

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 18, 2006 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2006-0040 to 2006-0058
ORDINANCES – 2006-0031 to 2006-0059
RESOLUTIONS - None

2006-0039-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lovell

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

Motion 2006-0046 – Procedural motion
Motions 2006-0048 to 2006-0049 – Procedural motions

MAYOR'S REPORT

Motion 2006-0050 – Suspend rules to remain in session beyond the scheduled noon recess

CONSENT AGENDA NUMBERS 1 through 37

ACCEPT WORK - NUMBERS 1 through 3

1. Motion 2006-0040

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$14,153,869.01 and acceptance of work on contract with **SWINERTON BUILDERS (formerly known as Swinerton & Walberg Co.)** for Terminals B and C Utility Distribution Upgrades at George Bush Intercontinental Airport/Houston; Project No. 424C; CIP A-0091 and A-0131 - 04.45% over the original contract amount - **DISTRICT B - JOHNSON**

2. Motion 2006-0041

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$8,618,462.83 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE-WEBBER INC, TEXAS**, for Runway 8L-26R Airfield and Grounds Facility, ARFF Utilities and Service Roads at George Bush Intercontinental Airport/Houston, Project No. 522D, CIP A-0304 and A-0391 - 26.07% under the original contract amount - **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

3. Motion 2006-0044

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,212,547.25 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISE, INC** for Construction of Water Line Replacement in Various Unserved Subdivisions, Montrose Area, GFS S-0700-59-3 (WA10566-2) - 12.34% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 6

4. Motion 2006-0045

AMEND MOTION #2003-1302, 11/5/03, as amended by Motion #2005-0982, TO EXTEND expiration date from January 31, 2006 to August 31, 2006 and **TO INCREASE** spending authority from \$900,000.00 to \$1,250,000.00 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

5. Motion 2006-0042

C & G POLICE SUPPLY d.b.a. C & G WHOLESALE for Apparel, Holsters and Handguns for Police Department - \$395,300.76 - General Fund

6. Motion 2006-0043

AMEND MOTION #2003-430, 4/30/03, TO EXTEND expiration date from April 30, 2006 to April 29, 2008, for Heil Garbage Truck Body Aftermarket Replacement Parts and Service Contract for Solid Waste Management Department, awarded **WESTERN REFUSE AND RECYCLING EQUIPMENT, INC**

ORDINANCES - NUMBERS 7 through 37

7. Ordinance 2006-0031

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide sanitary sewer easement, Parcel SY5-070, within the Harris & Wilson Two League Grant, A-32, Harris County, Texas; vacating and abandoning said sanitary sewer easement to International Seal Company, Inc., the abutting owner, in consideration of the owner's payment to the City of \$1,500.00 and other good and valuable consideration - **DISTRICT I - ALVARADO**

8. Ordinance 2006-0043

ORDINANCE establishing the south side of the 2300 block of Bolsover 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 C - CLUTTERBUCK**

9. Ordinance 2006-0032

ORDINANCE establishing the north and south sides of the 1100 block of W. Cottage 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**

Motion 2006-0047 – Suspend rules to consider Item 10 out of order

10. Ordinance 2006-0044

ORDINANCE establishing the east and west sides of the 2600, 2700 and 2800 blocks of Eastgrove Street and Westgrove 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 C - CLUTTERBUCK**

ORDINANCES - continued

11. Ordinance 2006-0033

ORDINANCE establishing the north side of the 4300 and 4400 blocks of Leeland 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 I - ALVARADO**

12. Ordinance 2006-0034

ORDINANCE establishing the north and south sides of the 2400 and 2500 blocks of Oakdale 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 D - EDWARDS**

13. Ordinance 2006-0035

ORDINANCE establishing the west side of the 1400 block of Oxford Street and the portion of the east side of the 1400 block of Oxford Street south of Al Gregg 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**

14. Ordinance 2006-0036

ORDINANCE establishing the north and south sides of the 700 block of Redan 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 2006-0037

ORDINANCE establishing the west side of the 4200 and 4300 blocks of Watson 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**

16. Ordinance 2006-0047

ORDINANCE amending City of Houston Ordinance No. 2002-0512, passed June 12, 2002, which approved and authorized the submission of the 2002 Consolidated Plan and the grant application for the 28th Community Development Block Grant ("CDBG") Program - \$1,560,597.00

17. Ordinance 2006-0048

ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed June 30, 2004, which approved and authorized the submission of the 2004 Consolidated Plan and the grant application for the 30th Community Development Block Grant ("CDBG") Program - \$2,803,403.00

18. Ordinance 2006-0049

ORDINANCE approving and authorizing Resolution and submission of a grant application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Parks and Wildlife Department for Design and Development of East Tidwell Park, authorizing the Mayor to sign the Resolution - **DISTRICT B - JOHNSON**

