

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 31, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0944 to 2004-0970
ORDINANCES – 2004-0891 to 2004-0926
RESOLUTION – None

2004-0943-1

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

Motions 2004-0944 to 2004-0947 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 1, 2004 - 9:00 A. M.

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

HEARINGS

1. Motion 2004-0948 – Close hearing

PUBLIC HEARING - Pursuant to § 42.041(b)(14) of the Texas Human Resources Code, the City Council will conduct a public hearing to consider an ordinance readopting standards of care relating to the City Parks and Recreation Department's Youth Recreation Programs. For further information, see the draft ordinance that has been posted with this Agenda. Persons who desire to make public comments may contact the City Secretary's Office at 713-247-1840 in order to sign up to speak at the hearing. Alternatively, written comments may be delivered to the City Secretary's Office before commencement of the hearing - **9:00 A.M.**

a. Ordinance 2004-0891

ORDINANCE READOPTING ARTICLE XII, 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

AGENDA - SEPTEMBER 1, 2004 - PAGE 2

MAYOR'S REPORT - Reforms in the After School Achievement Program

Motion 2004-0949 –Accept report

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

CONSENT AGENDA NUMBERS 2 through 58

MISCELLANEOUS - NUMBERS 2 through 8

Motion 2004-0950 – Suspend rules to consider Items 2, 3, 61, 63, 63a and 9 out of order

2. Motion 2004-0951

REQUEST from Mayor for confirmation of the appointment of the following to the **TOWER PERMIT COMMISSION**, for terms expiring two years from date of confirmation:

- Position One - **MR. TODD C. LITTON**
- Position Two - **MS. BESSIE M. SWINDLE**
- Position Three - **MR. RAY BAILEY**
- Position Four - **MS. VIRGINIA PARRAS**
- Position Five - **DR. SHIN-SHEM STEVEN PEI**
- Position Six - **MS. ELAINE GASKAMP**
- Position Seven- **MR. JOHN MELCHER**

3. Council Members Green and Galloway tagged

REQUEST from Fire Chief for confirmation of the appointment of **DISTRICT CHIEF DANIEL G. SNELL** for the Position of **ASSISTANT FIRE CHIEF**

4. Council Members Sekula-Gibbs and Garcia tagged

RECOMMENDATION from Director Department of Health & Human Services for revision to the Clinical Fee Schedule for Immunization Services

5. Motion 2004-0965

RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of Supplemental Budget submitted by the Greater Houston Convention and Visitors Bureau - \$245,582.00 - Enterprise Fund

6. Council Member Wiseman tagged

RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of Supplemental Budget submitted by the Arts Council of Houston/Harris County \$202,872.00 - Enterprise Fund

7. Motion 2004-0966

RECOMMENDATION from Director Library Department for approval of Change Order #11 in the amount of \$61,920.00 on contract with **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services Contract for the Library Department - CDBG Fund - **DISTRICTS B - GALLOWAY; C - GOLDBERG; H - GARCIA and I - ALVARADO**

8. Motion 2004-0967

RECOMMENDATION from Director Library Department for approval of Change Order in the amount of \$271,363.00 on contract with **MINNESOTA MINING AND MANUFACTURING COMPANY (3M)** for Materials Security Systems and Maintenance Contract for the Library Department - CDBG Fund - **DISTRICTS B - GALLOWAY; H - GARCIA and I - ALVARADO**

ACCEPT WORK - NUMBERS 9 through 17

9. Motion 2004-0970

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$14,916,489.17 and acceptance of work on contract with **LAUGHLIN ENVIRONMENTAL, INC (now known as LAUGHLIN-THYSSEN, INC)** to Expand Fuel Farm Capacity at George Bush Intercontinental Airport/Houston; Project No. 510, CIP A-0251 and A-0378 - 06.79% over the original contract amount - **DISTRICT B - GALLOWAY**

10. Motion 2004-0955

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,175,727.84 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Construction of Pinemont Paving from Hollister to Hempstead, GFS N-0491-02-3 (SB9053) - 03.03% under the original contract amount **DISTRICT A - LAWRENCE**

11. Council Member Holm tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,269,459.30 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Construction of San Felipe Road Widening from Briargrove Drive to Fountainview Drive - Segment III (East), GFS N-0565-03-3 (N-0565-03) - 07.55% over the original contract amount - **DISTRICT G - HOLM**

