

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 21, 2004 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0055 to 2004-0065
ORDINANCES – 2004-0034 to 2004-0064
RESOLUTIONS – 2004-0001 to 2004-0002

2004-0054-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lawrence

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

Motions 2004-0055 – 2004-0061 – Procedural motions

MAYOR'S REPORTS - Briefing on 2004 SuperBowl:

Executive Assistant Chief Dennis Storemski - Houston Police Department
Mr. Jordy Tollett - Greater Houston Convention and Visitors Bureau
Mr. Robert Dale Morgan - SuperBowl Host Committee

CONSENT AGENDA NUMBERS 1 through 39

ACCEPT WORK - NUMBERS 1 and 2

1. Motion 2004-0064

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$6,201,706.95 and acceptance of work on contract with **THE TREVINO GROUP, INC** for Third Ward Multi-Service Center, GFS D-0070-01-3 - 06.47% over the original contract amount - **DISTRICT I - ALVARADO**

2. Motion 2004-0063

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,403,694.29 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** and **PM CONSTRUCTION & REHAB, L.P. - A Joint Venture**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-88-3 (4257-21) 03.42% over the original contract amount

PURCHASING AND TABULATION OF BIDS - NUMBER 3

3. Council Members Wiseman and Goldberg tagged

DEMCO, INC (Bid No. 3) for Audio and Video Packaging and Supply for Library Department \$160,000.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$4,800.00 for a net award amount not to exceed \$155,200.00 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 4 through 39

Motion 2004-0062 – Suspend rules to consider Items 4, 19, 20, 5 and 29 out of order

4. Resolution 2004-0001

RESOLUTION supporting the efforts of the Ellington Field Task Force to emphasize the strategic and tactical mission of the 147th Fighter Wing as it relates to Homeland Security and prevent the inclusion of the 147th Fighter Wing of the Texas Air National Guard at Ellington Field on the Base Realignment and Closure Act list of Military Units to be relocated or closed; providing for severability; and providing an effective date

5. Council Members Edwards, Holm, Galloway and Quan tagged

RESOLUTION approving the action of the City of Houston Health Facilities Development Corporation regarding its Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Series 2004A, Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project) Extendable Rate Adjustable Securities, Series 2004B-1 and Series 2004B-2, Variable Rate Demand Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Series 2004C and Variable Rate Demand Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Taxable Series 2004D (collectively, The "Bonds") - **DISTRICT G - HOLM**

6. Resolution 2004-0002

RESOLUTION designating a certain property located at 511 Lovett Boulevard in the City of Houston as a Historic Landmark - (Roy and Margaret Farrar House) - **DISTRICT D - EDWARDS**

7. Ordinance 2004-0036

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400**

8. Ordinance 2004-0037

ORDINANCE establishing the east and west sides of the 1200 block of Arlington 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**

9. Ordinance 2004-0038

ORDINANCE establishing the north and south sides of the 1000 and 1100 blocks of East 16th Street and Peddie Avenue 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**

10. Ordinance 2004-0039

ORDINANCE establishing the east and west sides of the 1500 and 1600 blocks of Harvard 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

11. Ordinance 2004-0040

ORDINANCE establishing the north and south sides of the 900 block of Merrill 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**

12. Ordinance 2004-0041

ORDINANCE establishing the north side of the 800 block of Pecore Avenue 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**

13. Ordinance 2004-0042

ORDINANCE establishing the south side of the 800 block of Pecore Avenue 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**

14. Ordinance 2004-0043

ORDINANCE establishing the west side of the 1000 block of Oxford 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**

15. Ordinance 2004-0044

ORDINANCE establishing the east and west sides of the 500 block of Frasier 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 H - GARCIA**

16. Ordinance 2004-0054

ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code

17. Ordinance 2004-0055

ORDINANCE amending Ordinance No. 2003-1045 relating to Ground Transportation Service for the 2004 Super Bowl for the purpose of allowing the Director of Finance & Administration to suspend requirements relating to the age and licensing of limousines

18. Ordinance 2004-0056

ORDINANCE relating to the rescheduling or postponement of certain City Council Meetings

19. Ordinance 2004-0034

ORDINANCE approving and authorizing an application for grant assistance from the Texas Parks and Wildlife Department for preserving 27.26 acres of land as a nature park; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's Representative in application process; authorizing the Director of the Parks and Recreation Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

