

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 13, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0040 to 2004-0054
ORDINANCES – 2004-0015 to 2004-0033
RESOLUTIONS - None

2004-0039-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Edwards

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 14, 2004 - 9:00 A. M.

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

HEARINGS

1. Motion 2004-0040 – Close hearing

PUBLIC HEARING regarding the proposed realignment of a portion of the Sanitary Sewer lines through Glenbrook Park Golf Course by the Public Works Department - **DISTRICT I - ALVARADO - 9:00 A.M.**

MAYOR'S REPORT - Briefing on issues relating to Terminals C and E at Bush Intercontinental Airport

CONSENT AGENDA NUMBERS 2 through 25

MISCELLANEOUS - NUMBERS 2 and 3

2. Motion 2004-0049

RECOMMENDATION from Fire Chief for Extension of Injury Leave for **ROSA ARENAS**

MISCELLANEOUS - continued

3. Motion 2004-0050

RECOMMENDATION from Director Department of Solid Waste Management authorizing transfer of the remaining Funds from the Solid Waste Special Revenue Fund 233 to the General Fund

ACCEPT WORK - NUMBERS 4 through 8

4. Motion 2004-0042

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$409,790.16 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-C1-3 (SB9049-1) - 04.88% over the original contract amount - **DISTRICTS C - GOLDBERG and D - EDWARDS**

5. Motion 2004-0043

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$470,705.18 and acceptance of work on contract with **WINDSOR CONTRACTING, LLC** for Construction of Safe Sidewalk Program, GFS N-0610A-T1-3 (SB9048-3) - 06.54% under the original contract amount - **DISTRICTS A - LAWRENCE: B - GALLOWAY and H - GARCIA**

6. Motion 2004-0044

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,208,756.59 and acceptance of work on contract with **STEVEN R. HILL CONSTRUCTION CO., INC** for Allen's Landing Redevelopment Site Development - Task Two, GFS N-0669-02-3 (N-0669-02) - 06.36% under the original contract amount - **DISTRICT I - ALVARADO**

7. Motion 2004-0045

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,225,625.41 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-0266-87-3 (4257-20) 01.99% under the original contract amount

8. Motion 2004-0051

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$291,399.57 and acceptance of work on contract with **ENVIRONMENTAL ENGINEERS AND CONSTRUCTORS II, LTD.** for Dairy Ashford No. 5 Lift Station Rehabilitation, GFS R-0267-73-3 (4276-33) - 04.09% over the original contract amount **DISTRICT G - HOLM**

PROPERTY - NUMBERS 9 through 12

9. Motion 2004-0046

RECOMMENDATION from Director Department of Public Works & Engineering for consent by the City Council for the sale of Real Property held by Huffman Independent School District, as a result of a Tax Foreclosure identified as Parcel CY3-002, located on Logan Lane between Ramsey Road and Page Lane - **DISTRICT E - WISEMAN**

PROPERTY - continued

10. Motion 2004-0047

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels DY2-033 and DY2-033A, located in the 2800 block of Fox Street, owned by Wilmer Apartments, Limited Partnership, Timothy Hagerty, General Partner, for the **NORTH VELASCO LIFT STATION REPLACEMENT PROJECT**, CIP R-0267-06-2 - **DISTRICT H - GARCIA**

11. Motion 2004-0048

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY3-144, located at the southwest corner of IH-10 and North Eldridge Parkway, owned by Memorial Hospital System, a Texas nonprofit corporation, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - **DISTRICT A - LAWRENCE**

12. Omitted

ORDINANCES - NUMBERS 13 through 25

13. Ordinance 2004-0020

ORDINANCE approving and authorizing the submittal of an application to the **U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL** for the City's HIV Prevention Activities (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - 5 Years - \$6,180,327.00 - Grant Fund

14. Ordinance 2004-0016

ORDINANCE ordering and setting a public hearing, pursuant to the provisions of Chapter 26, Texas Parks & Wildlife Code, 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; authorizing and directing that notice of such hearing be given, stating in substance the form of such notice; finding and stating other matters generally relating thereto **DISTRICT B - GALLOWAY**

15. Ordinance 2004-0021

ORDINANCE amending Ordinance No. 2003-1247 for the limited purpose of approving and authorizing a modified contract between the City of Houston and **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA** to allow for the Operation of an After School Achievement Program at Grissom Elementary School located at 4900 Simsbrook, Houston, Texas, rather than at the W. Orem YMCA located at 12256 Zavalla Street, Houston, Texas, as previously authorized - **DISTRICT D - EDWARDS**

16. Ordinance 2004-0022

ORDINANCE approving and authorizing contract between the City and **JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS** for Nutrition and Transportation Services for the Elderly; providing a maximum contract amount - 4 Years - \$1,919,565.00 - Grant Fund

17. Ordinance 2004-0023

ORDINANCE approving and authorizing contract between the City and **TEXAS SOUTHERN UNIVERSITY** for Caregiver Education and Training Services for the Elderly; providing a maximum contract amount - 4 Years - \$375,000.00 - Grant Fund

ORDINANCES - continued

18. Ordinance 2004-0017

ORDINANCE approving and authorizing contract between the City and the **HOUSTON GALVESTON AREA COUNCIL (HGAC)** for Water Quality Sampling and a Bacteria Die-Off Study for E-Coli Levels - 2 Years - \$130,000.00 - Grant Fund

19. Ordinance 2004-0024

ORDINANCE appropriating \$200,000.00 out of Low Income Housing Fund 162 and adopting Guidelines to establish a Voluntary Visitability Program to provide incentives to developers of Affordable Housing to Implement the Design Specifications of Ordinance No. 2003-1239

