containing a repealer; containing a savings clause

31. Council Member Garcia tagged

ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of five (5) Independent School Districts [**ALIEF ISD, CLEAR CREEK ISD, HOUSTON ISD, NORTH FOREST ISD** and **SPRING BRANCH ISD**] and with each of two (2) Non-profit Organizations [**NEW MOUNT CALVARY MINISTRIES, INC** and **YOUTH CAMP OF EXCELLENCE, INC**] to administer an After School Achievement Program ("ASAP") - \$1,530,749.00 - General, Grant and Housing Special Revenue Funds

32. Council Members Quan and Garcia tagged

ORDINANCE approving and authorizing a first amendment to rights and duties of City and County under Urban Redevelopment Interlocal Agreement regarding inclusion of additional properties for redevelopment; containing findings and other provisions relating to the subject

33. Ordinance 2004-1123

ORDINANCE approving and authorizing twelfth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$575,100.00 from the Community Development Block Grant Program for the Administration of a Child Care Program

ORDINANCES - continued

34. Ordinance 2004-1124

ORDINANCE approving and authorizing thirteenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$815,000.00 from the Community Development Block Grant Program for the Administration of a Juvenile Delinquency Prevention Program

35. Ordinance 2004-1125

ORDINANCE approving and authorizing first amendment to Professional Services Contract No. 54381, between the City of Houston and **JOHN HALL PUBLIC AFFAIRS, INC** (approved by Ordinance No. 02-0810) for Consulting Services related to the implementation of the Federal Clean Air Act

36. Ordinance 2004-1099

ORDINANCE approving and authorizing amendment to sponsorship agreement approved by Ordinance No. 98-651 with **INDIAN TRAIL MAINTENANCE FUND** for Solid Waste Collection Services - 11 Months - \$264.00 - **DISTRICT G - HOLM**

37. Ordinance 2004-1126

ORDINANCE appropriating \$214,413.00 out of Street & Bridge Consolidated Construction Fund (437) for relocation of electrical facilities in connection with the Central Street Grade Separation Project (N-0676-01); approving an agreement for Utility Relocation Services with **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** - **DISTRICT I - ALVARADO**

38. Pulled-Not Considered

ORDINANCE approving and authorizing a Pipeline Reimbursement Agreement between **HOUSTON PIPELINE COMPANY** and the City of Houston, not to exceed \$170,700.00 from the Series E Commercial Paper Metro Project Fund, Fund No 49M, related to the Kirkwood Road Improvements for Bellaire Boulevard to Alief Clodine Road, for additional Steel Casings around the pipeline and appurtenances to be constructed in the existing easement owned by Houston Pipeline Company (GFS N-0575-02-2 - SB9066) - **DISTRICT F - KHAN**

39. Ordinance 2004-1100

ORDINANCE appropriating \$36,681.75 out of Street & Bridge Consolidated Construction Fund (437) for removal or relocation of pipelines for the El Dorado Boulevard Extension Project; GFS N-0712-01-3 (SB9170-01); approving a reimbursement agreement with **EXXONMOBILE PIPELINE COMPANY** - **DISTRICT E - WISEMAN**

40. Ordinance 2004-1101

ORDINANCE appropriating \$146,986.35 out of Street & Bridge Consolidated Construction Fund (437) for removal or relocation of pipelines for the El Dorado Boulevard Extension Project; GFS N-0712-01-3 (SB9170-01); approving a reimbursement agreement with **GENESIS PIPELINE TEXAS, L.P.** - **DISTRICT E - WISEMAN**

41. Ordinance 2004-1102

ORDINANCE appropriating \$80,262.00 out of Street & Bridge Consolidated Construction Fund (437) for removal or relocation of pipelines for the El Dorado Boulevard Extension Project; GFS N-0712-01-3 (SB9170-01); approving a reimbursement agreement with **SEMPIPE, L.P.** **DISTRICT E - WISEMAN**

ORDINANCES - continued

42. Ordinance 2004-1103

ORDINANCE appropriating \$157,664.00 out of Water & Sewer System Consolidated Construction Fund, appropriating \$141,000.00 out of the TIRZ Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for the construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Phase One of the Clearwood Landing Subdivision; CIP S-0800-E8-03 and R-0800-E8-03 - **DISTRICT E - WISEMAN**

43. Ordinance 2004-1104

ORDINANCE appropriating \$162,863.00 out of Water & Sewer System Consolidated Construction Fund and appropriating \$165,000.00 out of the TIRZ Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Phase Two of the Clearwood Landing Subdivision; CIP S-0800-E9-03 and R-0800-E9-03 - **DISTRICT E - WISEMAN**