19. Ordinance 2006-0050

ORDINANCE approving and authorizing Resolution and submission of a grant application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Parks and Wildlife Department for Design and Development of Sims Woods Park, authorizing the Mayor to sign the Resolution - **DISTRICT I - ALVARADO**

20. Ordinance 2006-0051

ORDINANCE amending Ordinance No. 2005-1364 for the limited purpose of correcting termination date of After School Achievement Program ("ASAP") Contract with St. James School **DISTRICT D - EDWARDS**

ORDINANCES - continued

21. Ordinance 2006-0052

ORDINANCE approving and authorizing Occupancy Agreement between the Harris County Hospital District ("HCHD") and the City of Houston ("City"), for the purpose of having HCHD offer a program known as Gateway to care for the provision of services that facilitate access to Healthcare Services for uninsured and underinsured residents of Houston and Harris County at the Third Ward Multi-Service Center - **DISTRICT I - ALVARADO**

22. Ordinance 2006-0053

ORDINANCE approving and authorizing contract between the City and **CRAIG T. MASON** for Consulting Services related to the City's three pension systems; providing a maximum contract amount

23. Ordinance 2006-0054

ORDINANCE approving and authorizing lease agreement between the City of Houston and **RAYTHEON AIRCRAFT SERVICES, INC** for certain premises at William P. Hobby Airport **DISTRICT I - ALVARADO**

24. Ordinance 2006-0055

ORDINANCE approving and authorizing Amendment No. 1 to lease agreement between the City of Houston and **AMERICAN INTERNATIONAL GROUP, INC, formerly with the WILLIAMS COMPANIES, INC**, for certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO**

25. Council Member Wiseman tagged

ORDINANCE approving and authorizing agreement between the City of Houston and the **BARBOSA GROUP INCORPORATED d/b/a EXECUTIVE SECURITY** for Security Guard Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$12,709,929.60 - **DISTRICTS B - JOHNSON and I - ALVARADO**

26. Ordinance 2006-0038

ORDINANCE appropriating \$1,913,500.00 out of Street & Bridge Consolidated Construction Fund for Local Match Funds for Construction of Halls Bayou Trail and approving and authorizing first amendment to agreement (approved by Ord No. 02-0002) between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)**, GFS N-0420-31-3 (SB9162-01) **DISTRICT B - JOHNSON**

ORDINANCES - continued

27. Ordinance 2006-0056

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the public improvement project known as the West White Oak Bayou Hike and Bike Trail (from Pinemont Street to Victory Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 4.3451 acres of land more or less in 34 parcels situated in Harris County, Texas, in the Samuel McClellan Survey Abstract No. 544, the Ellis Benson Survey Abstract No. 110, and the Samuel Leeper Survey Abstract No. 522 and being more specifically located out of Lot 21, Block 36 Roslyn Heights Addition, Lots 20 and 21, Block 37 of the Roslyn Heights Addition, Reserve "A" of Candlelight Oaks, Section Two, Reserve "A" Candlelight Oaks Section Three, Lots 3, 4, 5, 6, 7, 21 and 22, Block 4 Candlelight Oaks, Section Three, Unrestricted Reserve "A" Block Four Candlelight Trails Section Three, Lots 19, 20, 21, 22, 26, 27, 28, 29, 30, 31 and 32 Block 3 of the Replat of Antoine Forest Estates, Unrestricted Reserve "D" Block Three, Candlelight Trails, within Harris County Flood Control Drainage Easements as recorded under Volume 3408 Pages 312, 317, 322, and 332 of the Harris County Deed Records, within a Harris County Flood Control District Easement as recorded under Volume 3416, Page 239 of the Harris County Deed Records, a part of a tract of land being out of a remainder of 0.23290 tract of land in the Ellis Benson Survey, Abstract No. 110, as conveyed in an instrument filed under Harris County Clerk File No. G428813, being out of a 16.677 acre tract of land situated in the Ellis Benson Survey, Abstract 110, as conveyed in an instrument recorded under Harris County Clerk File No. T717142, being out of tract of land situated in the Samuel Leeper Survey Abstract No. 522, as conveyed under Harris County Clerk's File Number M457565

28. Ordinance 2006-0039

ORDINANCE appropriating \$204,826.89 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation to reimburse Metro for the Downtown/Midtown Transit Street Program - Congress Street from Louisiana Street to Jackson Street, GFS M-0671-11-3, under Transportation Improvement Agreement with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT I - ALVARADO**

29. Council Member Johnson tagged

ORDINANCE appropriating \$276,979.42 out of Water & Sewer System Consolidated Construction Fund and \$210,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Midtown Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INDIVISA CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Pine Tree Subdivision, CIP S-0800-H5-03 & R-0800-H5-03 **DISTRICT B - JOHNSON**

