

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 17, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0169 to 2004-0196
ORDINANCES – 2004-0119 to 2004-0123
RESOLUTION – 2004-0004

2004-0168-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Sekula-Gibbs

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 2004-0169 to 2004-0184 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 18, 2004 - 9:00 A. M.

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

HEARINGS

1. Motion 2004-0185 – Close hearing

PUBLIC HEARING regarding the proposed permanent use of approximately 100 acres of land out of Keith-Wiess Park by Harris County Flood Control District for Flood Control and Mitigation Purposes - **9:00 A.M.** - **DISTRICT B - GALLOWAY**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 18

MISCELLANEOUS - NUMBERS 2 through 3

2. Motion 2004-0191

RECOMMENDATION from Director Planning & Development Department to accept the January 2004 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program

MISCELLANEOUS - continued

a. Motion 2004-0192

RECOMMENDATION from the Director Department of Public Works & Engineering to transfer revenue and interest generated by the Water and Wastewater Impact Fees in the amount of \$7,483,485.21 to Revenue Bond Debt Service as recommended in the January 2004 Semiannual Report of the Capital Improvements Advisory Committee (CIAC)

3. Motion 2004-0193

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$55,420.32 to Lone Star Groundwater Conservation District for water user fee for 2004 - Enterprise Fund

ACCEPT WORK - NUMBERS 4 through 7

4. Motion 2004-0186

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,325,543.59 and acceptance of work on contract with **LONE STAR ROAD CONSTRUCTION, INC** for Construction of Bingle Road Bridge over Cole Creek, GFS N-0445N-21-3 (N-0445N-21) - 07.74% over the original contract amount - **DISTRICT A - LAWRENCE**

5. Council Member Garcia tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$202,890.91 and acceptance of work of the Surety, **WESTERN SURETY COMPANY** on contract awarded to **PRIME GENERAL CONTRACTORS, INC** for Construction of Safe Sidewalk Program at Various Locations, Package No. 2, GFS N-0610A-95-3 (SB9064-1) 67.06% under the original contract amount

6. Motion 2004-0187

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,327,933.36 and acceptance of work on contract with **ALSAY, INC** for Rehabilitation of Existing Water Wells, GFS S-0200-12-3 (10562-2) - 01.79% over the original contract amount

7. Motion 2004-0188

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,518,886.59 and acceptance of work of the Surety, **CAPITAL INDEMNITY CORPORATION** on contract with **MEB ENGINEERING, INC** for Construction of Water Line Replacement in Marion Addition Subdivision, GFS S-0476-01-3 (10479) - 04.64% under the original contract amount **DISTRICT C - GOLDBERG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 9

8. Ordinance 2004-0119

ORDINANCE appropriating \$97,020.00 out of C & E Construction Fund for Renovation of the Industrial Hygiene Ventilation System at the Wortham Center for the Convention & Entertainment Facilities Department

a. Motion 2004-0190

HUNTER ALLIED OF TEXAS, INC for Renovation of the Industrial Hygiene Ventilation System at the Wortham Theater Center for the Convention & Entertainment Facilities Department \$92,400.00 and contingencies for a total amount not to exceed \$97,020.00

PURCHASING AND TABULATION OF BIDS - continued

9. Motion 2004-0194

AMEND MOTION #03-135, 2/12/03 and #98-2034, 12/16/98, TO EXTEND expiration date from February 26, 2004 to February 25, 2005, and **TO INCREASE** spending authority from \$1,699,012.30 to \$2,123,765.30, for Equipment, Road Machinery, Gradall Replacement Parts for Various Departments, awarded to **HI-WAY EQUIPMENT COMPANY, INC**

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 18

10. Resolution 2004-0004

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Refunding Bonds, Series 2004A and Single Family Mortgage Revenue Refunding Bonds (GNMA and Fannie Mae Mortgage-Backed Securities Program) Series 2004B and approving the disclosure documents with respect to such bonds