12. Motion 2004-0956

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,292,257.18 and acceptance of work on contract with **CONRAD CONSTRUCTION COMPANY, INC** for Construction of Avenida de las Americas, GFS N-0691-01-3 (SB9111) - 02.20% over the original contract amount - **DISTRICT I - ALVARADO**

13. Motion 2004-0957

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$539,894.26 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of Water Lines and Sanitary Sewers in Vernon Place, GFS R-2011-32-3 (4809-2) - 08.72% under the original contract amount - **DISTRICT B - GALLOWAY**

14. Motion 2004-0958

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,480,225.06 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.**, for Construction of Water Line Replacement in North Noble Area, GFS S-0035-70-3 (WA10586) - 08.98% under the original contract amount - **DISTRICTS B - GALLOWAY and H - GARCIA**

15. Motion 2004-0959

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$990,770.80 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.**, for Construction of On-Call Water Main and Sanitary Sewer Extensions, GFS S-0801-P3-3 (WA10660-02) - 33.95% under the original contract amount

16. Motion 2004-0960

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,511,564.78 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Construction of Northeast Water Plant Well Collection Line, GFS S-0936-06-3 (WA10605-3) - 03.40% under the original contract amount - **DISTRICT B - GALLOWAY**

ACCEPT WORK - continued

17. Motion 2004-0961

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,912,469.94 and acceptance of work on contract with **REDDY ENGINEERS AND CONTRACTORS, INC** for Improvements at Various Ground Water Pumping Stations, GFS S-1000-RW-3 (10564) - 02.09% under the original contract amount - **DISTRICTS B - GALLOWAY; F - KHAN and G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 18 through 20

18. Ordinance 2004-0893

ORDINANCE appropriating \$44,654.00 out of City of Houston Subordinate Lien Hotel Occupancy Tax and Parking Revenue Commercial Paper Notes Series A for the Lighting Control System Upgrade at the Wortham Center for Convention & Entertainment Facilities Department

a. **Motion 2004-0962**

STAGELIGHT, INC for Light Control System Upgrade at the Wortham Theater Center for Convention & Entertainment Facilities Department

19. Motion 2004-0962

CUSTOM BUILT TRAILERS for Air Monitoring Trailer for Health & Human Services Department \$68,000.00 - Grant Fund

20. Motion 2004-0964

ABBOTT LABORATORIES, INC - \$41,439.50, **BECTON, DICKINSON AND COMPANY** \$92,646.90, **GEN-PROBE** - \$173,909.00 and **BIOMERIEUX, INC** - \$93,615.40 for Miscellaneous Diagnostic Test Kits for Health & Human Services Department - \$401,610.80 - General and Grant Funds

ORDINANCES - NUMBERS 21 through 58

21. Not Received-Not Considered

ORDINANCE **AMENDING ARTICLE V OF CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Farmers Markets

22. Ordinance 2004-0923

ORDINANCE approving and authorizing special warranty deed conveying to Ahmadali M. Virani a parcel of land containing 90,028 square feet (2.0668 acres), more or less, being out of Reserve "K" in Block 26, Clear Lake City Subdivision, Section Three, Sarah Deel League Survey, A-13, Harris County, Texas (The Former Clear Lake Library Site; located at 15800 Space Center Boulevard); and in consideration of Ahmadali M. Virani's payment of \$541,068.28, and other consideration to the City - **DISTRICT E - WISEMAN**

23. Ordinance 2004-0894

ORDINANCE approving and authorizing special warranty deed conveying to Frank V. Gonzales a parcel of land containing 12,500 square feet (0.2870 acre), more or less, being out of Lots 525 and 526, Kenwood Place Subdivision, Thomas Norments Survey, A-601, Harris County, Texas (The Former Houston Eastex Water Supply Corporation Well Site No. 2; located at 5430 Etheline); and in consideration of Frank V. Gonzales' payment of \$15,000.50, and other consideration to the City

ORDINANCES - continued

24. Ordinance 2004-0895

ORDINANCE approving and authorizing the sale to **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** of a terminable easement containing ±1,256.64 square feet of land, located within Lake Houston, David Harris Survey, A-26; Parcel SY3-065; in consideration of the payment of \$300.00 and other consideration to the City - **DISTRICT E - WISEMAN**

