

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 17, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0901 to 2004-0920**  
**ORDINANCES – 2004-0855 to 2004-0866**  
**RESOLUTION – None**

**2004-0900-1**

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

**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 2004-0901 to 2004-0902 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - AUGUST 18, 2004 - 9:00 A. M.**

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

**Motion 2004-0903 – Postpone Mayor's Report to 10 am**

**MAYOR'S REPORT** - Presentation of proposed Meet and Confer Agreement between the City of Houston and Houston Municipal Employees Pension System - Presented

**CONSENT AGENDA NUMBERS 1 through 26**

**MISCELLANEOUS** - NUMBERS 1 and 2

**1. Motion 2004-0904**

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2004 through September 30, 2005, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements

**2. Motion 2004-0905**

RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **WILLIAM CALDWELL**

**ACCEPT WORK** - NUMBER 3

**3. Motion 2004-0906**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$486,894.57 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-G1-3 (SB9029-1) - 03.89% over the original contract amount - **DISTRICT D - EDWARDS**

**PROPERTY** - NUMBERS 4 through 7

**4. Motion 2004-0907**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY3-010, AY3-014 and AY3-018, for the **LYONS AVENUE ROAD PAVING PROJECT from Zindler to Port Street**, CIP N-0719-02-2 - **DISTRICT H - GARCIA**

**5. Motion 2004-0911**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY3-081, located at 1223 Brittmoore Road, owned by Ken Wind Co., Inc., a Texas corporation, Kenneth E. Wind, President, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - **DISTRICT A - LAWRENCE**

**6. Motion 2004-0912**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY3-083, located along the west line of Clarborough Drive at Church Street, owned by Ladish Company, Wayne Larsen, Vice President, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - **DISTRICT A - LAWRENCE**

**7. Motion 2004-0913**

RECOMMENDATION from Director Department of Public Works & Engineering to **RESCIND MOTION #2004-48, 1/14/04**, which authorized condemnation of Parcel KY3-144, located at the southwest corner of IH-10 and North Eldridge Parkway, owned by Memorial Hospital System, a Texas a non-profit corporation, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2; **TO AUTHORIZE** purchase of said parcel **DISTRICT A - LAWRENCE**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 11A

**8. Motion 2004-0908**

**APPLIED BIOSYSTEMS** for One Genetic Analyzer System for Health & Human Services Department - \$87,167.00 - Grant Fund

**9. Motion 2004-0909**

**ACUSHNET COMPANY** for Resale Items for Golf Course Pro Shops for Parks and Recreation Department - \$75,600.00 - Park Special Revenue Fund

**10. Motion 2004-0910**

**MATECO TRUCK EQUIPMENT** for Valve Operators and a Vacuum System for the Department of Public Works & Engineering - \$68,072.00 - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**11. Ordinance 2004-0862**

ORDINANCE appropriating \$254,070.60 out of St. George Place Redevelopment Authority TIRZ Affordable Housing Fund for Emergency Demolition and Reconstruction of Three Homes for the Housing and Community Development Department - **DISTRICTS A - LAWRENCE; B - GALLOWAY and D - EDWARDS**

**a. Motion 2004-0914**

**CDI MANAGEMENT SERVICES, INC** for Emergency Demolition and Reconstruction of three homes for Housing and Community Development Department

**ORDINANCES** - NUMBERS 12 through 26

**12. Council Members Wiseman, Khan, Galloway and Quan tagged**

ORDINANCE ordering a Special Election to be held on November 2, 2004, jointly with other governmental entities, for the purpose of submitting to the qualified voters of the City of Houston, Texas, various propositions for the amendment of the City Charter relating to limits on future property tax revenues and water and sewer rates, limits on all future city revenues and the conduct of performance audits of city departments by the City Controller; containing findings and other provisions related to the foregoing subject; providing for a repealer; providing for severability

**13. Council Members Ellis, Quan, Lawrence, Green, Khan, Holm and Edwards tagged**

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

**14. Ordinance 2004-0855**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a storm sewer easement, a water and gas line easement and a water meter and waterline easement containing an aggregate of 16,527 square feet of land, more or less, Parcels SY2-067A, SY2-067B and SY2-067C; all three easements being located in the George Bellows League, Abstract Number 3, Harris County, Texas, vacating and abandoning Parcels SY2-067A, SY2-067B and SY2-067C to Target Corporation, abutting owner in consideration of owner's dedication of one waterline easement, two water meter easements and four fire hydrant easements containing an aggregate of 48,224 square feet of land, more or less, and payment of \$900.00 and other consideration to the City - **DISTRICT G - HOLM**

**15. Ordinance 2004-0856**

ORDINANCE approving and authorizing special warranty deed conveying to Nghiem Pham a parcel of land containing 16,442 square feet (0.3775 acre), more or less, being Lot 16, Block 35, Meadowbrook Addition, Section D, M. A. Callahan & A. Vince Survey, A-9, Harris County, Texas (the former Fire Station No. 29; located at 8001 Barkley Street); and in consideration of Nghiem Pham's payment of \$95,000.00 and other consideration to the City - **DISTRICT I - ALVARADO**

**16. Ordinance 2004-0857**

ORDINANCE approving and authorizing special warranty deed conveying to Alexander Leon a parcel of land containing 19,890 square feet (0.4566 acre), more or less, being out of Block 3, Pine Terrace Subdivision, Section 2, E. B. Cogswell Survey, A-785, Harris County, Texas (the former Pine Terrace Water Plant Site; located at 1622 Afton Street); and in consideration of Alexander Leon's payment of \$97,000.00 and other consideration to the City - **DISTRICT A - LAWRENCE**

