

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 11, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0974 to 2005-0990
ORDINANCES – 2005-1133 to 2005-1152
RESOLUTION – None

2005-0973-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Holm

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 2005-0974 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 12, 2005 - 9:00 A. M.

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

HEARINGS

1. **Motion 2005-0975 – Close hearing**
PUBLIC HEARING on the use of Tidwell Park in the City of Houston, Harris County, Texas, as a Park, Recreation Area, Scientific Area, Wildlife Refuge or Historic Site - **9:00 A.M.**
2. **Motion 2005-0976 – Close hearing**
PUBLIC HEARING on the proposal to establish a tax rate of \$.650/\$100 of value for Tax Year 2005, which is the same total tax rate that was levied by the City for Tax Year 2004 - **9:30 A.M.**

MAYOR'S REPORT - Project Houston Hope - Infrastructure

CONSENT AGENDA NUMBERS 3 through 28

MISCELLANEOUS - NUMBERS 3 and 4

3. Motion 2005-0981

RECOMMENDATION from Director Finance & Administration and City Controller to recognize a new planned date to consider an ordinance authorizing the issuance of Certificates of Obligation, Series 2005D at City Council meeting of October 19, 2005

4. Motion 2005-0978

RECOMMENDATION from Director Human Resources to approve an additional 365 day period for pay differential for employees called to active duty status during a time of war or state of emergency

PROPERTY - NUMBER 5

5. Motion 2005-0979

RECOMMENDATION from Director Department of Public Works & Engineering to **RESCIND MOTION #2005-319, 4/6/05**, which authorized condemnation of Parcel AY2-049, located at 9400 E. Avenue H, owned by Rafael Suarez and wife Maria A. Suarez, for the **CENTRAL STREET GRADE SEPARATION PROJECT from Central Street Extension over Manchester Avenue to Train Yard**, CIP N-0676-01-2; **TO AUTHORIZE** purchase of said parcel \$100,608.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 8

6. Motion 2005-0982

AMEND MOTION #2003-1302, 11/5/03, TO EXTEND expiration date from October 31, 2005 to January 31, 2006, 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 the Finance & Administration Department, awarded to **VOYAGER FLEET SYSTEMS, INC**

7. Motion 2005-0980

INTERNATIONAL SURFACE PREPARATION GROUP, INC for Blast and Recovery Systems for the Department of Public Works & Engineering - \$87,266.68 - Enterprise Fund

8. Motion 2005-0983

AMEND MOTION #2002-34, 1/9/02, as amended by #2004-1238, 12/21/04, TO EXTEND the term from January 9, 2006 to January 8, 2007, for Automotive Tire and Tubes Repair materials Contract for Various Departments, awarded to **ALL TIRE SUPPLY CO., INC d/b/a REMA OF TEXAS**

ORDINANCES - NUMBERS 9 through 28

9. Ordinance 2005-1139

ORDINANCE establishing City of Houston Election Precincts and Designating Polling Places for the City of Houston General Election to be held on November 8, 2005

10. Ordinance 2005-1140

ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General Election to be held on November 8, 2005, and any required Runoff Election; prescribing the maximum number of Election Clerks for each voting precinct

ORDINANCES - continued

11. Ordinance 2005-1141

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to Joint Elections to be held on November 8, 2005 and possible subsequent Run-Off Election; providing a maximum contract amount - \$1,800,000.00 - General Fund

12. Ordinance 2005-1142

ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston General Election to be held in 2005; authorizing the payment of certain costs of such elections - \$300,000.00 - General Fund

13. Council Members Holm, Lawrence, Quan and Galloway tagged

ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY** by and through the Harris County Protective Services for Children and Adults to Develop and Implement a System of Care within Kashmere High School; providing a maximum contract amount - \$160,810.13 - General Fund - **DISTRICT B - GALLOWAY**

14. Ordinance 2005-1143

ORDINANCE approving and authorizing an interlocal agreement between the City and the **HARRIS COUNTY HOSPITAL DISTRICT** to provide facilities for the City's Women, Infants and Children Nutrition Program - **DISTRICTS B - GALLOWAY and D - EDWARDS**

