

AGENDA - COUNCIL MEETING - TUESDAY - JULY 27, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0840 to 2004-0863
ORDINANCES – 2004-0780 to 2004-0812
RESOLUTION – None

2004-0839-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Galloway

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 2004-0840 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 28, 2004 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 55

MISCELLANEOUS - NUMBERS 1 through 3

1. Motion 2004-0841

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MUNICIPAL ART COMMISSION**, for terms to expire on January 1, 2006 for Positions One through Nine and January 1, 2005 for Position Fifteen:

Position One - **MR. REGINALD C. ADAMS**, reappointment
Position Two - **MR. FLOYD E. NEWSUM, JR.**, appointment
Position Three - **MS. ARTIE LEE HINDS**, reappointment
Position Four - **MS. SARAH CORTEZ**, appointment
Position Five - **MR. DAVID W. ROBINSON**, appointment
Position Six - **MS. JANE A. CURTIS**, appointment
Position Seven - **MR. GUS KOPRIVA**, appointment
Position Eight - **MS. EMILIE S. KILGORE**, reappointment
Position Nine - **MS. SHUNNEY H. NAIR**, reappointment
Position Fifteen - **MR. JOHN C. MORINIERE**, appointment

MISCELLANEOUS - continued

2. Motion 2004-0842

RECOMMENDATION from Director Human Resources to approve the thirteenth 90 day period for pay differential for employees called to active duty status during a time of war or state of emergency

3. Motion 2004-0843

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **EAST END IMPROVEMENT CORPORATION** for Law Enforcement Services of 1 Sergeant and 7 Deputies from Harris County Constable Precinct 6

ACCEPT WORK - NUMBER 4

4. Motion 2004-0858

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,238,693.98 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-26-3 (4235-14) - 00.39% under the original contract amount

PROPERTY - NUMBERS 5 through 10

5. Ordinance 2004-0780

ORDINANCE appropriating \$10,590.00 out of Fire Consolidated Construction Fund Number 413 to supplement the funds needed to pay the amount of the Award of Special Commissioners and all costs of court in connection with the eminent domain proceeding styled City of Houston v. Eli Cortes and Ana Cortes, et al., to acquire Parcel Number HY2-001, for Fire Station No. 26 Expansion Project; GFS/CIP C-0142-01-1 - **DISTRICT I - ALVARADO**

a. Motion 2004-0844

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceeding styled City of Houston v. Eli Cortes and Ana Cortes, et al, Cause No. 811,583, for acquisition of Parcel HY2-001; for **FIRE STATION NO. 26 EXPANSION PROJECT**, GFS/CIP C-0142-01-1 - \$51,890.00 - **DISTRICT I - ALVARADO**

6. Motion 2004-0845

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Stephanie A. Funk of Cobb, Fendley & Associates, Inc., on behalf of Houston Independent School District, for abandonment and sale of: (1) a ±139-square foot portion of Providence Avenue, along the northeast boundary of Solo Street; (2) a portion of Sharon Avenue, adjacent to Lot 21, Block 10 and Lot 12, Block 12; (3) a portion of Vernon Avenue, adjacent to Lot 2, Block 8 and Lot 10, Block 10; and (4) three 3-foot-wide sanitary sewer easements, all within Pinecrest Court, Second Addition, in exchange for the conveyance to the City of right of way to widen Finnigan Drive and three utility easements, all within the Harris and Wilson Survey, Abstract 32, Parcels SY4-030A, SY4-030B, SY4-030C, SY4-030D, SY4-030E, SY4-030F, AY4-060, VY4-014A, VY4-014B and VY4-014C - **STAFF APPRAISERS - DISTRICT H - GARCIA**

7. Motion 2004-0846

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John Ross Palmer, for abandonment and sale of a 9-foot-wide portion of a 38-foot-wide alley, located at 722 West 17th Street, adjacent to Lots 10 and 11, Block 127, Houston Heights Addition, Parcel SY4-038 - **STAFF APPRAISERS - DISTRICT H - GARCIA**

PROPERTY - continued

8. Motion 2004-0847

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chalmers R. Miller of Lederer-Miller & Assoc., Inc, on behalf of Bernardo Daniel, Gamaliel Cuellar, and Elsa Cuellar, for abandonment and sale of an unnamed street, located between Blocks B and C, Alameda Estates Subdivision, Parcels SY4-011 and SY4-042 - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

