

**AGENDA - COUNCIL MEETING - TUESDAY - APRIL 6, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0335 to 2004-0354**  
**ORDINANCES – 2004-0250 to 2004-0272**  
**RESOLUTION – None**

**2004-0334-1**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Wiseman

**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 2004-0335 to 2004-0340 – Procedural motions**

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - APRIL 7, 2004 - 9:00 A. M.**

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

**HEARINGS**

1. **Motion 2004-0341 – Close hearing**  
**PUBLIC HEARING** regarding the request to extend the eastern boundary of the **LOWER WESTHEIMER BANNER DISTRICT - DISTRICT D - EDWARDS - 9:00 A.M.**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 37**

**MISCELLANEOUS** - NUMBERS 2 through 4

2. **Motion 2004-0342**  
REQUEST from Mayor for confirmation of the appointment of **MR. ISSA DADOUSH** to the position of Director of Building Services Department

**MISCELLANEOUS** - continued

**3. Pulled-Not Considered**

RECOMMENDATION from Chief of Police for Injury on Duty status for Police Officers **EDWARD BOROWSKI** and **WARREN JONES**

**4. Motion 2004-0343**

RECOMMENDATION from Chief of Police for Injured on Duty status for Police Officer **MARK VICENTO**

**DAMAGES** - NUMBER 5

**5. Motion 2004-0344**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CHRISTOPHER A. LINDSEY** v. City of Houston and Yolanda L. Windon; in the County Civil Court at Law No. Three (3) of Harris County, Texas - \$100,000.00 - Property and Casualty Fund

**ACCEPT WORK** - NUMBERS 6 and 7

**6. Motion 2004-0348**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,236,207.83 and acceptance of work on contract with **MISSION/BUFETE INDUSTRIAL, INC a Joint Venture** for City Hall Fire Safety and Renovation Project for Department of Public Works & Engineering

**7. Council Member Galloway tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,023,531.81 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of 54-inch Water Main along Victory, West Little York, Langfield, and West Tidwell from Antoine to Hollister - Contract 54B-1, GFS S-0900-61-3 (WA10634) - 03.79% over the original contract amount - **DISTRICT A - LAWRENCE**

**PROPERTY** - NUMBER 8

**8. Motion 2004-0345**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Scott P. Greet of R. G. Miller Engineers, Inc., on behalf of NPSP, L.P. (Tom Premovic, general partner), for abandonment and sale of a ±449-square-foot fee-owned portion of Tilson Lane, out of Lots 7 and 8, Block 5, Cedar Brook Addition, Section 1, Parcel SY4-018 - **STAFF APPRAISERS - DISTRICT A - LAWRENCE**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 through 11

**9. Motion 2004-0346**

**LINDIG CONSTRUCTION & TRUCKING, INC** for Decomposed Crushed Granite for Parks & Recreation Department - \$34,153.00 - Grant Fund

**10. Motion 2004-0347**

**AKANDA SOLUTIONS, LLC** for Modifications/Enhancements to the Development Review Cycle System for Planning & Development - \$52,000.00 - Equipment Acquisition Consolidated Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**11. Motion 2004-0349**

**AMEND MOTION #2000-670, 5/25/00, TO INCREASE** spending authority from \$738,995.00 to \$923,743.75, for Automated External Defibrillators for Various Departments, awarded to **MEDTRONIC PHYSIO-CONTROL CORPORATION**

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 37

**12. Council Member Goldberg tagged**

RESOLUTION opposing the Operation of Remote Control Locomotives on public or private Highway Rail Crossings, Streets, and Railroads within the city limits of Houston; and providing an effective date

**13. Council Member Berry tagged**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the payment of fines for citations issued for parking violations on rental vehicles

**14. Ordinance 2004-0245**

ORDINANCE establishing lane use restrictions for trucks upon a portion of Interstate Highway 45; declaring certain conduct to be unlawful and containing findings and other provisions relating to the foregoing subject; providing for severability

**15. Ordinance 2004-0255**

ORDINANCE issuing a permit to **SIC - ESPERSON BUILDINGS, L.P.**, and **DT ESPERSON 1 LIMITED PARTNERSHIP** for using, occupying, operating, maintaining and repairing a basement vault, an elevator vault and three pedestrian tunnels, abutting Block 91 S.S.B.B., and within Walker Avenue, Milam Street, Rusk Avenue, and Travis Street, public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**

**16. Ordinance 2004-0256**

ORDINANCE approving and authorizing Loan and Grant Agreement between the City of Houston and **NORTHLINE APARTMENTS, LTD.**, whose sole general partner is **NORTHLINE MANAGEMENT, L.L.C.**, to provide \$1,515,000.00 in Community Development Block Grant Funds to be used for the acquisition of a 200 unit multi-family apartment complex known as the Northline Point Apartments located at 7313 Northline Drive - **DISTRICT H - GARCIA**

**17. Ordinance 2004-0257**

ORDINANCE appropriating \$188,930.58 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **MARKET DEVELOPERS, L.L.C.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Meadow Crest Subdivision, CIP S-0800-A8-03 and R-0800-A8-03 - **DISTRICT D - EDWARDS**