25. Ordinance 2004-0896

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 5-foot-wide utility easement, a 10-foot-wide easement and two 5-foot-wide aerial easements containing an aggregate of 4,885 square feet of land, more or less, being located in the H. A. Robinson Survey, A-679, Harris County, Texas; vacating and abandoning said tracts of land to Hi-Lo Auto Supply, L.P., the abutting owner, in consideration of owner's dedication of a utility easement containing 897 square feet of land, more or less, and payment of \$4,423.00 and other consideration to the City - **DISTRICT D - EDWARDS**

26. Ordinance 2004-0897

ORDINANCE consenting to the creation of **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 1**

27. Ordinance 2004-0898

ORDINANCE consenting to the creation of **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2**

28. Ordinance 2004-0899

ORDINANCE consenting to the addition of 18.294 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 158**, for inclusion in its district

29. Ordinance 2004-0900

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 420**

30. Ordinance 2004-0901

ORDINANCE consenting to the addition of 44.530 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district

31. Ordinance 2004-0902

ORDINANCE consenting to the addition of 7.200 acres of land to **NORTH PARK PUBLIC UTILITY DISTRICT**, for inclusion in its district

32. Ordinance 2004-0903

ORDINANCE establishing the south side of the 1100 block of Algregg 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**

33. Ordinance 2004-0904

ORDINANCE establishing the north side of the 700 block of Key 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**

34. Ordinance 2004-0905

ORDINANCE approving and authorizing Ground Lease agreement between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, in connection with Visual Approach Slope Indicator Sites and Precision Approach Path Indicator Site at William P. Hobby Airport - **DISTRICT I - ALVARADO**

ORDINANCES - continued

35. Ordinance 2004-0906

ORDINANCE approving and authorizing supplemental agreement No. 2 to Lease No. DTFA07-00-L-00920 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, in connection with System Support Center and Contract Weather Observation Site at William P. Hobby Airport - **DISTRICT I - ALVARADO**

36. Ordinance 2004-0924

ORDINANCE approving and authorizing amendment No. 1 to lease agreement between the City of Houston and **CONOCOPHILLIPS COMPANY** at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY**

37. Ordinance 2004-0925

ORDINANCE approving and authorizing: Compromise and Settlement Agreement between the City and the **CH 11 TRUSTEE OF TAVAERO JET CENTER, INC, TEXTRON BUSINESS CREDIT, and WOOLSEY AVIATION, INC**; authorizing the assignment of two leases at William P. Hobby Airport ("HOU") between the City and **TAVAERO JET CENTER, INC to WOOLSEY AVIATION, INC d/b/a MILLION AIR** described as follows: lease authorized by Ordinance No. 03-372 passed April 16, 2003 and covering premises located at 8411 Nelms Street, Houston, Texas ("Nelms Street Lease"); and lease authorized by Ordinance No. 98-374 passed May 20, 1998 covering approximately 555,054 square feet of land and improvements located on the west side of HOU, said lease having been amended by amendment No. 1 authorized by Ordinance 99-35 passed January 20, 1999 (collectively the "West Side Lease"); and authorizing amendment No. 1 to the Nelms Street Lease and amendment No. 2 to the West Side Lease - **DISTRICT I - ALVARADO**

38. Ordinance 2004-0907

ORDINANCE approving and authorizing the submission of the budgets for Bureau of Nutritional Services, Women and Children (WIC), Tuberculosis, Title V-Part A, Associateship for Family Health Services, and Titles X & XX Programs, and Triple O Project for the 2004-2005 contracts with the **TEXAS DEPARTMENT OF HEALTH** (TDH Contract No. 7460011640-05); authorizing the Director of the Health and Human Services Department to accept related applicable contract change notices and to accept any supplemental change notices during the grant period; declaring the city's eligibility for such grants; authorizing the use of interim funding from the General Fund, not to exceed 15% of the requested level of funding for the WIC Program, and declaring intent to reimburse the General Fund from proceeds received from the Texas Department of Health for the WIC Program; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any