9. Motion 2004-0848

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kleber J. Denny of Terra Associates, Inc., on behalf of Property Commerce Development Company (S. Jay Williams, president), for abandonment and sale of Sawyerdale Street, from Crockett Street to Shearn Street, and a ±60-foot portion of Shearn Street contiguous to Lots 9, 14 and 15, Block 2, located within Shearn Street Addition, and a carryover credit for Property Commerce for the excess conveyance value to apply only toward the future abandonment and sale of street rights of way and/or easements, in exchange for the conveyance to the City of right of way and the construction of a cul-de-sac at the dead-end of Crockett Street, right of way for Summer Street, a 5-foot-wide waterline easement, and a 15-foot by 25-foot water meter easement, located within Shearn Street Addition and Howard Haynes Addition, Parcels SY4-040A, SY4-040B, AY4-040A, AY4-040B, KY4-179A and KY4-179B - **STAFF APPRAISERS - DISTRICT H - GARCIA**

10. Motion 2004-0849

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Marvin Lisnitzer of McDonough Engineering Corporation, on behalf of Bayou on the Bend, Ltd. [5209 Apartment Management, LLC (Matthew G. Dilick, Manager Member), general partner], for abandonment and sale of a portion of a 5-foot-wide utility and drainage easement and the attendant aerial easements, located within Unrestricted Reserve A, Block 1, Bayou on the Bend Addition, John Reinerman Survey, Abstract 642, Parcel SY4-045 - **STAFF APPRAISERS - DISTRICT G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 20

11. Motion 2004-0859

THE HON COMPANY for Office Furniture from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$36,823.22 - Enterprise Fund

Motion 2004-0853 – Suspend rules to consider Items 12, 12a, 13, 13a, 29, 39, 45, 58, 59, 61, 62 and 63 out of order

12. Ordinance 2004-0794

ORDINANCE appropriating \$64,859.55 out of Public Health Consolidated Construction Fund for the Foundation Repair at the Riverside Health Clinic for the Building Services Department, CIP H-0052-01-5 - **DISTRICT I - ALVARADO**

a. Motion 2004-0854

PELTIER BROTHERS CONSTRUCTION, LTD. to Repair the Foundation of the Riverside Health Clinic for Building Services Department - \$61,771.00 and contingencies for a total amount not to exceed \$64,859.55 - **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - continued

13. Ordinance 2004-0795

ORDINANCE appropriating \$344,925.00 out of Public Health Consolidated Construction Fund for the HVAC Replacement at the Riverside Health Clinic for the Building Services Department, CIP H-0052-01-5 - **DISTRICT I - ALVARADO**

a. Motion 2004-0855

CARRIER CORPORATION for the HVAC Replacement at the Riverside Health Clinic for Building Services Department - \$328,500.00 and contingencies for a total amount not to exceed \$344,925.00 - **DISTRICT I - ALVARADO**

14. Motion 2004-0850

GOMEZ FLOOR COVERING, INC for Ceramic Tile Project for Building Services Department \$33,500.00 and contingencies for a total amount not to exceed \$35,175.00 - **DISTRICT D - EDWARDS**

15. Motion 2004-0860

R. H. TONETTI CONSTRUCTION COMPANY for Kingwood Communication Towers and Communication Rooms for Houston Fire Department - \$560,000.00 and contingencies for a total amount not to exceed \$588,000.00

16. Motion 2004-0851

LETCO GROUP, L.P. (aka) LIVING EARTH TECHNOLOGY for Playground and Jogging Trail Surface Material for Parks & Recreation Department - \$191,250.00 - General Fund

17. Motion 2004-0852

AMEND MOTION #2000-180, 2/9/00, as amended by Motion Nos. 03-0077, 03-973 and 03-1478, TO EXTEND expiration date from August 7, 2004 to August 6, 2005, for Chemical, Aqua Ammonia and Liquid Ammonium Sulfate Contract for Department of Public Works & Engineering, awarded to **SOUTHERN IONICS, INCORPORATED (formerly Shrieve Chemical Company)**