**18. Ordinance 2004-0258**

ORDINANCE appropriating \$184,127.40 out of Water & Sewer System Consolidated Construction Fund and \$136,675.09 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **MARKET DEVELOPERS, L.L.C.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Meadow Crest Subdivision, CIP S-0800-A9-03 and R-0800-A9-03 - **DISTRICT D - EDWARDS**

**RESOLUTIONS AND ORDINANCES** - continued

**19. Ordinance 2004-0259**

ORDINANCE appropriating \$163,848.46 out of Water & Sewer System Consolidated Construction Fund and \$168,678.43 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **MARKET DEVELOPERS, L.L.C.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Three of the Meadow Crest Subdivision, CIP S-0800-B1-03 and R-0800-B1-03 - **DISTRICT D - EDWARDS**

**20. Ordinance 2004-0260**

ORDINANCE appropriating \$193,143.42 out of Water & Sewer System Consolidated Construction Fund and \$222,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **PULTE HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One - Phase One of the Skyline Ranch Subdivision, CIP S-0800-B7-03 and R-0800-B7-03 - **DISTRICT D - EDWARDS**

**21. Ordinance 2004-0261**

ORDINANCE appropriating \$153,955.21 out of Water & Sewer System Consolidated Construction Fund and \$219,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **PULTE HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One - Phase Two of the Skyline Ranch Subdivision, CIP S-0800-B8-03 and R-0800-B8-03 - **DISTRICT D - EDWARDS**

**22. Ordinance 2004-0262**

ORDINANCE appropriating \$149,626.62 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **PULTE HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One - Phase Three of the Skyline Ranch Subdivision, CIP S-0800-B9-03 and R-0800-B9-03 - **DISTRICT D - EDWARDS**

**23. Ordinance 2004-0263**

ORDINANCE appropriating \$136,113.06 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **PULTE HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One - Phase Four of the Skyline Ranch Subdivision, CIP S-0800-C1-03 and R-0800-C1-03 - **DISTRICT D - EDWARDS**

**24. Ordinance 2004-0264**

ORDINANCE appropriating \$157,051.17 out of Water & Sewer System Consolidated Construction Fund and \$189,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **PULTE HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One - Phase Five of the Skyline Ranch Subdivision, CIP S-0800-C2-03 and R-0800-C2-03 - **DISTRICT D - EDWARDS**

**25. Council Member Galloway tagged**

ORDINANCE awarding contract to **INFRASTRUCTURE SERVICES, INC** for Concrete Pavement Repair Services Contract for Public Works & Engineering Department; providing a maximum contract amount - 1 Year with four one-year options \$10,021,500.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**26. Council Member Wiseman tagged**

ORDINANCE appropriating \$82,770.29 out of Street & Bridge Consolidated Construction Fund for payment to the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the City's obligation under an interlocal agreement (C#52864) pertaining to the Congestion Mitigation and Air Quality Program (CMAQ) (approved by Ordinance No. 2001-0579) - **DISTRICTS B - GALLOWAY; E - WISEMAN; H - GARCIA and I - ALVARADO**

**27. Council Members Alvarado, Garcia, Galloway and Goldberg tagged**

ORDINANCE appropriating \$200,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for City-wide On-Call Transportation Engineering Services (approved by Ordinance No. 2003-0520), CIP N-0650-10-2

**28. Pulled-Not Considered**

ORDINANCE deappropriating \$285,392.50 out of Street & Bridge Consolidated Construction Fund, which was appropriated under Ordinance No. 98-0508; appropriating \$727,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for the Bikeway Program Projects, CIP N-0420-40-2 (SB9191); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS and I - ALVARADO**

**29. Ordinance 2004-0250**

ORDINANCE appropriating \$2,460,077.50 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Parks Master Plan - Bid Package 1 - Shady Lane Park, Windsor Village Park and Beverly Hills Park, GFS F-504A-03-3, F-504A-09-3, F-504A-14-3 and F-509-10-3; providing funding for engineering testing services, Civic Art Program and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS and E - WISEMAN**

**30. Ordinance 2004-0265**

ORDINANCE appropriating \$1,607,600.00 out of Parks Consolidated Construction Fund, awarding construction contract to **STEWART BUILDERS, LTD.** for Construction of Parks Master Plan - Bid Package 5 - Settegast Park and Swiney Park, GFS F-504B-13-3, F-0507-00-3 and F-0509-13-3; providing funding for engineering testing services and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - GARCIA**

NOTE: This was Item 41 on Agenda of March 31, 2004 and was not received, however in error was not listed as "not in" on pull sheet

**31. Ordinance 2004-0266**

ORDINANCE appropriating \$1,357,521.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **ALLCO, INC** for Wastewater Collection System Rehabilitation and Renewal, GFS R-0266-T1-3 (WW4235-18); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**32. Ordinance 2004-0267**

ORDINANCE appropriating \$578,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **DANNEBAUM ENGINEERING CORPORATION** for Design of San Felipe Street Pavement Improvements from Fountain View Street to Chimney Rock Drive, CIP N-0750-02-2 (SB9180); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT G - HOLM**

