

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 22, 2006 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2006-0730 to 2006-0762**  
**ORDINANCES – 2006-0863 to 2006-0893**  
**RESOLUTIONS – 2006-0011 to 2006-0012**

**2006-0729-1**

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

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**2:00 P. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**Motion 2006-0730 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - AUGUST 23, 2006 - 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 2006-0732 – Close hearing**

**PUBLIC HEARING** to consider an extension on the requirements of Article XVI of Chapter 40 of the Code of Ordinances, pertaining to the lying and sitting on public sidewalks, to a designated area within the City other than the Central Business District and the Midtown Area. The area affected by this hearing is within the area generally known as Old Sixth Ward. The petition of residents of Old Sixth Ward is available for viewing in the Office of the City Secretary, 900 Bagby, City Hall Annex, Public Level - **DISTRICT H - GARCIA**

**2. Motion 2006-0735 – Close hearing**

**PUBLIC HEARING** to consider an extension on the requirements of Article XVI of Chapter 40 of the Code of Ordinances, pertaining to the lying and sitting on public sidewalks, to a designated area within the City other than the Central Business District and the Midtown Area. The area affected by this hearing is within the area generally known as Avondale. The petition of residents of Avondale is available for viewing in the Office of the City Secretary, 900 Bagby, City Hall Annex, Public Level - **DISTRICT D - EDWARDS**

**HEARINGS - 9:00 A.M.** - continued

**Motions 2006-0733 to 2006-0734 – Procedural motions**

**3. Motion 2006-0736 – Close hearing**

**PUBLIC HEARING** to consider an extension on the requirements of Article XVI of Chapter 40 of the Code of Ordinances, pertaining to the lying and sitting on public sidewalks, to a designated area within the City other than the Central Business District and the Midtown Area. The area affected by this hearing is within the area generally known as Greater Hyde Park. The petition of residents of Greater Hyde Park is available for viewing in the Office of the City Secretary, 900 Bagby, City Hall Annex, Public Level - **DISTRICT D - EDWARDS**

**Motion 2006-0731 – Suspend rules to consider the Mayor’s Report out of order**

**MAYOR’S REPORT** - United States Conference of Mayors 2006 Livability Awards

**CONSENT AGENDA NUMBERS 4 through 56**

**MISCELLANEOUS** - NUMBERS 4 and 5

**4. Motion 2006-0737**

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Southwest Multi-Service Center, GFS D-0072-02-3 - **DISTRICT F - KHAN**

**5. Motion 2006-0738**

RECOMMENDATION from Director Department of Public Works & Engineering to approve refund to **LUEL P/S**, 4802 Meyer Park Dr. B and E for Water & Sewer Account - \$238,036.40 Enterprise Fund

**ACCEPT WORK** - NUMBERS 6 through 8

**6. Motion 2006-0739**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$127,269.00 and acceptance of work on contract with **C. F. MCDONALD ELECTRIC, INC** for HPD Radio Tower Emergency Generator Installation, GFS G-0097-02-3 - Police Consolidated Construction Fund - **DISTRICT H - GARCIA**

**7. Motion 2006-0740**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,619,984.95 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Construction of 66-Inch Water Line along Greens Road from Greenspoint to West Hardy Road, GFS S-0900-A3-3 (WBS S-000900-00A3-4) (WA10448-06) - 02.90% under the original contract amount - **DISTRICT B - JOHNSON**

**8. Motion 2006-0741**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$13,515,302.52 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Construction of 66-Inch Water Line along World Houston, Vickery, Embassy Plaza, Export Plaza, Shirley, Kurt, Albert across US-59 and Beltway 8, along Vera, Eddie, and proposed easements from World Houston to existing 84-inch HAWC line at Smith, GFS S-0900-99-3 (WBS S-000900-0099-4) (WA10448-03) - 01.19% under the original contract amount - **DISTRICT B - JOHNSON**