18. Council Member Wiseman tagged

AMEND MOTION #2001-0903, 8/8/01, TO EXTEND expiration date from August 15, 2004 to August 14, 2006, for Tools, Lawn, Garden and Striking Contract for Various Departments, awarded to **GROVES INDUSTRIAL SUPPLY**

19. Council Member Wiseman tagged

W. W. GRAINGER, INC for spending authority in an amount not to exceed \$1,025,205.33 to purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Fleet Management, Parks Special Revenue and Building Inspection Funds

20. Council Member Wiseman tagged

HALL'S LANDSCAPING AND MAINTENANCE LLP (Bids #1 and #2) - \$388,025.18 and **BWI SCHULENBURG (Bid #14)** - \$94,948.47 for Landscape, Plants, Trees, Grass and Associated Materials for Various Departments - \$497,910.98 minus a commission fee (3% for Internet-based reverse action services) for a net award amount not to exceed \$482,973.65 - General, Enterprise and Parks Special Revenue Funds

ORDINANCES - NUMBERS 21 through 55

21. Ordinance 2004-0801

ORDINANCE amending Exhibit "A" of the City of Houston Ordinance No. 2004-583 by adding one hundred eighty-two Fire Fighter Positions; substituting the amended Exhibit as part of the current Fire Department Classified Personnel Ordinance

22. Council Member Edwards tagged

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Glenwyck Drive, from the south to the north boundary of Brentwood Place Apartment Subdivision, Parcel SY3-054A, and of a 10-by 20-foot fire hydrant easement, Parcel SY3-054B, vacating and abandoning said easements to Brentwood Way Developers, L.P., the abutting owner, in consideration of (i) its dedication of right of way to realign Glenwyck Drive, Parcel AY3-626, and (ii) its payment of \$600.00 and other consideration to the City; the two abandonment parcels and the dedication parcel all being located within Brentwood Place Apartment Subdivision - **DISTRICT D - EDWARDS**

23. Council Member Wiseman tagged

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement, within the Samuel D. Smith Survey, A-737; vacating and abandoning said utility easement to JEC Texas, Ltd., by and through its general partner, JEC Development, Inc., the abutting owner, in consideration of the owner's payment of \$3,202.00 and other consideration to the City; Parcel SY4-013 - **DISTRICT E - WISEMAN**

24. Ordinance 2004-0781

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement containing 2,706 square feet of land, more or less, Parcel SY3-045, vacating and abandoning said parcel to WMJK., Ltd., the abutting owner, in consideration of (i) its dedication of an easement for street right of way purposes containing 1,410 square feet of land, more or less, to widen Sage Road, Parcel AY3-627, and (ii) its payment of \$300.00 and other consideration to the City; both the abandonment and dedication parcels being out of Lot 4, Block 32 Tanglewood, Section 7, Houston Harris County, Texas - **DISTRICT G - HOLM**

25. Ordinance 2004-0782

ORDINANCE establishing the east side of the 1200 block of Harvard 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**

26. Ordinance 2004-0802

ORDINANCE authorizing issuance of City of Houston, Texas, Water and Sewer System Junior Lien Revenue and Refunding Bonds, Series 2004A-1 and Series 2004A-2, prescribing the terms and conditions thereof; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of certain Commercial Paper Notes; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing Bond Insurance and a Bond Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

27. Ordinance 2004-0803

ORDINANCE accepting and designating **UNITY BANK, BANK OF AMERICA, N.A., METRO BANK, N.A., and UNITED CENTRAL BANK** as authorized depositories for the City's funds

ORDINANCES - continued

28. Ordinance 2004-0783

ORDINANCE approving and authorizing amendment No. 1 to lease agreement by and between the City of Houston and **FEDERAL EXPRESS CORPORATION** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY**

29. Council Members Holm and Wiseman tagged

ORDINANCE approving and authorizing lease agreement between the City of Houston and **ROCKETMAN AVIATION, LLC** at Ellington Field - Revenue - **DISTRICT E - WISEMAN**

30. Ordinance 2004-0804

ORDINANCE approving and authorizing Amendment No. 6 to lease agreement between **FRAYDUN ENTERPRISES**, as landlord, and the City of Houston, Texas, as tenant, for Space at 3838 North Sam Houston Parkway East, Houston, Texas; providing for an extension of the term and exchanging and adding space to accommodate the Houston Airport System Public Safety Division - Revenue - **DISTRICT B - GALLOWAY**