**33. Ordinance 2004-0251**

ORDINANCE appropriating \$511,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **VAN DE WIELE ENGINEERING INCORPORATED** for Design of Water Line Replacement in the Irvington Area, CIP S-0035-C3-2 (WA10785); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

**34. Ordinance 2004-0252**

ORDINANCE appropriating \$463,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **AMANI ENGINEERING, INCORPORATED** for Design of Water Line Replacement in the Near Northside-North Area, CIP S-0035-D1-2 (WA10792); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

**35. Ordinance 2004-0268**

ORDINANCE appropriating \$2,544,000.00 out of Houston Airport System Consolidated 2004 AMT Construction Fund and approving and authorizing amendment No. 5 to contract between the City of Houston and **KELLOGG BROWN & ROOT, INC** for Professional Architectural, Engineering Construction Management and Program Management Services for Special Airfield Improvement Projects at George Bush Intercontinental Airport/Houston (Project Nos. 554, 555, 556, 558, 559, 560, 560A, 561, 569, 522, 522B, 522C, 522K, 522L, 605A, 605B, 605C, 605D, 611 and 509; CIP A-0396 - **DISTRICT B - GALLOWAY**

**36. Ordinance 2004-0269**

ORDINANCE appropriating \$7,443,000.00 out of Airport System Consolidated 2004 AMT Construction Fund, CIP A-0203; and approving and authorizing amendment No. 1 to construction contract No. 53881 between the City of Houston and **CLARK/MISSION, a Joint Venture** for the FIS Building Superstructure/APM Station & Platform at George Bush Intercontinental Airport/Houston (Project 500F/536C) - **DISTRICT B - GALLOWAY**

**37. Ordinance 2004-0253**

ORDINANCE appropriating \$1,900,000.00 out of Street & Bridge Consolidated Construction Fund and \$1,100,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing amendment to Professional Program Management Services contract between the City and **PIERCE, GOODWIN, ALEXANDER AND LINVILLE, INC**, CIP N-0668-06-2 (SB9061)

**END OF CONSENT AGENDA**

**PROPERTY**

**Motion 2004-0350 to 2004-0351 – Procedural motions**

**38. Motion 2004-0352**

RECOMMENDATION from Director Department of Public Works & Engineering, **TO AMEND MOTION #2004-100, 1/28/04**, which authorized the sealed bid sale of Parcel S95-084, **TO APPOINT** one replacement independent real estate appraiser for said parcel – **(George Coleman, Jr., Appointed) - APPRAISER DISTRICT I - ALVARADO - REQUIRES THREE MOTIONS**

**MATTERS HELD - NUMBERS 39 through 43**

**39. Motion 2004-0353 – Postpone one (1) week**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,428,159.00 and acceptance of work on contract with **METSO AUTOMATION, INC** for Wastewater SCADA System - Major Plant Integration, GFS R-0512-04-3 (4749-1) - **TAGGED BY COUNCIL MEMBER GREEN**  
This was Item 10 on Agenda of March 31, 2004

**40. Ordinance 2004-0270**

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **RANGER SPECIALIZED GLASS, INC** for Glass Replacement & Repair Services for Various Departments (as approved by Ordinance No. 97-1596)  
**TAGGED BY COUNCIL MEMBERS LAWRENCE AND GARCIA**  
This was Item 31 on Agenda of March 31, 2004

**41. Motion 2004-0354 – Postpone one (1) week**

ORDINANCE appropriating \$964,524.98 out of Series E Commercial Paper Metro Projects Fund, awarding contract to **TJ&T ENTERPRISES, INC** for Kingwood Drive Paving from Willow Terrace Drive to Hidden Lakes Drive, GFS N-0644G-01-3 (SB9009-02); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund - **DISTRICT E - WISEMAN**  
**TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 34 on Agenda of March 31, 2004

**42. Ordinance 2004-0271**

ORDINANCE appropriating \$663,050.00 out of Street & Bridge Consolidated Construction Fund, \$151,300.00 out of Water & Sewer System Consolidated Construction Fund, and \$75,650.00 out of Storm Sewer Consolidated Construction Fund as an additional appropriation under a program management contract between the City and **ATSER, L.P.** (approved by Ordinance No. 99-0661) CIP N-0668-05-2 (N-0668-05) - **TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 39 on Agenda of March 31, 2004

**MATTERS HELD** – continued

**43. Ordinance 2004-0272**

ORDINANCE appropriating \$4,138,675.92 out of Water & Sewer Contributed Capital Fund, \$891,039.27 from the Street & Bridge Consolidated Construction Fund and \$73,184.81 from the Water & Sewer System Consolidated Construction Fund awarding contract to **HUFF & MITCHELL, INC** for 36-inch Water Line along Westview and Wisterwood from Clarborough to Old Katy Road, GFS S-0900-85-3 (WA10624-03); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer Contributed Capital Fund, Street & Bridge Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE**  
**TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 51 on Agenda of March 31, 2004

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Holm 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

**4/6/2004 – Council Member Edwards out of the City on City business**

**4/7/2004 – Council Member Edwards out of the City on City business**