**ORDINANCES** - continued

**17. Council Member Khan tagged**

ORDINANCE approving and authorizing Amendment No. 1 to Parking Operations and Management Concession agreement between the City of Houston and **NEW SOUTH PARKING-TEXAS** for the Houston Airport System; providing a maximum contract amount

**18. Council Members Khan and Garcia tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **BONDRESOURCE PARTNERS, L.P.**, for Arbitrage Rebate Calculation and Consulting Services; providing a maximum contract amount - 3 Years with two one-year options - \$1,000,000.00 General and Enterprise Funds

**19. Council Member Khan tagged**

ORDINANCE establishing a maximum contract amount for contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.** as originally approved by Ordinance No. 2004-378 - \$850,000.00 - General Fund

**20. Ordinance 2004-0858**

ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **BROAD OAKS AREA CIVIC ASSOCIATION** for Garbage Collection Service for the respective civic association - 11 Months - \$66.00 - General Fund - **DISTRICT G - HOLM**

**21. Ordinance 2004-0863**

ORDINANCE awarding contract to **HOYT ENTERPRISES, INC dba HOYT BREATHING AIR PRODUCTS** for Inspection, Maintenance, Repairs and Testing Services on Self-contained Breathing Apparatus Units for Houston Fire Department; providing a maximum contract amount 3 Years with two one-year options - \$862,640.00 - General and Enterprise Funds

**22. Ordinance 2004-0864**

ORDINANCE awarding contract to **CARRIER CORPORATION** for Heating, Ventilation and Air Conditioning Maintenance Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$5,654,732.50 - General, Enterprise, Fleet Management, Storm Water and Building Inspection Funds

**23. Ordinance 2004-0859**

ORDINANCE awarding construction contract to **DOLSON-SIERRA CONSTRUCTION GROUP, INC** for Construction of Water, Wastewater and Drainage Facilities to serve Phase One of the Ashford Gardens Subdivision; approving and authorizing an assignment of the contract to **PARK LAKE COMMUNITIES, LP**; CIP S-0800-95-3 and R-0800-95-3 (DPC-050) - **DISTRICT F - KHAN**

**24. Ordinance 2004-0860**

ORDINANCE awarding construction contract to **DOLSON-SIERRA CONSTRUCTION GROUP, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Phase Two of the Ashford Gardens Subdivision; approving and authorizing an assignment of the construction contract to **PARK LAKE COMMUNITIES, LP**; CIP S-0800-96-3 and R-0800-96-3 (DPC-051) - **DISTRICT F - KHAN**

**25. Ordinance 2004-0861**

ORDINANCE awarding construction contract to **DOLSON-SIERRA CONSTRUCTION GROUP, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Phase Three of the Ashford Gardens Subdivision; approving and authorizing an assignment of the construction contract to **PARK LAKE COMMUNITIES, LP**; CIP S-0800-97-3 and R-0800-97-3 (DPC-052) - **DISTRICT F - KHAN**

**ORDINANCES** - continued

**26. Ordinance 2004-0866**

ORDINANCE appropriating \$11,040,000.00 out of Airports Improvement Fund and appropriating \$2,025,000.00 from the Federal Aviation Administration Grant Agreement No. 3-48-0110-03 to be received and appropriating \$6,735,000.00 from the Federal Aviation Administration Grant Agreement No. 3-48-0111-47-03 to be received and approving and authorizing amendment No. 1 to professional consulting services contract between the City of Houston and **PARSONS WATER & INFRASTRUCTURE, INC, assignee of PARSON'S INFRASTRUCTURE & TECHNOLOGY GROUP, INC**, for Security Program Consulting Services for the Houston Airport System (Project No. 612; CIP A-0486)

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBERS 27 through 29

**MISCELLANEOUS**

**27. Motion 2004-0915**

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

**Mr. Carlos Alvarado nominated to Position 5**

**Mr. Walter Goff nominated to the Chair**

**28. Motion 2004-0916**

RECEIVE nominations for appointment or reappointments to Positions 4 through 7 to the **ETHICS COMMITTEE**, for two year terms to expire December 31, 2005

**Ms. Shirley Ann Malanson nominated to Position 4**

**Mr. Kristopher Ahn nominated to Position 5**

**Mr. Anwar I. Qadeer nominated to Position 6**

**Mr. Brian P. Cweren nominated to Position 7**

**PROPERTY**

**29. Motion 2004-0917**

RECOMMENDATION from Director Department of Public Works & Engineering for City Council to draw lots due to receiving tie bids of \$81,000.00 from **IN TOWNHOMES, LTD.** and **LI-MING CHEN** to determine the highest bidder for the sealed bid sale of Parcel S95-084, the 10,009 square foot former Fire Station No. 24 site, located at 1503 Palmer, Lots 9 and 10, Block 688, South Side Buffalo Bayou, Henry Tierwester Survey - **DISTRICT I - ALVARADO**  
**LI-MING CHEN drawn and declared the highest bidder**

**MATTERS HELD** - NUMBERS 30 through 32

**30. Motion 2004-0918**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department, to award to **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 - **POSTPONED BY MOTION #2004-869, 8/4/04**  
This was Item 35 on Agenda of August 4, 2004

**31. Motion 2004-0919**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt 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**  
**TAGGED BY COUNCIL MEMBERS HOLM and GOLDBERG**  
This was Item 3 on Agenda of August 11, 2004

**Motion 2004-0920 – Motion to amend Item 32 to limit the City's obligation to \$24,030,972.00 under contract**

**32. Ordinance 2004-0865 – Adopt as amended**

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**  
**TAGGED BY COUNCIL MEMBERS ALVARADO and SEKULA-GIBBS**  
This was Item 16 on Agenda of August 11, 2004

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

**8/17/2004 – Council Member Sekula-Gibbs out of the City on personal business**

**8/18/2004 – Council Member Berry out of City on City business**