31. Ordinance 2004-0805

ORDINANCE approving and authorizing amendment No. 3 to the Memorandum of Agreement between the City of Houston and the **STATE OF TEXAS**, acting by and through its Commissioner of Agriculture - Revenue - **DISTRICT B - GALLOWAY**

32. Ordinance 2004-0806

ORDINANCE appropriating \$1,155,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction Contract No. 55406 between the City of Houston and **STEWART-MATL, LTD.** for Central FIS building related projects at George Bush Intercontinental Airport/Houston (Project 500M); CIP A-0203 and A-0422 - **DISTRICT B - GALLOWAY**

33. Ordinance 2004-0807

ORDINANCE appropriating \$1,200,000.00 out of Airports Improvement Fund, and approving and authorizing amendment No. 2 to construction Contract No. 53811 between the City of Houston and **CLARK/MISSION, a Joint Venture** for ISEP FIS Building Superstructure/APM Station & Platform at George Bush Intercontinental Airport/Houston (Proj. No. 500F/536C); CIP A-0091, A-0203, A-0354, A-372, A-0422 and A-0483 - **DISTRICT B - GALLOWAY**

34. Ordinance 2004-0784

ORDINANCE appropriating \$537,292.72 out of Airport System Consolidated 2001 NON-AMT Construction Fund (549); authorizing the purchase of land and improvements thereon out of Greenview Manor Sections One and Two, and the R. F. Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-40.1, Project 617; approving purchase and sale agreements with the owners of the land (Robert G. Lubkeman and Deborah J. Lubkeman; Lubkeman Construction Inc; Saturnino Campuzano and Clarita Campuzano; Randolph D. Cones and Karen R. Cones and Marjorie N. Akers) - **DISTRICT B - GALLOWAY**

35. Ordinance 2004-0808

ORDINANCE awarding contract to **PETDATA, INC** for Animal Licensing Services for the Health and Human Services Department; providing a maximum contract amount - 3 Years with two one-year options - \$954,050.00 - General Fund

ORDINANCES - continued

36. Ordinance 2004-0785

ORDINANCE approving and authorizing Sanitary Sewer Service Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 96**

37. Ordinance 2004-0786

ORDINANCE approving and authorizing Treated Water Supply Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 96**

38. Pulled-Not Considered

ORDINANCE approving and authorizing contract between the City of Houston and **CDI MANAGEMENT SERVICES, INC** for Implementation of the Water Intrusion Relief Service Program - \$200,000.00 - Tax Increment Reinvestment Zone

39. Ordinance 2004-0800

ORDINANCE appropriating \$525,000.00 out of Low Income Housing Fund (Fund 872); appropriating \$90,000.00 out of Housing Special Revenue Fund (Fund 207); approving and authorizing a Land Assembly Acquisition Fund; approving the Land Assembly Grant Agreement between the City of Houston and the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY**; approving the project relating to the purchase of certain tax delinquent properties; creating an oversight committee to review such purchases; approving the appointment of special counsel and engagement letter relating to same - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I - ALVARADO**

40. Ordinance 2004-0787

ORDINANCE approving and authorizing City of Houston to accept grant of funds in the amount \$1,576,800.00, if awarded, from the Shelter Plus Care Program of the United States Department of Housing and Urban Development under the authority of Title IV, Subtitle F, of the McKinney-Vento Homeless Assistance Act - **DISTRICT B - GALLOWAY**

41. Pulled-Not Considered

ORDINANCE authorizing payment to **ANTIOCH PROJECT REACH, INC, FOURTH WARD COMMUNITY COALITION, INC, MIRACLE OF HOPE** and **UPLIFT FOURTH WARD, INC** and/or their respective contractors for Eligible Water and Sewer connection costs in the City's Fourth Ward using up to \$174,615.00 of a previously awarded federal special project grant - **DISTRICT I - ALVARADO**