39. Council Members Ellis and Wiseman tagged

ORDINANCE approving and authorizing the City of Houston to enter into contract with each of thirteen (13) non-profit organizations [**ALIEF MONTESSORI COMMUNITY SCHOOL, BREAD OF LIFE, INC., CHANCELLORS FAMILY CENTER, CHILD AND ADULT DEVELOPMENT CENTER OF HOUSTON, INC., CHINESE COMMUNITY CENTER, CITY WIDE CLUB OF CLUBS, JULIA C. HESTER HOUSE, INC., KIPP, INC., MOUNTAIN TOP LEARNING CENTER, SER-NINOS, INC., SOUTHEAST HOUSTON COMMUNITY DEVELOPMENT CORPORATION, ST. JAMES SCHOOL and YMCA OF THE GREATER HOUSTON AREA**] to administer an After School Achievement Program ("ASAP") - \$542,846.00 - General, Grant and Housing Special Revenue Funds

ORDINANCES - continued

40. Ordinance 2004-0908

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Occupant Protection Selective Traffic Enforcement Program (OP STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

41. Ordinance 2004-0909

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Intersection Traffic Control Selective Traffic Enforcement Program (ITC STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

42. Ordinance 2004-0910

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Holiday Driving While Intoxicated Selective Traffic Enforcement Program (DWI STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

43. Ordinance 2004-0911

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Safe Trucks Driven Safely Selective Traffic Enforcement Program (STDS STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

44. Ordinance 2004-0912

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Speed Selective Traffic Enforcement Program (SPEED STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

45. Ordinance 2004-0913

ORDINANCE approving and authorizing amendment to Municipal Maintenance Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)**, (SB9143-04) - **DISTRICT G - HOLM**

46. Council Member Edwards tagged

ORDINANCE approving and authorizing interlocal service agreement between the City of Houston and **HARRIS COUNTY** for Laboratory Testing Services performed at the Harris County Medical Examiner's Laboratory for the Houston Police Department - \$183,340.00 - General and Grant Fund

ORDINANCES - continued

47. Pulled-Not Considered

ORDINANCE appropriating an additional \$150,000.00 out of Court Technology Fund to contract between the City of Houston and **DELOITTE & TOUCHE LLP** for Use in conjunction with the Integrated Case Management System for the Municipal Courts Administration Department

48. Ordinance 2004-0914

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **SUPERIOR BUILDING SERVICES, INC** for Window Cleaning Services for Houston Airport System approved and authorized by Ordinance No. 99-536 - **DISTRICTS B - GALLOWAY and E - WISEMAN**

49. Ordinance 2004-0915

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **ALLIANCE DIESEL & GAS ENGINE REBUILDERS, INC** for Diesel Engine Machine Work Services for Various Departments approved and authorized by Ordinance No. 98-247

50. Pulled-Not Considered

ORDINANCE appropriating \$609,254.85 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Parks Master Plan – MacGregor Park Expansion, GFS F-504A-11-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT D - EDWARDS**

51. Ordinance 2004-0916

ORDINANCE appropriating \$133,750.00 out of Water & Sewer System Consolidated Construction Fund to contract between the City and **COASTAL SECURITIES** for Financial Advisory Services; appropriating \$100,000.00 out of Street & Bridge Consolidated Construction Fund to contract with **FIRST SOUTHWEST COMPANY** for Financial Advisory Services; allocating certain other funds to the Financial Advisory contracts - \$152,500.00 - Enterprise Fund

52. Council Member Goldberg tagged

ORDINANCE appropriating \$1,186,700.00 out of General Improvements Consolidated Construction Fund; awarding construction contract to **MID-CONTINENTAL RESTORATION COMPANY, INC** for Sealing and Repair of exterior walls at City Hall; GFS D-0113-04-3; 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 contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT I - ALVARADO**

53. Ordinance 2004-0917

ORDINANCE appropriating \$65,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** in connection with Reconstruction of Runway 4-22, Storm Drainage Improvements and Storage Maintenance Facility at Ellington Field (Project No. 606); CIP A-0470 and A-0473 - **DISTRICT E - WISEMAN**

ORDINANCES - continued

54. Ordinance 2004-0918

ORDINANCE appropriating \$67,044.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **JAYMARK ENGINEERING CORPORATION** for Rehabilitation of Two and the Replacement of One Ground Storage Tank at Three Pumping Stations, CIP S-0600-33-3 (10675-33) - **DISTRICTS C - GOLDBERG; E - WISEMAN and G - HOLM**