20. Ordinance 2004-0035

ORDINANCE creating the Series E Commercial Paper Cotswold Fund; transferring \$7,495,058.70 from the Series E Commercial Paper Fund to the Cotswold Fund; appropriating \$7,495,058.70 out of Series E Commercial Paper Capital Projects Fund; \$2,216,622.00 out of Water & Sewer System Consolidated Construction Fund; \$873,880.11 out of Street & Bridge Consolidated Construction Fund and \$300,000.00 out of Storm Sewer Consolidated Construction Fund for Construction of Phase 3 of the Cotswold Project; reallocating remaining unused funds previously appropriated for Phases I and II of the Cotswold Project to construction of Phase III; containing provisions relating to the subject; and declaring an emergency

21. Council Member Wiseman tagged

ORDINANCE authorizing an Interim Borrowing from the Street & Bridges Construction Fund (Fund 405) by the City of Houston, Texas, Lamar Terrace Public Improvement District - Special Assessment District Fund (Fund 223) of an amount not to exceed Forty thousand dollars; declaring an intent to reimburse Fund 405

22. Ordinance 2004-0057

ORDINANCE approving and authorizing lease agreement between **YORK FONDREN PROPERTIES, L.L.C.**, as landlord, and the City of Houston, Texas, as tenant, for space at 10101 Fondren for use by the Police Department - **DISTRICT C - GOLDBERG**

23. Ordinance 2004-0058

ORDINANCE approving and authorizing fifth amendment to Gas Sales Contract (approved by Ordinance No. 89-1230) between the City and **CENTERPOINT ENERGY ENTEX, a division of CENTERPOINT ENERGY RESOURCES CORP.**

24. Council Member Ellis tagged

ORDINANCE approving and authorizing the second amendment to the Communication Equipment License (Ordinance No. 96-987) between the City and **HOUSTON CELLULAR TELEPHONE COMPANY, L.P., dba, CINGULAR WIRELESS, through its general partner, SOUTHWESTERN BELL WIRELESS, L.L.C.** - Revenue - **DISTRICT I - ALVARADO**

25. Ordinance 2004-0045

ORDINANCE approving and authorizing contract between the City of Houston and **DONALD R. WATKINS MEMORIAL FOUNDATION, INC.**, providing up to \$863,400.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds, which sum includes a limitation of additional funding in the amount of \$431,700.00, for the Administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with supportive services - **DISTRICT D - EDWARDS**

26. Ordinance 2004-0046

ORDINANCE correcting Item Number 8 in the assessment roll included within Ordinance Number 84-1623, and authorizing refund for certain assessment liens and apparent liens created by Ordinance No. 83-1611 for the initiation of a paving project for the permanent improvement of portions of Dixie Drive from Mykawa Road to Trendale Street, known as Topping Project No. 377, in the City of Houston, Texas - **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

27. Ordinance 2004-0047

ORDINANCE correcting Item Number 10 in the assessment roll included within Ordinance Number 87-315, and authorizing refund for certain assessment liens and apparent liens created by Ordinance No. 84-1740 for the initiation of a paving project for the permanent improvement of portions of Blalock Road from Interstate Highway 10 to Long Point Road, in the City of Houston, Texas - **DISTRICT A - LAWRENCE**

28. Ordinance 2004-0048

ORDINANCE correcting Item Numbers 47 and 119 in the assessment roll included within Ordinance Number 87-856, and authorizing a refund for certain assessment liens and apparent liens created by Ordinance No. 85-548 for the initiation of a paving project for the permanent improvement of portions of Cheswood, Joyner and various other streets, known as Topping Project No. 341, in the City of Houston, Texas - **DISTRICT I - ALVARADO**

29. Council Member Edwards tagged

ORDINANCE approving and authorizing agreement between the City of Houston and **LOCAL INITIATIVES SUPPORT CORPORATION (LISC)** to provide \$210,000.00 in Home Investment Partnerships Program Funds for Technical Assistance to Community Housing Development Organizations - Grant Fund

30. Ordinance 2004-0049

ORDINANCE appropriating \$34,870.12 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between **TEXAS DEPARTMENT OF TRANSPORTATION** and the City of Houston for the relocation of the City's Water Line located on Chartres Street, CIP S-0521-CT-3 (SB9165-02) - **DISTRICT I - ALVARADO**

