

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 10, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0887 to 2004-0900
ORDINANCES – 2004-0833 to 2004-0854
RESOLUTION – None

2004-0886-1

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

Motions 2004-0887 to 2004-0889 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 11, 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 27

ACCEPT WORK - NUMBER 1

1. Motion 2004-0890

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,661,134.67 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Keegans Bayou Wastewater Treatment Plant Improvements, GFS R-0265-19-3 (4759-2) - 01.25% over the original contract amount
DISTRICT F - KHAN

PROPERTY - NUMBERS 2 and 3

2. Motion 2004-0891

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels AY3-100, AY3-101, AY3-102, AY3-103, AY3-104, AY4-001 and AY4-002, for the **PECH ROAD PAVING PROJECT from Long Point to Westview**, CIP N-0754-01-2 - **DISTRICT A - LAWRENCE**

3. Council Members Holm and Goldberg tagged

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY4-034, owned by 900 East First Street Associates, a California limited partnership, Ernest A. Kaplan, President/CFO, for the **SAN FELIPE STREET WIDENING PROJECT from Woodway at San Felipe**, CIP N-0565-02-3 - \$176,163.00 - **DISTRICT G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBER 4

4. Motion 2004-0892

AMEND MOTION #2004-346, 4/7/04, TO INCREASE award to purchase additional Decomposed Crushed Granite for Parks & Recreation Department, awarded to **LINDIG CONSTRUCTION & TRUCKING, INC** for a total increase of \$25,994.00 - Grant Fund

ORDINANCES - NUMBERS 5 through 27

5. Ordinance 2004-0844

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Sanitary Control of the City's Water Well Sites; containing findings and other provisions relating to the subject; providing for penalties; providing for severability

6. Ordinance 2004-0845

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2004-684), to amend the Master Classification Ordinance to add, revise and/or delete certain classifications and amending Exhibit "B" of City of Houston Ordinance No. 1998-834 to increase pay grade midpoints by three (3) percent, substituting the amended exhibits as part of the current master classification listing; providing for severability

7. Ordinance 2004-0833

ORDINANCE consenting to the addition of 42.130 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

8. Ordinance 2004-0834

ORDINANCE consenting to the addition of 103.90 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**, for inclusion in its district

9. Ordinance 2004-0835

ORDINANCE establishing the east and west sides of the 1100 block of Cortlandt 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**

10. Omitted

11. Ordinance 2004-0846

ORDINANCE approving and authorizing amendment No. 7 to lease agreement between the City of Houston and **ARAMCO ASSOCIATED COMPANY** at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

12. Ordinance 2004-0847

ORDINANCE authorizing the Houston Airport System to host the Airports Council International-North America (ACI-NA) annual conference scheduled in Houston September 19-23, 2004; authorizing expenditure of \$200,000.00 for the conference

13. Ordinance 2004-0848

ORDINANCE appropriating \$757,000.00 out of Airports System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section One, and J. C. Hayes Addition, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-43.1 (Project 617); approving purchase and sale agreements with the owners of the land (Kenneth J. Mixon and Mary Darleen Mixon; and James Rutherford and Linda Rutherford) **DISTRICT B - GALLOWAY**

14. Ordinance 2004-0849

ORDINANCE appropriating \$468,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section Two, and out of McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-44.1 (Project 617); approving purchase and sale agreements with the owners of the land (Cosme E. Ramirez and Delva V. Ramirez; Max Hendrick III; Charles Henry Moran, Pamela Annette Manen and Carlton Glenn Moran; and John M. Lugay and Martha A. Lugay) - **DISTRICT B - GALLOWAY**

15. Ordinance 2004-0836

ORDINANCE appropriating \$500,000.00 out of Airports Improvement Fund and approving and authorizing professional environmental consulting services contract between the City of Houston and **ENVIRONMENTAL CONSULTING SERVICES, INC** (Project No. 581); CIP A-0131 **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

16. Council Members Alvarado and Sekula-Gibbs tagged

ORDINANCE appropriating \$5,000,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 3 to Professional Program Management Services contract between the City of Houston and **KELLOGG BROWN & ROOT, INC** at William P. Hobby Airport (Project No. 417) CIP A-0141 - **DISTRICT I - ALVARADO**

17. Ordinance 2004-0850

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **PRICEWATERHOUSECOOPERS, L.L.P.**, for Professional Litigation Support Services; providing a maximum contract amount - \$150,000.00 - Property and Casualty Fund

18. Ordinance 2004-0851

ORDINANCE approving and authorizing contract between the City and **SMYSER KAPLAN & VESELKA, L.L.P.**, for Professional Legal Services; providing a maximum contract amount \$300,000.00 - Property and Casualty Fund

19. Ordinance 2004-0852

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **RECOVERY TECHNOLOGIES GROUP OF TEXAS, INC (formerly known as WASTE RECOVERY, INC)** for Used and Scrap Tire Disposal Services for Solid Waste Management Department (as approved by Ordinance No. 00-0001)

ORDINANCES - continued

20. Ordinance 2004-0837

ORDINANCE approving and authorizing first amendment to Waste Disposal Contract between the City of Houston and **SAGEMEADOW UTILITY DISTRICT**