**PROPERTY - NUMBER 9**

**9. Motion 2006-0742**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-588, located at 3130 McKinney Street, owned by Harry Pepper (50% interest), Sheryl Ann Tapper-Smith (16 2/3% interest), Phyllis Jean Tapper-Frank (16 2/3% interest) and Steven Soffer, Trustee (16 2/3% interest), for **COLUMBIA TAP UNION STATION HIKE AND BIKE TRAIL PROJECT**, CIP N-0420-37-2 (N-000420-0002-2) - **DISTRICT I - ALVARADO**

**PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 24**

**10. Motion 2006-0752 – Adopt with no additional funding**

**AMEND MOTION #2003-1302, 11/5/03, as amended by Motion #2005-0982, #2006-45 and #2006-341, TO EXTEND** expiration date from August 31, 2006 to October 31, 2006 ~~and TO INCREASE~~ spending authority from \$2,150,000.00 to \$2,350,000.00 on award to **VOYAGER FLEET SYSTEMS, INC**, for Purchase of Retail Fuel Card Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Finance & Administration Department - \$200,000.00 - Central Service Revolving Fund

**11. Motion 2006-0743**

**TYLER MOTOR COMPANY, INC, D.B.A. HALL BUICK PONTIAC GMC** for Hazardous Materials Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Fire Department - \$545,335.00 - Equipment Acquisition Consolidated Fund

**12. Motion 2006-0753**

**THERMO ENVIRONMENTAL INSTRUMENTS, INC** for Analyzers, Nitrogen Oxide and Sulfur Dioxide Air Monitors for Health & Human Services Department - \$49,065.00 - Grant Fund

**13. Motion 2006-0754**

**ASD SPECIALTY HEALTHCARE, INC** for Influenza Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health & Human Services Department - \$62,400.00 - General Fund

**14. Motion 2006-0744**

**SHI GOVERNMENT SOLUTIONS, INC** for McAfee Virus Check Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Information Technology Department - \$153,853.36 - Central Service Revolving Fund

**15. Council Member Johnson tagged**

**JOHN DEERE COMPANY** for Grounds Keeping Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Parks & Recreation and Public Works & Engineering Departments - \$347,473.34 - Enterprise, Equipment Acquisition Consolidated and Park Revenue Special Revenue Funds

**16. Motion 2006-0745**

**AKANDA SOLUTIONS, LLC** for Software Maintenance Agreement and Integration Service for DRC Software for the Planning & Development Department - \$34,050.00 - General Fund

**17. Council Member Wiseman tagged**

**FORAY, LLC d/b/a FORAY TECHNOLOGIES** for Authenticated Digital Asset Management System for Houston Police Department - \$51,500.00 - Grant Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**18. Motion 2006-0746**

**R7 HOLDING, INC d/b/a R7 SOLUTIONS** for Software License for a Web Based Mapping Application for Department of Public Works & Engineering - \$48,750.00 - Building Inspection Fund

**19. Motion 2006-0747**

**SOUTHERN IONICS INCORPORATED** for Chemical, Liquid Sodium Bisulfite for Department of Public Works & Engineering - \$5,728,500.00 - Enterprise Fund

**20. Motion 2006-0748**

**COMPUTEC TRAFFIC SYSTEMS** (Bid No. 9) for Cabinets, Traffic Controller and Adapter Bases for Department of Public Works & Engineering - \$437,400.00 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$428,652.00 - General Fund

**21. Motion 2006-0749**

**TEXAS TIMBERJACK, INC** for Equipment, Prentice Loader Replacement Parts and Repair Service for the Solid Waste Management Department - \$614,043.11 - General Fund

**22. Motion 2006-0750**

**ACADEMY AWARDS** - \$209,540.13 and **OUTDOOR OUTFITS** - \$862,460.00 for Special Purpose Clothing for Various Departments - General Fund

**23. Motion 2006-0751**

**UNITED AIR CONDITIONING SUPPLY** for HVAC Replacement Parts for Various Departments \$102,817.00 - General Fund

**24. Council Member Wiseman tagged**

**RCC CONSULTANTS, INC** for Purchase of Consulting Services through the Houston-Galveston Area Council in the amount of \$398,926.00 - Grant Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 25 through 56