42. Ordinance 2004-0788

ORDINANCE approving and authorizing an agreement between the City of Houston and **JEFFERSON DAVIS ARTIST LOFTS LIMITED PARTNERSHIP** using Federal "CDBG" Funds to provide a loan in the amount of \$500,000.00 to finance a portion of the costs to acquire and /or renovate the Jefferson Davis Hospital Building located at 1101 Elder Street, Houston, Texas to provide affordable housing units - **DISTRICT H - GARCIA**

43. Ordinance 2004-0789

ORDINANCE approving and authorizing first amendment to Legal Services Agreement with **ANDREWS & KURTH, LLP** to provide additional funding in the amount \$50,000.00 from available Federal Economic Development Initiative ("EDI") grant funds in connection with the City's Participation in the Federal Sec. 108/EDI Program

ORDINANCES - continued

44. Ordinance 2004-0790

ORDINANCE approving and authorizing agreement between the City of Houston and **LANDCO JEFFERSON HOUSE DEVELOPMENT, LLC** using Federal "Home" and "CDBG" Funds to provide a loan in the amount \$1,000,000.00 and Grant in the amount \$900,000.00 to finance portion of the costs to acquire and/or renovate 308-Unit apartment building at 6200 Gulfton, Houston, Texas, to be rehabilitated to house low and very-low income residents - **DISTRICT F - KHAN**

45. Ordinance 2004-0796

ORDINANCE approving and authorizing an agreement between the City of Houston and **EL CENTRO de CORAZON** using Federal "CDBG" Funds to provide a grant in the amount of up to \$250,000.00 to finance a portion of the costs to Renovate Two Public Health Care Facilities **DISTRICTS H - GARCIA and I – ALVARADO**

Motion 2004-0861 – Postpone Item 46 to the end of the Agenda

46. Council Member Khan tagged

ORDINANCE approving and authorizing contract between the City and the **TEXAS DEPARTMENT OF HEALTH, BUREAU OF LABORATORIES**, for Prenatal Screening Services

47. Ordinance 2004-0809

ORDINANCE approving and authorizing contract between the City and **THE O'BRIEN'S GROUP, INC** for Bioterrorism Exercise Consulting Services for the Health & Human Services Department; providing a maximum contract amount - \$300,000.00 - Grant Fund

48. Ordinance 2004-0791

ORDINANCE approving and authorizing the submission of an application for grant assistance to the Bureau of Justice Assistance for the 2004 Bulletproof Vest Partnership Grant 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 of the Houston Police Department to accept grant funds and to apply and accept all subsequent awards, if any, pertaining to the program

49. Ordinance 2004-0810

ORDINANCE approving and authorizing first amendment to Contract #C54689 between the City of Houston and **TEXAS PROCUREMENT CENTER, L.L.C.** for Internet-based Reverse Auction Services

50. Pulled-Not Considered

ORDINANCE appropriating \$55,000.00 out of Convention & Entertainment Construction Fund; allocating/appropriating additional funds for Program Management to **PARSONS INFRASTRUCTURE** (Contract No. 55369) for Continuation of Project Support and Management Services for Ongoing Convention and Entertainment Department Projects, CIP B-0064-01-5; providing funding for contingencies related to construction of facilities financed by the Convention & Entertainment Construction Fund - **DISTRICT I - ALVARADO**

51. Ordinance 2004-0792

ORDINANCE appropriating \$75,400.00 out of Street & Bridge Consolidated Construction Fund, determining that the formal taking of competitive bids is not required for the work described herein; and awarding construction contract for Asbestos Abatement & Special Demolition of Ley Road R.O.W. Expansion Project, GFS N-0587B-03-5 to **AAR INCORPORATED**; providing funding for project management, air monitoring and contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

52. Ordinance 2004-0811

ORDINANCE awarding construction contract to **SER CONSTRUCTION PARTNERS, LTD.** for construction of Water, Wastewater and Drainage Facilities serving Section One of the San Pablo Subdivision; approving and authorizing an assignment of the construction contract to **LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.**, CIP S-0800-99-3 and R-0800-99-3 (DPC-047) - **DISTRICT D - EDWARDS**

53. Ordinance 2004-0793

ORDINANCE appropriating \$75,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to contract between the City and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Lift Station Repair and Replacement (approved by Ordinance No. 98-0676); CIP R-0267-05-2 (WW4728); providing funding for contingencies relating to the construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - KHAN and G - HOLM**