21. Ordinance 2004-0838

ORDINANCE appropriating \$14,287.50 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing developer participation contract between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** for the Construction of an 8-inch water line along Dennis Street; CIP R-0802-20-03 - **DISTRICT I - ALVARADO**

22. Ordinance 2004-0839

ORDINANCE appropriating \$186,052.00 out of Street & Bridge Consolidated Construction Fund, \$474,148.00 out of Series E Commercial Paper Metro Projects Fund, \$150,650.00 out of Water & Sewer System Consolidated Construction Fund, and \$75,322.00 out of Drainage Improvements Commercial Paper Series F Fund as an additional appropriation under program management contract between the City and **ATSER, L.P.** (approved by Ordinance No. 99-0661), CIP N-0668-05-2

23. Ordinance 2004-0840

ORDINANCE appropriating \$140,926.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing construction management and Inspection Services Contract between the City and **ESPA CORP.**, for High Star Drive Paving and Drainage Improvements from Dairy Ashford to Kirkwood Road, CIP N-0694-01-3 (SB9115) - **DISTRICTS F - KHAN and G - HOLM**

24. Ordinance 2004-0841

ORDINANCE appropriating \$149,233.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City and **MENENDEZ-DONNELL & ASSOCIATES, INC** for Construction Management and Inspection Services for Water Lines Replacement in Fifth Ward, CIP S-0700-58-3 (WA10566-1) - **DISTRICT B - GALLOWAY**

25. Ordinance 2004-0842

ORDINANCE awarding contract to **JOHN REED AND COMPANY, LTD.**, for Out Post Estates Drainage Improvements, GFS M-0126-S2-3 (SM5030); providing funding for contingencies relating to construction of facilities financed by the Stormwater Fund - \$593,000.00 Stormwater Fund - **DISTRICT A - LAWRENCE**

26. Ordinance 2004-0843

ORDINANCE awarding construction contract to **SER CONSTRUCTION PARTNERS, LTD.** for Water, Sanitary Sewer, and Storm Drainage Systems to serve Section One of the Meadowcrest Subdivision; approving and authorizing assignment of the construction contract to **MARKET DEVELOPERS, L.L.C.**, CIP S-0800-A8-3 and R-0800-A8-3 - **DISTRICT D - EDWARDS**

27. Ordinance 2004-0853

ORDINANCE appropriating \$180,123.92 out of General Improvements Consolidated Construction Fund for Lyons Health Center Furnishings and Equipment, GFS H-0049-01-4 - **DISTRICT H - GARCIA**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 28 through 30

MISCELLANEOUS

28. Motion 2004-0893

MOTION to set a date not less than seven (7) days from August 11, 2004 to receive nominations for appointment to Position 5 and to the Chair of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE)** to fill unexpired terms ending December 31, 2004 – **Set August 18, 2004**

29. Motion 2004-0894

MOTION to set a date not less than seven (7) days from August 11, 2004 to receive nominations for appointment or reappointments to Positions 4 through 7 to the **ETHICS COMMITTEE**, for two year terms to expire December 31, 2005 - **Set August 18, 2004**

PROPERTY

30. Motion 2004-0895

RECOMMENDATION from Director Department of Public Works & Engineering, **TO AMEND MOTION #95-2152, 12/20/95**, which authorized the sealed bid sale of various parcels including Parcel S95-066, **TO APPOINT** one replacement independent real estate appraiser and one alternate independent real estate appraiser for said parcel - **APPRAISERS - DISTRICT A - LAWRENCE**

MATTERS HELD - NUMBERS 31 through 35

31. Motion 2004-0896 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Khan to adopt recommendation from Finance & Administration Department for approval of payment of membership dues for the City of Houston membership in the **ALLIANCE FOR INTERSTATE 69 TEXAS** - \$30,000.00 - General Fund
TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN
This was Item 2 on Agenda of August 4, 2004

32. Motion 2004-0897 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **LION APPAREL, INC** for Apparel, Uniforms for Houston Airport System - \$751,902.85 Enterprise Fund
TAGGED BY COUNCIL MEMBER QUAN
This was Item 10 on Agenda of August 4, 2004

Motion 2004-0898 – Motion to amend Item 33 as follows:

“A motion to amend agenda Item 33, regarding altering and establishing maximum prima facie speed limits in certain zone for the City of Houston, to reflect a 40 mph speed limit on Space Center Blvd. from Villagedale to Genoa Red Bluff.”

MATTERS HELD - continued

33. Ordinance 2004-0854

ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty

TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS

This was Item 21 on Agenda of August 4, 2004

34. Motion 2004-0899 Adopt

MOTION by Council Member Quan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department, to **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 - POSTPONED BY MOTION #2004-867, 8/4/04**

This was Item 33 on Agenda of August 4, 2004

35. Motion 2004-0900 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department, to award to **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 **POSTPONED BY MOTION #2004-868, 8/4/04**

This was Item 34 on Agenda of August 4, 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

8/10/2004 – All Present

8/11/2004 – Council Member Galloway out of the City on City business