**25. Resolution 2006-0011**

RESOLUTION of the City Council of the City of Houston, Texas in support of the establishment of the Buffalo Bayou National Heritage Area - **DISTRICTS B - JOHNSON; D - EDWARDS; E - WISEMAN; H - GARCIA and I - ALVARADO**

**26. Resolution 2006-0012**

RESOLUTION designating a certain property within the City of Houston as protected landmark (William L. Connelly House - 218 Avondale Boulevard) - **DISTRICT D - EDWARDS**

**27. Ordinance 2006-0875**

**ORDINANCE READOPTING ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding standards of care for Houston Youth Recreation Programs; containing findings and other provisions related to the subject; providing an effective date; providing for severability

**28. Ordinance 2006-0892**

**ORDINANCE AMENDING ARTICLE XII OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Storm Water Sewer System; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

**RESOLUTIONS AND ORDINANCES** - continued

**29. Pulled-Not Considered**

ORDINANCE **AMENDING SECTION 312.3.3 OF THE CITY OF HOUSTON BUILDING CODE** and **SECTION 28-10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Electric Fences

**30. Ordinance 2006-0863**

ORDINANCE approving and authorizing a Special Warranty Deed conveying to **CARLOS MARQUEZ**, a married man, a parcel of land containing 26,373 square feet (0.6054 acre), more or less, being out Lot 16, known as "Reserve for Utilities" Block 2, Binglewood Addition, Section 1, William C. Wallace Survey, A-848 Harris County, Texas (Former Binglewood #1 Water Plant Site located in the 3200 block of Soway Street, Parcel S84-085); and in consideration of Carlos Marquez's payment of \$85,555.00, and other consideration to the City - **DISTRICT A - LAWRENCE**

**31. Ordinance 2006-0864**

ORDINANCE approving and authorizing a Special Warranty Deed conveying to **CAPITAL REAL ESTATE INVESTMENT, LLC**, a parcel of land containing 143,123 square feet (3.286 acre), more or less, being out of a 8.65 acre tract, William C. Wallace Survey, A-848 Harris County, Texas (Excess Hollister Road right of way located at 4400 block of Clark Road, Parcel S97-032); in consideration of Capital Real Estate Investment, LLC's payment of \$221,501.50, and other consideration to the City - **DISTRICT A - LAWRENCE**

**32. Ordinance 2006-0865**

ORDINANCE approving and authorizing a Special Warranty Deed conveying to **KAMFAN J. LI**, a married man, a parcel of land containing 14,400 square feet (0.3305 acre), more or less, being all of Reserve "C", Crown Colony, Section 2, H.T. and B.R.R. Survey, A-405, Harris County, Texas (Former Harris County Water Control and Improvement District No. 104 and Crown Colony Water Plant Site located at 7599 Crownwest Drive, Parcel S95-046); in consideration of Kamfan J. Li's payment of \$43,210.00, and other consideration to the City - **DISTRICT F - KHAN**

**33. Ordinance 2006-0866**

ORDINANCE approving and authorizing a Special Warranty Deed conveying to **PAULA TUYET NGUYEN**, a married woman, a parcel of land containing 101,881 square feet (2.339 acres), more or less, located in Briar Village, Section 4, Joel Wheaton Survey, A-80, Harris County, Texas (Former Westheimer Road Municipal Utility District and City's former Wastewater Treatment Site located at 13900 Briarworth Drive, Parcel SY5-037); and in consideration of Paula Tuyet Nguyen's payment of \$225,000.00, and other consideration to the City - **DISTRICT G - HOLM**

**34. Ordinance 2006-0876**

ORDINANCE approving and authorizing Supplemental Agreement No. 1 to Lease Agreement DTFA 07-03-L-00900 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, for Air Route Traffic Control Center at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