15. Ordinance 2005-1134

ORDINANCE approving and authorizing interlocal cooperation contract between the City of Houston and the **TEXAS DEPARTMENT OF CRIMINAL JUSTICE** for the provision of Death Certificates of Parolees who have died in Houston

16. Ordinance 2005-1135

ORDINANCE amending Ordinance No. 2005-825, which consented to the addition of 7.163 acres of land to **CY-CHAMP PUBLIC UTILITY DISTRICT** for inclusion in its district; adding Exhibit A

17. Ordinance 2005-1144

ORDINANCE approving and authorizing Intergovernmental Emergency Mutual Aid Agreements between the City of Houston and the **CITY OF PORT ARTHUR, TEXAS (HPD and HFD)** and between the City of Houston and **POLK COUNTY, TEXAS (HPD)** for the provision of Law Enforcement and Fire/EMS functions by the City of Houston to assist in the evacuation and aftermath of Hurricane Rita

18. Ordinance 2005-1145

ORDINANCE approving and authorizing contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Evaluation of Training Programs for the Houston Police Department (HPD)

19. Ordinance 2005-1146

ORDINANCE approving and authorizing contract between the City of Houston and **INDIA HOUSE, INC** to provide a grant of \$500,000.00 of Federal Community Development Block Grant ("CDBG") Funds in connection with the Construction of a Community Center located at 8880 West Bellfort, Houston, Texas - **DISTRICT C - GOLDBERG**

ORDINANCES - continued

20. Ordinance 2005-1147

ORDINANCE amending Ordinance No. 2003-715 to increase the maximum contract amount for contracts between the City and **LONNIE CHARLES WATSON d/b/a WATSON CONSOLIDATED, AAR INCORPORATED, TREBOR INCORPORATED, ALFRED M. TORRES, R.J. d/b/a R&A BUILDING SPECIALISTS** and **ORTHO CONSTRUCTION COMPANY/ RENOVATION COMPANY** for the City's Lead-Based Paint Hazard Reduction Control Program \$10,000,000.00 - Grant and Homeless and Housing Consolidated Funds

21. Ordinance 2005-1136

ORDINANCE approving and authorizing amendment to contract between the City of Houston and **LLEWELYN-DAVIES SAHNI, INC** for Professional Landscape Architectural and Engineering Services - \$1,800.00 - Grant and Gulfgate Redevelopment Authority Fund - **DISTRICT I - ALVARADO**

22. Ordinance 2005-1148

ORDINANCE appropriating \$850,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Water Line Replacement in original areas of the Houston Hope Project Phase I, GFS S-0036-08-2 (WA10874); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I - ALVARADO**

23. Ordinance 2005-1149

ORDINANCE appropriating \$51,169.26 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water and Sanitary Sewer Lines in Section Four of the Autumn Glen Subdivision, CIP S-0802-34-3 & R-0802-32-3 - **DISTRICT D - EDWARDS**

24. Ordinance 2005-1150

ORDINANCE appropriating \$83,114.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water and Sanitary Sewer Lines in Section Four of the Sky View Park Subdivision, CIP S-0802-35-3 & R-0802-33-3 - **DISTRICT D - EDWARDS**

25. Ordinance 2005-1151

ORDINANCE awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Storm Sewer Television Inspection (Work Order Contract), GFS M-0301-01-3 (SM5052) - \$212,615.76 Storm Water Fund

26. Ordinance 2005-1137

ORDINANCE appropriating \$4,335,397.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PROLINE TECHNOLOGIES, N.A.L.L.C.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0266-B3-3 (WW4258-16); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

27. Ordinance 2005-1138

ORDINANCE appropriating \$5,613.00 out of Parks Consolidated Construction Fund for Asbestos Abatement and Demolition at Jerry Sharp Park, GFS F-0509-10-5