44. Ordinance 2004-1105

ORDINANCE appropriating \$142,518.00 out of Water & Sewer System Consolidated Construction Fund, appropriating \$180,000.00 out of the TIRZ Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for the construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Mills Landing Subdivision; CIP S-0800-E5-03 and R-0800-E5-03 - **DISTRICT A - LAWRENCE**

45. Ordinance 2004-1106

ORDINANCE approving and authorizing amendment No. 2 to Contract No. C50015 between the City of Houston and **WACKENHUT CORPORATION** for Security Guard Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; one year \$7,154,743.00 - Enterprise Fund

46. Ordinance 2004-1107

ORDINANCE appropriating \$97,000.00 out of Fire Consolidated Construction Fund and \$150,000.00 out of Public Library Consolidated Construction Fund as an additional appropriation for project management support and construction management services for facilities under a program management contract with **GREYHAWK NORTH AMERICA, LLC** (approved by Ordinance No. 2003-0452) CIP E-0143-01-5 and C-0148-01-5

47. Council Members Green, Khan, Garcia, Galloway and Quan tagged

ORDINANCE appropriating \$764,948.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF SOLUTIONS, INC dba CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, GFS R-0266-B5-3 (WW4277-19); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

48. Council Members Green, Galloway, Khan, Garcia and Quan tagged

ORDINANCE appropriating \$759,773.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF SOLUTIONS, INC dba CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, GFS R-0266-B8-3 (WW4277-22); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

49. Council Members Green, Khan, Garcia, Galloway and Quan tagged

ORDINANCE appropriating \$758,951.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF SOLUTIONS, INC dba CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, GFS R-0266-B9-3 (WW4277-23); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

50. Council Members Green, Khan, Garcia, Galloway and Quan tagged

ORDINANCE appropriating \$758,951.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF SOLUTIONS, INC dba CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, GFS R-0266-C7-3 (WW4277-24); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

51. Council Member Green, Khan, Garcia, Galloway and Quan tagged

ORDINANCE appropriating \$759,362.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF SOLUTIONS, INC dba CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, GFS R-0266-C8-3 (WW4277-25); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

52. Ordinance 2004-1108

ORDINANCE appropriating \$4,299,058.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-D8-3 (WW4257-61); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

53. Ordinance 2004-1127

ORDINANCE appropriating \$4,275,916.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-D9-3 (WW4257-62); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

54. Council Member Galloway tagged

ORDINANCE appropriating \$4,275,916.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-E1-3 (WW4257-63); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

55. Council Member Galloway tagged

ORDINANCE appropriating \$4,253,631.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0295-04-3 (WW4257-64); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

56. Ordinance 2004-1109

ORDINANCE appropriating \$4,254,489.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0295-05-3 (WW4257-65); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

57. Ordinance 2004-1110

ORDINANCE appropriating \$1,073,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** for Water Main Extension Package 2, GFS S-0700-57-3 (WA10740); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; G - HOLM and H - GARCIA**

58. Council Members Quan and Goldberg

ORDINANCE approving the purchase of 1.435 acres of land out of the O. Smith Survey, Abstract 696, Harris County, Texas, being all of Lots 1, 2, 3, and 4, Block 8, Hadley and Franklin's Addition for the Construction of the New Downtown fire Station 1 (CIP C-0149-01-1-2, \$4,770,000.00 – Fire Consolidated Construction Fund 413), and approving a purchase and sale agreement with Frederick R. McCord, Trustee, to acquire the land for a purchase price, including closing costs, which does not exceed the sum previously appropriated; making various findings and provisions related thereto - **DISTRICT I - ALVARADO**

59. Ordinance 2004-1111

ORDINANCE approving and authorizing amendment to Advanced Funding Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION** for West Brays Bayou West Trail - Phase 1 (approved by Ordinance No. 95-1290); CIP N-0420-05-2 (SB9163-01) **DISTRICTS C - GOLDBERG and F - KHAN**

60. Ordinance 2004-1112

ORDINANCE approving and authorizing amendment to Advanced Funding Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION** for East Brays Bayou Hike and Bike Trail (approved by Ordinance No. 95-1290); CIP N-0420-07-2 - **DISTRICT D - EDWARDS**

61. Ordinance 2004-1113

ORDINANCE approving and authorizing third amendment to Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Herman Brown Park Hike and Bike Trail Project, Phase II (approved by Ordinance No. 95-1290) and amendments one and two approved by Ordinance Nos. 97-935 and 98-1071 respectfully; CIP N-0420-15A-2 (SB9146-02) - **DISTRICT I - ALVARADO**