Motion 2004-0041 – Suspend rules to consider Item 20 out of order

20. Ordinance 2004-0015

ORDINANCE appropriating \$750,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing agreement between the City of Houston and **CLOUDBREAK HOUSTON, LLC** to Finance a portion of the costs to Renovate the former Days Inn Hotel located at 4640 Main Street, Houston, Texas, to house low and very-low income veterans and HIV/AIDS affected persons by providing: (1) a Performance-Based Grant in the amount of \$2,800,000.00 funded from the appropriated funds and from Federal “HOME” Funds; and (2) a loan in the amount of \$500,000.00 funded solely from Federal “HOME” Funds - **DISTRICT D - EDWARDS**

21. Ordinance 2004-0025

ORDINANCE approving and authorizing contract between the City of Houston and **CAREER AND RECOVERY RESOURCES, INC** providing up to \$150,716.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds, which sum includes a limitation of additional funding in the amount of \$75,358.00, for the Operation of a Computer Literacy Training Program along with supportive services

22. Ordinance 2004-0026

ORDINANCE approving and authorizing amendment No. 1 to the Timber Sale and Clearing Agreement between the City of Houston and **STETSON LOGGING, INC** at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

23. Ordinance 2004-0018

ORDINANCE appropriating \$1,119,500.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Two, McAuley Survey, A-577, and Hartland Acres, W.C.R.R. Co. Survey, A-935, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-06.1; approving Purchase and Sale Agreements with the owners of the land (Teresa Gibbs; Billie Jeanne Harper and Jessie R. Harper; Ignacio L. Ramirez and Ofelia G. Ramirez; and Rufuge Temple Ministries, Inc.) **DISTRICT B - GALLOWAY**

24. Ordinance 2004-0019

ORDINANCE appropriating \$940,828.00 out of Airport System Improvement Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-15.1; approving purchase and sale agreements with the owners of the land (Leodegario Alquicira and Caritina Alquicira; Bertha Romain Hardt Barski; Hugh A. Franz 1986 Children’s Trusts and H. A. Franz Family Trusts; Frank Hurtado and Laihar Hurtado; Guido Weiss and Lupe Maria Weiss; W. L. Y., L.P.) **DISTRICT B - GALLOWAY**

ORDINANCES - continued

25. Council Members Edwards, Quan, Berry, Garcia, Green and Galloway tagged

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**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 26

PROPERTY

26. Motion 2004-0052

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lillie Gilbeaux, Fort Worth District of the U. S. Army Corps of Engineers, on behalf of the United States of America (Bobby J. Camp, Assistant Chief of Real Estate), for abandonment and sale of Perimeter West Drive, located between Restricted Reserves B and C, Perimeter Park Subdivision, Parcel SY4-015 - **(Mr. Gary Meyer and Ms. Sheila Stewart, Appointed) - APPRAISERS - DISTRICT A - LAWRENCE**

MATTERS HELD - NUMBERS 27 through 35

27. Motion 2004-0053 – Adopt

MOTION by Council Member Sekula-Gibbs/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **PRIME MATERIALS & SUPPLY CORP.** for Asphalt Emulsion for Various Departments - \$909,952.65 - General and Enterprise Funds - **TAGGED BY COUNCIL MEMBERS ELLIS and QUAN**
This was Item 15 on Agenda of January 7, 2004

28. Ordinance 2004-0027

ORDINANCE appropriating \$56,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Midtown Fund No. 98E and approving and authorizing first amendment to development agreement with **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to provide \$56,000.00 of additional funding for Lead Abatement Costs related to nine affordable rental units - **DISTRICT H - GARCIA** - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 18 on Agenda of January 7, 2004

29. Motion 2004-0054 – Postpone two (2) weeks

ORDINANCE approving and authorizing amendment No. 1 to the Airport Advertising Concession Agreement between the City of Houston and **JCDECAUX AIRPORT, INC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - GALLOWAY and I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS ELLIS and HOLM**
This was Item 21 on Agenda of January 7, 2004

MATTERS HELD – continued

30. Ordinance 2004-0028

ORDINANCE amending Ordinance No. 99-0072 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **INFRASTRUCTURE SERVICES, INC** for Sweeping Services for Public Works & Engineering Department - \$732,335.09 - General Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 24 on Agenda of January 7, 2004

31. Ordinance 2004-0029

ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract with **METROPLEX INDUSTRIES, INC** for Safe Sidewalk Program F0 Project, GFS N-0610A-F0-2 (SB9137); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund
TAGGED BY COUNCIL MEMBER GALLOWAY
This was Item 27 on Agenda of January 7, 2004

32. Ordinance 2004-0030

ORDINANCE appropriating \$744,703.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-C2-3 (WW4277-14); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 28 on Agenda of January 7, 2004

33. Ordinance 2004-0031

ORDINANCE appropriating \$828,344.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-C3-3 (WW4277-15); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBERS GALLOWAY and GOLDBERG**
This was Item 29 on Agenda of January 7, 2004

34. Ordinance 2004-0032

ORDINANCE appropriating \$791,295.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **SHUMAKER-HARVEY EQUIPMENT CO. DBA, SHE-CO.** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-C4-3 (WW4277-16); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 30 on Agenda of January 7, 2004

35. Ordinance 2004-0033

ORDINANCE appropriating \$768,526.00 out of Water and Sewer System Consolidated Construction Fund, awarding construction contract to **UTILITY & ENVIRONMENTAL SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-C5-3 (WW4277-17); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 31 on Agenda of January 7, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Khan 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

1/13/2004 – Council Member Sekula-Gibbs out of the City on personal business

1/14/2004 – Council Member Wiseman absent due to being ill

Council Member Sekula-Gibbs out of the City on personal business