54. Pulled-Not Considered

ORDINANCE appropriating \$315,585.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between City of Houston and **MILLER AND ASSOCIATES, INC** for the Design of Fuqua Road Paving from Telephone Road to Mykawa Road Grade Separation; CIP N-0490-01-2 (SB9077); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN**

55. Ordinance 2004-0812

ORDINANCE appropriating \$20,000.00 out of Public Health Consolidated Construction Fund, as additional appropriation under construction contract between the City and **TEXAS LIQUA TECH SERVICES, INC** for Roof Replacement Health Department Headquarters Building and Fifth Ward Multi-Service Center; CIP H-0018-02-3 (approved by Ordinance No. 2004-0690); providing for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and D - EDWARDS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 56 through 59

PROPERTY

56. Council Member Sekula-Gibbs tagged

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Dr. L. James Bankston, pastor of Saint Paul's United Methodist Church, for abandonment and sale of Calumet Drive, from San Jacinto Street to Fannin Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, within Hermann Annex to the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY3-066, VY4-002 and AY4-053 (**Jasmine Quinerly and George Coleman, Appointed – Samuel Stewart, Alternate**) - **APPRAISERS - DISTRICT D - EDWARDS**

PROPERTY - continued

57. Motion 2004-0862

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Evans of McDonough Engineering Corporation on behalf of HCFCD, for abandonment and sale of various streets in exchange for the conveyance to the City of the abandoned portion of Deutser Street, from Shady Lane to ±150 feet west of Royal Pine Drive, and temporary street closings, all located within Bretshire Place Subdivision and/or Lakewood Estates Subdivision, Parcels SY4-037A, SY4-037B, SY4-037C, SY4-037D, SY4-037E, SY4-037F and BY4-006 – **(George Wyche and Travis Cooper, Appointed – Jasmine Quinerly, Alternate) - APPRAISERS - DISTRICT B - GALLOWAY**

58. Motion 2004-0856

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen D. Riddle of Able Permits, on behalf of Urban Storage L.P., [Meeks + Partners, Inc. (Don Meeks, president), general partner] for abandonment and sale of an excess portion of the West Dallas Street right of way, from Buckner Street to Valentine Street, in exchange for the conveyance to the City of a 10-foot-wide water line easement, contiguous to Block 15, Castanie Addition, Parcels SY4-039 and KY4-130 **(George Coleman, Jr. and John Cox, Appointed – Julie Nagel, Alternate) - APPRAISERS - DISTRICT I - ALVARADO**

59. Motion 2004-0857

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Megan Sigler of Perry Homes, a Joint Venture (Gerald W. Noteboom, senior executive vice president), for abandonment and sale of a portion of McCormick Avenue, from ±80 feet east of Collier Street to its terminus, contiguous to Blocks 5 and 6, Beverly Park Subdivision, Parcel SY4-043 – **(Frank Flores and Jasmine Quinerly, Appointed – Rovert Ellis, Alternate) - APPRAISERS - DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 60 through 63

60. Motion 2004-0863 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,121,112.72 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-78-3 (4257-15) - 01.98% over the original contract amount - **DISTRICTS A - LAWRENCE; C - GOLDBERG; D - EDWARDS; E - WISEMAN and I - ALVARADO**
TAGGED BY COUNCIL MEMBER GREEN
This was Item 6 on Agenda of July 14, 2004

61. Ordinance 2004-0797

ORDINANCE **AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Municipal Court Security Officers
TAGGED BY COUNCIL MEMBERS ELLIS, WISEMAN, GALLOWAY and SEKULA-GIBBS
This was Item 11 on Agenda of July 14, 2004

62. Ordinance 2004-0798

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the use of Traffic Control Personnel - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 12 on Agenda of July 14, 2004

MATTERS HELD - continued

63. Ordinance 2004-0799

ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Parking Meters; containing findings and other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBERS WISEMAN, QUAN, SEKULA-GIBBS, GALLOWAY, GOLDBERG and EDWARDS**

This was Item 13 on Agenda of July 14, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Alvarado 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

7/27/2004 – Council Members Quan and Galloway out of the City on City business

7/28/2004 – Council Member Goldberg out of the City on City business