ORDINANCES - continued

62. Ordinance 2004-1114

ORDINANCE amending Ordinance No. 2002-0843 to substitute a revised Advanced Funding Agreement for the previously approved Advanced Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Columbia Tap Union Station Shared Use Trail (approved by Ordinance No. 2002-0843); CIP N-0420-37-2 (SB9122) **DISTRICT I - ALVARADO**

63. Ordinance 2004-1115

ORDINANCE amending Ordinance No. 2002-0843 to substitute a revised advanced funding agreement for the previously approved advanced funding agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION** for Westchase District Trail (approved by Ordinance No. 2002-0843) - **DISTRICT G - HOLM**

64. Ordinance 2004-1116

ORDINANCE approving and authorizing Memorandum of Agreement by and between the City of Houston and the **FEDERAL AVIATION ADMINISTRATION (FAA)** for the Reimbursement of certain costs by the FAA on Project 566B at William P. Hobby Airport - **DISTRICT I - ALVARADO**

65. Ordinance 2004-1117

ORDINANCE approving and authorizing amendment No 1 to the Toll Road/Airport Connector Agreement between the City of Houston and **HARRIS COUNTY, TEXAS**, to execute the Hardy Toll Road Airport Connector Enhancement Project; containing provisions relating to the subject \$150,00000 - Enterprise Fund - **DISTRICT B - GALLOWAY**

66. Ordinance 2004-1118

ORDINANCE appropriating \$763,500.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase and condemnation of land and improvements thereon out of Greenview Manor Sections One, Two and Three, and Greenview Manor Section One partial replat, No. One, Mcauley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; (CIP A-0476-49.1) approving purchase and sale agreement with the owners of the land (Nancy Ledezma Alvarez and Juan Alvarez, Calvin Barefield, Arthur Garcia Gonzales, and Teddy Wylie Williams) **DISTRICT B - GALLOWAY**

67. Ordinance 2004-1119

ORDINANCE appropriating \$182,500.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998C NON-AMT (536); authorizing the purchase of land and improvements thereon out of Greenview Manor Sections One and Two, Mcauley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; (CIP A-0476-51.1) approving purchase and sale agreements with the owners of the land (Juana J. Amaya, and Darrell L. Lucas and Hilda T. Lucas); - **DISTRICT B - GALLOWAY**

68. Ordinance 2004-1120

ORDINANCE appropriating \$29,881,000.00 out of Airports Improvement Fund and awarding construction contract to **WW WEBBER INC** for SMGCS/Civil Site Work for the Instrument Landing Systems Category III for Runway 4-22, Project No 566B, CIP No. A-0385, and Airfield Pavement Rehabilitation, Project No. 566, CIP No. A-0385, at William P Hobby Airport; providing funding and engineering testing services for contingencies relating to construction of facilities financed by such funds - **DISTRICTS E - WISEMAN and I - ALVARADO**

ORDINANCES - continued

69. Council Member Wiseman tagged

ORDINANCE appropriating \$2,411,926.00 out of Equipment Acquisition Consolidated Fund for the purchase of FY2005 Rolling Stock and Other Equipment

70. Council Member Wiseman tagged

ORDINANCE appropriating \$7,567,890.00 out of Equipment Acquisition Consolidated Fund for the purchase of FY2005 IT Hardware, Software and Projects

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 71 through 79

71. Motion 2004-1113 – Postpone two (2) weeks

ORDINANCE relating to Health Care Benefits for city retirees, deferred retirees, survivors and certain dependents; approving and authorizing various agreements regarding Medicare Managed Care Plans for the aforementioned beneficiaries, approving maximum contract amounts 1 Year with 4 one-year options - \$9,000,000.00 (Total for two contracts)

POSTPONED BY MOTION #2004-1082, 10/13/04

This was Item 44 on Agenda of October 13, 2004

72. Motion 2004-1126

RECOMMENDATION from Finance & Administration Department to **AMEND MOTION #2000-1503, 12/13/00, as amended by Motion 2003-1422, 11/25/03, TO EXTEND** expiration date from December 13, 2004 to December 12, 2005, for Turbine and Magnetic Type Water Meters Contract for Department of Public Works & Engineering, awarded to **NEPTUNE TECHNOLOGY GROUP, INC (formerly SCHLUMBERGER RESOURCE MANAGEMENT SERVICES, INC) - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 8 on Agenda of October 20, 2004