30. Pulled-Not Considered

ORDINANCE appropriating \$264,695.15 out of Water & Sewer System Consolidated Construction Fund and \$255,000.00 out of Tax Increment Reinvestment Zone 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 Section Six of the Southway Subdivision, CIP S-0800-13-03 & R-0800-13-03 **DISTRICT E - WISEMAN**

ORDINANCES - continued

31. Council Member Wiseman tagged

ORDINANCE appropriating \$305,494.97 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **GARC ENTERPRISES, LTD** for Construction of a Wastewater Force Main and Lift Station to serve the Southridge Crossing Subdivision, CIP R-0802-36-3 - **DISTRICT E - WISEMAN**

32. Ordinance 2006-0040

ORDINANCE appropriating \$2,259,000.00 out of Water & Sewer System Consolidated Construction Fund; \$67,000.00 out of Street & Bridge Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in the Holcombe Area, GFS S-0035-C1-3, N-0610-A-Z1-3 (WA10783); 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 testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and Street & Bridge Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

33. Ordinance 2006-0057

ORDINANCE appropriating \$1,075,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX. CORPORATION** for Chlorine Scrubber Systems at various facilities, GFS S-0533-05-3 (WA10806); 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 testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and B - JOHNSON**

34. Ordinance 2006-0041

ORDINANCE appropriating \$3,719,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION, LLP** for Water Line Grid Extensions at various locations, GFS S-0700-60-3 (WA10802); 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 testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK and F - KHAN**

35. Ordinance 2006-0042

ORDINANCE appropriating \$137,333.00 out of Police Consolidated Construction Fund; awarding construction contract to **C. F. MCDONALD ELECTRIC, INC**, GFS G-0097-02-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents; holding the bidder in default if it fails to meet the deadline; providing funding for contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT H - GARCIA**

36. Ordinance 2006-0058 – Passed first reading

ORDINANCE granting to **WSI WASTE SERVICES OF TEXAS, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**

ORDINANCES - continued

37. Ordinance 2006-0059 – Passed first reading

ORDINANCE granting to **YC DISPOSAL, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 38 and 39

MISCELLANEOUS

38. Motion 2006-0054 – Close nominations

RECEIVE nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2006

Council Member Wiseman nominated to Position 1

Council Member Garcia nominated to Position 2

Council Members Lovell and Holm nominated to Alternates at-Large

PROPERTY

39. Motion 2006-0055

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Michael L. Richker of Richker Properties, Inc., for abandonment and sale of Plainfield Road, from Summerbell Lane to White Chapel Lane, located in Country Club Villas Subdivision, Parcels SY6-029 and SY6-030 – **(Lee Burns and Travis, appointed – Samuel Stewart, alternate) - TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT C - CLUTTERBUCK**

MATTERS HELD - NUMBERS 40 through 45

40. Motion 2006-0056 – Adopt

RECOMMENDATION for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2006 - January 1, 2006 through December 31, 2006

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 2 on Agenda of January 11, 2006

Motion 2006-0051 – Suspend rules to consider Items 41, 43 and 44 out of order

41. Motion 2006-0052 – Refer back to the Administration

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Finance & Administration Department for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$68,694.00 - General Fund

TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, CLUTTERBUCK, LAWRENCE and KHAN

This was Item 4 on Agenda of January 11, 2006

MATTERS HELD - continued

42. Motion 2006-0057 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **STARTEX GASOLINE & OIL DISTRIBUTORS, INC** - \$26,229.36, **WASTE MANAGEMENT OF TEXAS, INC** - \$79,821.70 and **SUN COAST RESOURCES, INC** - \$128,558.91 to Address Emergency Disaster Recovery General and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

This was Item 12 on Agenda of January 11, 2006

Motion 2006-0053 – Postpone Item 43 one (1) week – “FAILED”

43. Ordinance 2006-0045

ORDINANCE amending Ordinance No. 2005-1022 which created the Hurricane Katrina Aid and Recovery Fund to expand the purposes for which the fund may be used to include increased public safety needs for a larger population resulting from Hurricane Katrina

TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS

This was Item 19 on Agenda of January 11, 2006

44. Ordinance 2006-0046

ORDINANCE approving and authorizing agreement for APM Operations and Maintenance Services at George Bush Intercontinental Airport, by and between the City of Houston and **JOHNSON CONTROLS, INC**; providing a maximum contract amount - \$20,393,000.00 Enterprise Fund - **DISTRICT B - JOHNSON**

TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, KHAN and JOHNSON

This was Item 24 on Agenda of January 11, 2006

45. Motion 2006-0058 – Postpone one (1) week

ORDINANCE appropriating \$194,767.94 out of Water & Sewer System Consolidated Construction Fund and \$187,993.11 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INDIVISA CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Pine Tree Subdivision, CIP S-0800-H6-03 & R-0800-H6-03 - **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBER JOHNSON**

This was Item 27 on Agenda of January 11, 2006

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Sekula-Gibbs 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