55. Ordinance 2004-0919

ORDINANCE appropriating \$134,504.10 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **TSC ENGINEERING COMPANY** for Construction of a 1.5 MG Braeburn West Elevated Storage Tank, CIP S-0620-28-3 (WA10596-28) - **DISTRICT C - GOLDBERG**

56. Ordinance 2004-0920

ORDINANCE appropriating \$1,662,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** for Citywide Fire Hydrant Replacement and Height Correction, GFS S-0035-D6-3 (WA10809); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

57. Ordinance 2004-0921

ORDINANCE awarding construction contract to **RWL CONSTRUCTION, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Three of the Clarke Springs Subdivision; approving and authorizing an assignment of the construction contract to **150 CLARKE SPRINGS, LTD.**, CIP S-0800-84-3 and R-0800-84-3 (DPC-040) - **DISTRICT D - EDWARDS**

58. Ordinance 2004-0922

ORDINANCE awarding construction contract to **METRO CITY CONSTRUCTION, L.L.P.** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Seven of the Post Oak Place Subdivision; approving and authorizing an assignment of the construction contract to the **KENDALL HOMES CORPORATION**, CIP S-0800-A6-3 and R-0800-A6-3 (DPC-045) - **DISTRICT D - EDWARDS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 59 and 60

PROPERTY

59. Motion 2004-0968

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower of Brown & Gay Engineers, Inc., on behalf of Ocires I Limited, a Texas limited partnership [Ocires Limited, Inc. (Emilio Suberbie, president), general partner], for abandonment and sale of portions of Stafford Drive and Strickland Drive, from Rothermel Road north to their terminus, and a 10-foot wide utility easement, all within Langley Road Place Subdivision - Parcels SY5-002A, SY5-002B and SY5-002C – **George Wyche and Travis Cooper, Appointed {Jasmine Quinerly - alternate}** - **APPRAISERS - DISTRICT B - GALLOWAY**

PROPERTY - continued

60. Motion 2004-0969

AMEND MOTION #2003-1516, 12/17/03, which authorized abandonment and sale of ±7,442 square feet of excess, fee-owned street right of way, acquired for the Scott Street Widening Project, consisting of the remainder of Lots 1, 3 and 5, Block 3, Edmundson Addition, Parcel SY4-017, to amend Item 5 **TO APPOINT** two independent real estate appraisers and add Item 6 to appoint one alternate independent real estate appraiser – **(Gary Meyer and Patricia Keys, Appointed {Frank Flores - alternate}) - APPRAISERS - DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 61 through 63A

61. Motion 2004-0952 – Adopt as amended

MOTION by Council Member Khan/Seconded by Council Member Ellis to adopt recommendation from Director Parks & Recreation Department for approval of a Memorial Park Master Plan **DISTRICT G - HOLM - TAGGED BY COUNCIL MEMBER GARCIA**
This was Item 10 on Agenda of August 25, 2004

62. Ordinance 2004-0926

ORDINANCE awarding contract to **TROY CONSTRUCTION, L.L.P.**, for On-Call Drainage System Repair (Work Order Contract), GFS M-0243-01-3 (SM5050); providing funding for contingencies and engineering and testing services relating to repair of facilities financed by the Storm Water Fund - \$1,189,000.00 - Storm Water Fund
TAGGED BY COUNCIL MEMBER GALLOWAY
This was Item 39 on Agenda of August 25, 2004

63. Motion 2004-0953 – Tabled

Council Member Goldberg presented the following written Motion to amend Item 63A below:
“(1) Members who wish to revoke a service conversion shall have six months from January 1, 2005 to transfer from Plan A to Plan B.
(2) Members of Plan C who have vested shall return to a pre-1999 accrual formula. No members in Plan C, current or retired, shall receive 2 years of service credit for one, for service prior to 1999.”
TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and LAWRENCE

Motion 2004-0954 – Amend Item 63a as follows:

“agreement is clarified by the following, as the last sentence of Section 19: “This section does not apply to Group C member.””

a. Ordinance 2004-0892 – Adopt as amended

ORDINANCE approving and authorizing a Meet and Confer Agreement between the City and the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM**; containing provisions relating to the subject - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**
This was Item 42 on Agenda of August 25, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Ellis 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

8/31/2004 – Council Member Garcia absent on City business

9/1/2004 – All Present