31. Ordinance 2004-0059

ORDINANCE approving and authorizing the Impaired Driving Mobilization Selective Traffic Enforcement Program (IDM STEP) Amendment, allocating additional Texas Department of Transportation Funding to the Program; 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 or the Acting Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

32. Ordinance 2004-0060

ORDINANCE appropriating \$1,813,594.43 out of Water & Sewer System Consolidated Construction Fund and appropriating \$6,000.00 out of Street & Bridge Consolidated Construction Fund as Reimbursement to the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** pursuant to the Transportation Improvement Agreement approved March 17, 1993 (Ordinance 93-274) for construction of the City's water lines, sanitary sewers and changing roadway directions on Franklin Street from Louisiana to Hamilton and Congress Street from Jackson to Hamilton; CIP N-0671-04-3, S-0443-30-3 and R-0537-30-3 (SB9037-13) - **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

33. Ordinance 2004-0061

ORDINANCE appropriating \$671,270.08 out of Water & Sewer System Consolidated Construction Fund to Reimburse the **METROPOLITAN TRANSIT AUTHORITY (METRO)** for the City's share of the cost of the Transportation Improvement Agreement approved by Council on March 17, 1993 (Ordinance No. 93-274); GFS S-0443-29-3 and R-0537-29-3 (SB9037-12) - **DISTRICT I - ALVARADO**

34. Ordinance 2004-0062

ORDINANCE awarding contract to **INDUSTRIAL TX CORPORATION** for Sludge Facility Equipment Repair/Replacement Services for Public Works & Engineering Department; providing a maximum contract amount - 1 Year with two one-year options - \$6,171,580.00 - Enterprise Fund

35. Ordinance 2004-0063

ORDINANCE appropriating \$236,809.50 out of Street & Bridge Consolidated Construction Fund and approving and authorizing second amendment to professional engineering services contract between the City and **LANDEV ENGINEERS, INC**, CIP N-0644-09-2 (SB9166) - **DISTRICT G - HOLM**

36. Ordinance 2004-0050

ORDINANCE appropriating \$368,700.00 out of Parks Consolidated Construction Fund and \$306,700.00 out of Parks Capital Project Fund, awarding construction contract to **RESICOM, INC** for Construction of Parks Master Plan - Bid Package 7 - Milroy Parking Lot, Brock Golf Course Bridge and Rosewood Park, GFS F-504C-16-3, F-504C-24-3 and F-504C-05-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Park Capital Project Fund - **DISTRICTS B - GALLOWAY and H - GARCIA**

37. Ordinance 2004-0051

ORDINANCE appropriating \$701,945.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **WESCO INFRASTRUCTURE TECHNOLOGIES, L.P.** for Rehabilitation of the 54" to 60" Pickfair Trunk Sewer from 610 North Loop to Hunting Bayou, GFS R-2011-36-3 (WW4857); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

38. Ordinance 2004-0052

ORDINANCE appropriating \$198,500.00 out of Airport System 1998C NON-AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-16.1; approving Purchase and Sale Agreements with the owners of the land (Daniel W. Berger and Ruth A. Berger; and Lazaro Lopez and Sonia J. Lopez) - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

39. Ordinance 2004-0053

ORDINANCE appropriating \$469,000.00 out of Airport System 1998B AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One, Two and Three, and J. C. Hayes Addition, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-17.1; approving Purchase and Sale Agreements with the owners of the land (Modelle G. Chambless; Sharon Leigh Dunson; Olga GY. McAndrews; Rita Morales; Guadalupe Sifuentes and Leonarda Pachuco; and Ruby Doris Wagley) - **DISTRICT B - GALLOWAY**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 40

MISCELLANEOUS

40. Motion 2004-0065

MOTION to set a date not less than seven (7) days from January 21, 2004, to receive nominations for Positions 4 and 5, for terms to expire December 31, 2004, Positions 6, 8 and 9, for terms to expire December 31, 2005, and the Chair, for a term to expire December 31, 2004 of the Board of Directors of **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE)**

MATTERS HELD - NUMBER 41

41. Ordinance 2004-0064 – Adopt

ORDINANCE approving and authorizing amendment No. 1 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 - \$4,688,006.43 Enterprise Fund - **DISTRICTS B - GALLOWAY and E - WISEMAN** - **TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN, BERRY, GARCIA, GREEN and GALLOWAY**
This was Item 25 on Agenda of January 14, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Quan 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

AGENDA - JANUARY 21, 2004 - PAGE 8

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

1/21/2004 – All Present