Motion 2005-0977 – Suspend rules to consider Item 28 out of order

28. Ordinance 2005-1133

ORDINANCE relating to employment conditions, compensation and benefits of classified Firefighters of the City of Houston; approving a Collective Bargaining Agreement between the City of Houston and the **HOUSTON PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 341 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**, amending Exhibit "A" of City of Houston Ordinance 2005-565 by reorganizing certain classifications, ranks and pay grades within the Houston Fire Department, and containing other provisions relating to the foregoing subject; suspending the operation of certain ordinances; providing for severability; and declaring an emergency

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 29 and 30

MISCELLANEOUS

29. Motion 2005-0984 – Upheld Board

REVIEW of the record and make determination of the appeal filed by Maria Martinez on the decision of the General Appeals Board for denial of an extension of a Manufactured Home Hardship Permit at 4008 Moore, Houston, Texas 77009 - **DISTRICT H - GARCIA**

PROPERTY

Motion 2005-0985 – Divide and delay Parcel S95-053 in District C

30. Motion 2005-0986 – except Parcel S95-053

RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcels S84-067, S84-086, S84-088, S85-047, S85-048, S85-051, S87-009, S95-051, S95-053, S95-060, S95-064, S96-013, S96-046 and SY6-001 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount and authorize staff appraisal for Parcels S87-009 and S85-051 located in **DISTRICTS F - KHAN and I - ALVARADO - APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS and E - WISEMAN**

Parcel S95-064 – Sheila Stewart and John Chambless appointed, Gary Meyer, alternate
Parcel S84-088 – Jasmine Quinerly and Travis Cooper appointed, George Wyche, Sr., alternate
Parcel S95-060 – Jasmine Quinerly and Travis Cooper appointed, George Wyche, Sr., alternate
Parcel S96-046 – Jasmine Quinerly and Travis Cooper appointed, George Wyche, Sr., alternate
Parcel SY6-001 – Jasmine Quinerly and Travis Cooper appointed, George Wyche, Sr., alternate
Parcel S84-067 – Jasmine Quinerly and Samuel Stewart appointed, John Chambless, alternate
Parcel S85-047 – Jasmine Quinerly and Samuel Stewart appointed, John Chambless, alternate
Parcel S85-048 – Jasmine Quinerly and Samuel Stewart appointed, John Chambless, alternate
Parcel S96-013 - Jasmine Quinerly and Samuel Stewart appointed, John Chambless, alternate
Parcel S84-086 – Arthur Shackelford and Michael Copland appointed, Jimmy Payton, alternate
Parcel S95-051 - Arthur Shackelford and Michael Copland appointed, Jimmy Payton, alternate

MATTERS HELD - NUMBERS 31 through 34

31. Ordinance 2005-1152

ORDINANCE consenting to the addition of 65.4274 acres of land to **PINE VILLAGE PUBLIC UTILITY DISTRICT**, for inclusion in its district - **POSTPONED BY MOTION #2005-948, 9/28/05**
This was Item 24 on Agenda of September 28, 2005

32. Motion 2005-0987 – Adopt

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$4,166,772.94 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Jones Hall for the Performing Arts Travertine Wall Cladding Repairs, GFS B-0071-01-3 - 03.76% over the original contract amount - **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS GREEN and GALLOWAY**
This was Item 5 on Agenda of October 5, 2005

33. Motion 2005-0988 – Postpone one (1) week

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$5,947,737.39 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Mesa Drive Reconstruction - Contract "A", GFS N-0680-01-3 (N-0680-01) - 02.54% over the original contract amount - **DISTRICT B - GALLOWAY**
TAGGED BY COUNCIL MEMBER GALLOWAY
This was Item 7 on Agenda of October 5, 2005

34. Motion 2005-0989 – Postpone thirty (30) days

REVIEW of the record and make determination of the appeal filed by Teresa Argueta on the decision of the General Appeals Board for denial of an extension of a Manufactured Home Hardship Permit at 7911 Brays, Houston, Texas 77012 - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS ALVARADO and QUAN
This was Item 21 on Agenda of October 5, 2005

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

Motion 2005-0990 – Suspend rules to hear from Roland Chavez, HFD

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

10/11/2005 – Council Members Lawrence, Goldberg and Ellis absent
Council Member Wiseman absent due to being ill

10/12/2005 – All Present