73. Motion 2004-1127

RECOMMENDATION from Finance & Administration Department to **AMEND MOTION #2003-252, 3/5/03, TO INCREASE** spending authority from \$462,500.00 to \$647,500.00, for Equipment, Special Truck and Body, Part II, Contract for Solid Waste Management Department, awarded to **MCNEILUS COMPANIES** - \$185,000.00 - General Fund

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 9 on Agenda of October 20, 2004

MATTERS HELD - continued

74. Ordinance 2004-1128

ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2004B; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the Mayor and City Controller to accept and execute the winning bid for the bonds, approve the amounts, interest rates, prices and terms of such bonds, the obligations to be refunded thereby and certain other matters related thereto; ratifying the use of a Preliminary Official Statement and official notice of sale 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 obligations, 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 obligations 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

TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS and HOLM

This was Item 14 on Agenda of October 20, 2004

75. Ordinance 2004-1129

ORDINANCE authorizing issuance of City of Houston, Texas Tax Notes, Series 2004C; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the Mayor and City Controller to accept and execute the winning bid for the Notes, approve the amounts, interest rates, prices and terms of such Notes and certain other matters related thereto; ratifying the use of a Preliminary Official Statement and Official Notice of Sale and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the Notes; making other provisions regarding such Notes 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

TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS and HOLM

This was Item 15 on Agenda of October 20, 2004

a. Resolution 2004-0021

RESOLUTION of the City Council of the City of Houston, Texas declaring intention to Reimburse Project Expenditures - **TAGGED BY COUNCIL MEMBERS WISEMAN and EDWARDS**

This was Item 15A on Agenda of October 20, 2004

b. Ordinance 2004-1130

ORDINANCE approving and authorizing contract between the City of Houston and **TASER INTERNATIONAL, INC** and **GT DISTRIBUTORS, INC** for Taser Devices and Associated Equipment for Houston Police Department; providing a maximum contract amount - 5 Years \$4,679,855.55 - **TAGGED BY COUNCIL MEMBERS WISEMAN and EDWARDS**

This was Item 15B on Agenda of October 20, 2004

76. Ordinance 2004-1131

ORDINANCE authorizing an Interim Borrowing from the Street & Bridge Construction Fund (Fund 405) by the General Fund of an amount not to exceed \$30 Million dollars; declaring an intent to Reimburse Fund 405

TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS

This was Item 17 on Agenda of October 20, 2004

MATTERS HELD - continued

77. Postponed one (1) week by consent

ORDINANCE approving and authorizing first amendment to contract between the City of Houston, Texas, and **MERCER HUMAN RESOURCES CONSULTING, INC** for Actuarial Valuation and Consulting Services originally passed by City Council Ordinance No. 2004-0208 \$234,996.00 - General, Enterprise, Building Inspection and Storm Water Funds

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 23 on Agenda of October 20, 2004

78. Ordinance 2004-1132

ORDINANCE approving and authorizing Airport Use and Lease Agreement for certain space in Terminal A at George Bush Intercontinental Airport/Houston by and between the City of Houston and **CONTINENTAL AIRLINES, INC - DISTRICT B - GALLOWAY**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 30 on Agenda of October 20, 2004

79. Motion 2004-1128 - Adopt

RECOMMENDATION from Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcels SY4-036, S83-034, SY4-044, SY95-052, S83-058, SY2-016, S71-047, S71-048, S71-049, S71-050, S71-051, SY5-010 and SY5-012 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount:

APPOINT INDEPENDENT APPRAISERS and ALTERNATE APPRAISERS

SY4-036	(George Coleman and Jasmine Quinerly, appointed and Samuel Stewart, Alternate)
S83-034, SY4-044, S95-052	(John Chambless and Sheila Stewart, appointed and Samuel Stewart, alternate)
S83-058	(Julie Nagle and Travis Cooper, appointed and Lee Burns, alternate)
SY2-016	(Frank Flores and Albert Allen, appointed and Michael Copland, Alternate)
S71-047, S71-048, S71-049, S71-050, S71-051	(George Coleman and Michael Brubaker, appointed and Gary Brown, Alternate)
SY5-010 and SY5-012	(Vanessa Hendrickson and John Fox, appointed and Patricia Keys, alternate)

DISTRICTS D – EDWARDS and I - ALVARADO

POSTPONED BY MOTION #2004-1094, 10/20/04

This was a portion of Item 43 on Agenda of October 20, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Holm first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

11/3/2004 – Council Member Berry absent due to being ill