**35. Ordinance 2006-0877**

ORDINANCE approving and authorizing Lease Agreement with an option to purchase between the **BOEING COMPANY, a Delaware corporation**, as lessee, and the City of Houston, Texas, as owner, for a 3.5 acre tract of land out of the Sylvester Murphy Survey, A-53, Houston, Harris County, Texas - **DISTRICT E - WISEMAN**

**RESOLUTIONS AND ORDINANCES** - continued

**36. Ordinance 2006-0878**

ORDINANCE approving and authorizing a Communication Equipment License between the City of Houston and **METROCALL, INC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

**37. Ordinance 2006-0867**

ORDINANCE consenting to the addition of 3.091 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT**, for inclusion in its district

**38. Council Member Wiseman tagged**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 415 - DISTRICT E - WISEMAN**

**39. Ordinance 2006-0868**

ORDINANCE consenting to the addition of 6.5955 acres of land to **KLEINWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**40. Ordinance 2006-0869**

ORDINANCE consenting to the addition of 11.481 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**41. Ordinance 2006-0870**

ORDINANCE establishing the north and south sides of the 400 block of Aurora 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**

**42. Ordinance 2006-0871**

ORDINANCE establishing the north and south sides of the 4100 through the 4300 blocks of Clay Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO**

**43. Ordinance 2006-0872**

ORDINANCE establishing the north and south sides of the 500 block of East 25th Street and the north side of the 500 block of East 24th 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**

**44. Ordinance 2006-0873**

ORDINANCE establishing the north and south sides of the 4500 block of Park Drive within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO**

**45. Ordinance 2006-0874**

ORDINANCE establishing the south side of the 2200 block of South Boulevard 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 C - CLUTTERBUCK**

**46. Council Member Khan tagged**

ORDINANCE approving and authorizing a Reinstatement, Modification and Extension Agreement between the City of Houston and **APTF, LTD.**, to provide for the Reinstatement of the Note and Security Instruments, Modification of the loan agreement, and extension of the term of the loan **DISTRICT F - KHAN**

**RESOLUTIONS AND ORDINANCES** - continued

**47. Ordinance 2006-0879**

ORDINANCE approving and authorizing contract between the City of Houston and **NEW HOPE COUNSELING CENTER, INC**, providing up to \$138,971.00 in Housing Opportunities For Persons with AIDS ("HOPWA") for the Administration of a Short-term Rent, Mortgage, and Utility Assistance Program, along with Supportive Services

**48. Ordinance 2006-0880**

ORDINANCE approving and authorizing agreement between the City of Houston and **COMMUNITY FAMILY CENTERS/CENTROS FAMILIARES DE LA COMUNIDAD**, to provide \$500,000.00. in Community Development Block Grant Funds for partial funding of the construction of a gymnasium to be located at 7318 Avenue F, Houston, Texas - **DISTRICT I - ALVARADO**

**49. Ordinance 2006-0881**

ORDINANCE approving and authorizing contract between the City of Houston and **BERING OMEGA COMMUNITY SERVICES**, providing up to \$745,790.00 in Housing Opportunities For Persons with AIDS ("HOPWA") Program Funds for the Administration of a Tenant Based Rental Assistance and Short-term Rent, Mortgage, and Utility Assistance Program, along with Supportive Services - **DISTRICT D - EDWARDS**

**50. Ordinance 2006-0882**

ORDINANCE approving and authorizing fourth amendment to contract #C25836 between the City of Houston and **WALTON GOLF MANAGEMENT** for the Operation of Melrose Golf Course **DISTRICT B - JOHNSON**

**51. Ordinance 2006-0883**

ORDINANCE approving and authorizing a Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the STEP Comprehensive Commercial Motor Vehicle Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**52. Ordinance 2006-0884**

ORDINANCE approving and authorizing a Grant Agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the STEP Comprehensive Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**53. Ordinance 2006-0885**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SECURITAS SERVICES USA, INC** for Security Guard Services for Various Departments