11. Ordinance 2004-0121

ORDINANCE approving and authorizing execution of first amendment to interlocal agreement between the City of Houston and the **CITY OF BAYTOWN** for the Harris County Organized Crime and Narcotics Task Force/10

Motion 2004-0189 – Suspend rules to consider Items 12 and 13 out of order

12. Council Member Edwards

ORDINANCE issuing permit to **TEXAS SOUTHERN UNIVERSITY**, a Public Institution of Higher Education, for building, constructing, maintaining, using, operating and repairing a six inch waterline encased in an eight inch steel pipe and four inch waterline encased in a six inch steel pipe for water and fire line purposes abutting Lot 12, Block 2, Tierwester Oaks across and under Canfield Street, within and being a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT D - EDWARDS**

13. Council Member Edwards 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

14. Council Member Garcia tagged

ORDINANCE awarding contract to **DIAMOND CARWASH SALES & SERVICE** for Vehicle Car Wash Services for the Houston Police Department; providing a maximum contract amount 3 years with two one-year options - \$584,923.00 - General Fund

15. Ordinance 2004-0120

ORDINANCE appropriating \$3,182,588.98 out of Series E Commercial Paper Metro Project Fund to reimburse **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the City's participation in the Reconstruction of Market Street from McCarty to IH 610 under an Urban Street Program Agreement with TxDOT; approved by Ordinance No. 99-397, CIP N-1306-01-3 (SB9099) - **DISTRICT B - GALLOWAY**

16. Ordinance 2004-0122

ORDINANCE appropriating \$279,232.24 out of Street & Bridge Consolidated Construction Fund, \$1,400,000.00 out of Series E Commercial Paper Metro Project Fund and \$894,082.46 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advanced Funding Agreement between the City and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Reconstruction of Studewood Street from White Oak Drive to North Main Street, CIP N-1301-01-3 (SB9031-01) - **DISTRICT H - GARCIA**

RESOLUTIONS AND ORDINANCES - continued

17. Council Member Holm tagged

ORDINANCE appropriating \$3,000,000.00 out of Series E Commercial Paper Metro Projects Fund and \$1,033,547.22 out of Street & Bridge Consolidated Construction Fund and \$191,339.59 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **SOUTH COAST CONSTRUCTION, INC** for Old Westheimer Reconstruction from Brays Bayou to Westheimer, GFS N-0749-01-3 (SB9075); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund and the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

18. Council Member Ellis tagged

ORDINANCE appropriating \$1,357,521.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **ALLCO, INC** for Wastewater Collection System Rehabilitation and Renewal, GFS R-0266-T1-3 (WW4235-18); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 19

MISCELLANEOUS

19. Motion 2004-0195

MOTION to set a date not less than seven (7) days from February 18, 2004, to receive nominations for Positions One and Two, and Alternate Positions One and Two of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, the one-year terms to expire December 31, 2004 – **Set in 14 days – Wednesday, March 3, 2004**

MATTERS HELD - NUMBERS 20 and 21

20. Motion 2004-0196 – Postpone one (1) week

MOTION by Council Member Alvarado/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department to award to **XL PARTS, LLC (Bid Nos. 3 and 2)** for Automotive Bearings and Power Transmission Components for Various Departments - \$105,045.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$3,151.35 for a net award amount not to exceed \$101,893.65 General, Enterprise and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER ELLIS**
This was Item 10 on Agenda of February 11, 2004

21. Ordinance 2004-0123

ORDINANCE amending Ordinance Number 99-223 to further increase the maximum contract amount to contract between the City and **WACKENHUT CORPORATION** for Security Guard Services for the Convention and Entertainment Facilities Department - \$350,000.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER EDWARDS**
This was Item 20 on Agenda of February 11, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Wiseman 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

2/17/2004 – All Present

2/18/2004 – Council Member Wiseman absent due to being ill