**54. Not Received-Not Considered**

ORDINANCE approving and authorizing Professional Landscape Architectural and Engineering Services Contract between the City of Houston and **LAUREN GRIFFITH, INC** for Hermann Park Trail Improvements, WBS F000550-0001-3-01-01 - \$274,677.67 - Grant Fund - **DISTRICT D - EDWARDS**

**RESOLUTIONS AND ORDINANCES** - continued

**55. Ordinance 2006-0886**

ORDINANCE appropriating \$278,130.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SWA GROUP** for Design of Allen's Landing Phase II Improvements, N-000669-0003-3 (GFS N-0669-03) (SB9171); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA**

**56. Ordinance 2006-0887**

ORDINANCE appropriating \$4,679,540.00 out of Airport System Consolidated 2004AMT Construction Fund, and approving and authorizing contract between the City of Houston and **TJ&T ENTERPRISES, INC** for Access Control and Telecom Duct Bank at William P. Hobby Airport (CIP A-0439 and AIP 3-48-0110-XX, Project 576A); providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds **DISTRICT I - ALVARADO**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 57 through 62A

**57. Ordinance 2006-0888 – Adopt**

ORDINANCE amending the City of Houston Construction Code, the City of Houston Fire Code, and the Local Amendments to the International Residential Code for One- and Two-Family Dwellings; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

**TAGGED BY COUNCIL MEMBERS WISEMAN and GARCIA**

This was Item 10 on Agenda of August 16, 2006

**58. Motion 2006-0762 – Postpone two (2) weeks**

ORDINANCE relating to **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**; consenting to the inclusion of certain land within the district; providing conditions for consent of the city to the creation of, and inclusion of land within, the district - **DISTRICT G - HOLM**

**TAGGED BY COUNCIL MEMBER HOLM**

This was Item 15 on Agenda of August 16, 2006

**59. Ordinance 2006-0889 – Adopt**

ORDINANCE approving and authorizing amendment to Municipal Maintenance Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the furnishing, installing, operation and maintenance of cameras on State Highway rights-of-way to monitor compliance with traffic-control signals

**TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS**

This was Item 33 on Agenda of August 16, 2006

**MATTERS HELD** – continued

**60. Ordinance 2006-0890 – Adopt**

ORDINANCE appropriating \$303,201.91 out of Water & Sewer Consolidated Construction Fund and \$210,000.00 out of Affordable Housing Uptown Series 2004D Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Umland Park Subdivision, WBS S-000800-00H3 & R-000800-00H3 **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 40 on Agenda of August 16, 2006

**61. Ordinance 2006-0891 – Adopt**

ORDINANCE appropriating \$189,194.47 out of Water & Sewer Consolidated Construction Fund and \$106,740.96 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Umland Park Subdivision, WBS S-000800-00H9 & R-000800-00H9 - **DISTRICT D - EDWARDS**  
**TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 41 on Agenda of August 16, 2006

**Motion 2006-0755 – Suspend rules to consider Items 62 and 62a out of order**

**Motion 2006-0756 – Adopt**

Written Motion by Council Member Berry to amend Item 62 to add a new Item (8) to read as follows:

“(8) Insert at the end of subsection (a) of the proposed Section 21 in Section 2 of the ordinance the following language:

“To maintain the self-sufficiency of the Water and Sewer System, the revenues of that System can only be used for the purposes of that System, and limited drainage purposes, as set forth in the existing debt covenants of that System, Those revenues cannot be used for any other purpose”

Written Motion by Council Member Sekula-Gibbs to amend Item 62 Subsection (2) as follows:

“To insert into the first sentence of the first paragraph of the proposed Section 21 (a) the words “excluding the Water and Sewer Combined Utility” following the words “enterprise funds” in proposed Section 21 (a).” - **Tagged by Council Member Khan**

**Motion 2006-0757** - Motion to override the tag on Sekula-Gibbs motion to amend Item 62 - **“FAILED”**

Written Motion by Council Member Sekula-Gibbs to amend Item 62A as follows:

“To exclude the removal of the Water and Sewer Combined Utility Fund from the requirements of the 2004 Proposition 2, the Houston Taxpayers Bill of Rights.” - **Mayor ruled subject previously considered**

**Motion 2006-0759** - Motion to override the Ruling of the Chair on Sekula-Gibbs motion to amend Item 62A - **“FAILED”**

**Motion 2006-0760** - Call the question on Council Member Berry’s motion to postpone Item 62A to 4pm

**Motion 2006-0761** – Motion to postpone Item 62A to 4pm today

**MATTERS HELD** – continued

Motion by Council Member Sekula-Gibbs to amend Item 62A to provide “it does not remove the Water Sewer Combined Utility Fund and allows the voters to maintain the integrity of Proposition 2 as it relates to water and sewer but does allow the removal of the Aviation Fund” - **Tagged by Council Members Garcia And Lovell**

**62. Motion 2006-0758 – Adopt as amended**

Written Motion by Council Member Green that Item 62A below be amended as follows:

- (1) Amend the caption of the ordinance to add the words “AND A PROPOSITION SUPPORTING PUBLIC SAFETY AND A LIMITATION ON REVENUES;” before the words “CONTAINING FINDINGS AND OTHER PROVISIONS”.
- (2) Delete the second and third sentences of the first paragraph of subsection (a) of the proposed Section 21 in Section 2 of the ordinance and delete the first sentence of the second paragraph of subsection (a) of the proposed Section 21 in Section 2 of the ordinance.
- (3) Amend the Proposition G ballot language in the current Section 5 of the ordinance to delete the phrase “to allow revenues related to increased public safety expenditures (e.g., police, fire, EMS),”
- (4) Add a new Section 3 to read as follows:

“**Section 3.** That a regular election (the “Election”) shall be held in the City of Houston (the “City”) on Tuesday, November 7, 2006, between the hours of seven o’clock a.m. and seven o’clock p.m. at which election the following proposition shall be submitted to the qualified voters of the City:

**PROPOSITION H**

**[Related to Supporting Public Safety and a Limitation on Revenues]**

To pay for the public safety needs of an increased population, the City of Houston may collect revenues of \$90 million for police, fire and emergency medical services and related communications and dispatch costs, so long as the Fiscal Year 2007 (Tax Year 2006) combined property tax rate is at or below the combined property tax rate in Fiscal Year 2006 (Tax Year 2005), notwithstanding any applicable revenue limitations in the Charter. Any amount collected under this authority must be spent on police, fire and emergency medical services and related communications and dispatch costs. This amount shall be added to any applicable revenue limitations in Fiscal Year 2007 (Tax Year 2006) and any base used to calculate revenue limitations in following budget years.”

(5) Re-number the existing Section 3 and all subsequent sections;

(6) Add the following language at the end of the re-numbered Section 6 of the ordinance:

“On such ballots shall appear a proposition corresponding to the proposed proposition set forth above in Section 3 of this Ordinance (“Proposition H”), with provision on such ballots to vote “For” or “Against” the proposition as follows:

**PROPOSITION H**

**[Related to Supporting Public Safety and a Limitation on Revenues]**

Shall the City of Houston be authorized to collect and spend \$90 million for increased police, fire and emergency medical services, without raising the property tax rate?”

(7) Insert in the first line of the re-numbered Section 14 after the words “the Proposition” the words “or Proposition H”.

**TAGGED BY COUNCIL MEMBERS WISEMAN, SEKULA-GIBBS, GREEN and HOLM**

**a. Ordinance 2006-0893 – Adopt as amended**

ORDINANCE ordering a Regular Election to be held on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Houston, Texas, a proposition amending the City Charter retaining certain limitations on property taxes and water and sewer rates, and making certain changes applicable to city revenues and a proposition supporting public safety and a limitation on revenues

**POSTPONED BY MOTION #2006-718, 8/16/06**

This was Item 47 on Agenda of August 16, 2006

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Khan 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

**8/22/2006 – Council Member Brown absent on vacation**

**8/23/2006 – Council Member Brown absent on vacation**