

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

**MOTIONS 2004-0141 to 2004-0168**  
**ORDINANCES – 2004-0102 to 2004-0118**  
**RESOLUTION – none**

**2004-0140-1**

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

**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 2004-0141 to 2004-0151 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 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 26**

**MISCELLANEOUS** - NUMBERS 1 and 2

**1. Motion 2004-0152**

REQUEST from Mayor for confirmation of the appointment of the following to the Board of Directors of the **METROPOLITAN TRANSIT AUTHORITY**, for two year terms:

**MR. DAVID WOLFF**  
**MR. GERALD SMITH**

**2. Motion 2004-0153**

RECOMMENDATION from Director Library Department for approval of Change Order No. 7 in the amount of \$45,053.00 on contract with **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services - **DISTRICT D - EDWARDS**

**ACCEPT WORK** - NUMBERS 3 and 4

**3. Motion 2004-0154**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,348,654.39 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Construction of Royal Oaks Subdivision Paving and Drainage Improvements, Phase II (NSR 425A), GFS N-0351-02-3 (N-0351-02) - 02.06% under the original contract amount - **DISTRICT A - LAWRENCE**

**4. Motion 2004-0161**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,230,693.19 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.**, for On-Call Rehabilitation to Large Diameter Water Mains, Valves, and Appurtenances, GFS S-0900-80-3 (WA10700) - 04.08% over the original contract amount

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 5 through 12

**5. Motion 2004-0155**

**GULF COAST ATHLETIC SUPPLY** - \$170,476.40 and **HUNTER KNEPSHIELD OF TEXAS, INC** \$33,340.00 for Athletic Playground Equipment for Parks & Recreation Department - General and Park Special Revenue Funds

**6. Motion 2004-0156**

**GBS ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Planning & Development Department - \$151,700.00 and contingencies for a total amount not to exceed \$159,285.00 - Dangerous Building Consolidated Fund

**7. Motion 2004-0157**

**BASIC INDUSTRIES, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Planning & Development Department - \$32,402.00 and contingencies for a total amount not to exceed \$34,022.10 - Dangerous Building Consolidated Fund

**8. Motion 2004-0158**

**CERTIFIED/LVI ENVIRONMENTAL SERVICES, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Planning & Development Department - \$112,400.00 and contingencies for a total amount not to exceed \$118,020.00 - Dangerous Building Consolidated Fund

**9. Motion 2004-0159**

**CST ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Planning & Development Department - \$204,000.00 and contingencies for a total amount not to exceed \$214,200.00 - Dangerous Building Consolidated Fund

**10. Council Member Ellis tagged**

**XL PARTS, LLC (Bid Nos. 3 and 2)** for Automotive Bearings and Power Transmission Components for Various Departments - \$105,045.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$3,151.35 for a net award amount not to exceed \$101,893.65 - General, Enterprise and Fleet Management Funds

**11. Motion 2004-0160**

**AMEND MOTION #2001-289, 3/21/01, TO EXTEND** expiration date from April 1, 2004 to March 31, 2005, for Pipe, Black and Galvanized for Various Departments, awarded to **NORTH SHORE SUPPLY COMPANY**

**PURCHASING AND TABULATION OF BIDS** – continued

**12. Motion 2004-0162**

**AMEND MOTION #2000-251, 2/16/00**, previously amended by **2000-471, 3/29/00, 2003-56, 1/22/03** and **2003-965, 8/6/03, TO INCREASE** spending authority from \$1,345,000.00 to \$1,651,019.00, for Safety Footwear for Various Departments, awarded to **SAFETY SHOE DISTRIBUTORS, INC** - \$306,019.00 - General, Enterprise, Fleet Management and Stormwater Utility Funds

**ORDINANCES** - NUMBERS 13 through 26

**13. Ordinance 2004-0102**

ORDINANCE consenting to the addition of 40.56 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248**, for inclusion in its district

**14. Omitted**

**15. Ordinance 2004-0108**

ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE, INC**, providing up to \$1,085,822.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds, for the Administration of Child Care Services, Supportive Services and Short-Term Rent, Mortgage and Utility Assistance, which sum includes a limitation of additional funding in the amount of \$542,911.00 - **DISTRICT I - ALVARADO**

**16. Ordinance 2004-0117**

ORDINANCE approving and authorizing contract between the City of Houston and **RIVERSIDE GENERAL HOSPITAL, INC**, providing up to \$1,094,096.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds, which sum includes a limitation of additional funding in the amount of \$547,048.00, for the Operation of a Community Residence and Administration of a Quality Living Program, along with supportive services - 2 Years - **DISTRICT I - ALVARADO**

**17. Ordinance 2004-0109**

ORDINANCE approving and authorizing contract between the City and **TEXAS A&M UNIVERSITY SYSTEM, TEXAS ENGINEERING EXTENSION SERVICE (“TEEX”)** to fund planning activities associated with the implementation of the U. S. Department of Homeland Security’s Urban Area Security Initiative II Grant Program - \$48,900.00 - Grant Fund

**18. Ordinance 2004-0110**

ORDINANCE approving Foreign Trade Zone Agreement for payment of ad valorem taxes between the City of Houston and **MICHELIN NORTH AMERICA, INC, a Texas Limited Liability Company**; authorizing the Mayor to execute a letter of non-opposition to the establishment of a Foreign Trade Special Purpose Subzone - **DISTRICT I - ALVARADO**

**19. Ordinance 2004-0103**

ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **MILLS BRANCH VILLAGE COMMUNITY ASSOCIATION** for Garbage Collection Service for the respective civic association - 6 Months - \$36.00 - **DISTRICT E - WISEMAN**

**Motion 2004-0163 – Suspend rules to hear from Mr. Steve Lewis on Item 20**

**20. Council Member Edwards tagged**

ORDINANCE amending Ordinance Number 99-223 to further increase the maximum contract amount to contract between the City and **WACKENHUT CORPORATION** for Security Guard Services for the Convention and Entertainment Facilities Department - \$350,000.00 - Enterprise Fund

**ORDINANCES** - continued

**21. Ordinance 2004-0111**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **BFI WASTE SYSTEMS OF NORTH AMERICA, INC** for Disposal of Waste Materials from Sewer Cleanouts for the Public Works & Engineering Department (as approved by Ordinance No. 99-448)

**22. Ordinance 2004-0104**

ORDINANCE awarding contract to **UNIFIRST HOLDINGS L.P.** for Rental of Linen, Textiles and Maintenance Supplies for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$752,045.55 - General, Enterprise, Fleet Management and Parks Special Revenue Funds

**23. Ordinance 2004-0105**

ORDINANCE appropriating \$3,209,424.00 out of Airports Improvement Fund, CIP A-0304, awarding construction contract to **W. W. WEBBER, INC** for Runway 8L-26R Midfield Grading at George Bush Intercontinental Airport/Houston (IAH), Project No. 522M; providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - GALLOWAY**

**24. Ordinance 2004-0106**

ORDINANCE appropriating \$195,300.00 out of Airport System 1998B AMT Construction Bond Fund; authorizing purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-20.1; approving purchase and sale agreements with the owners of the land (Bernstein-Perwien Properties, and Albert Herrera) - **DISTRICT B - GALLOWAY**

**25. Ordinance 2004-0107**

ORDINANCE appropriating \$280,675.00 out of Airport System 1998B AMT Construction Bond Fund; authorizing purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-21.1; approving purchase and sale agreements with the owners of the land (David, Jorge Luis, and Eventino Arredondo; Reynario and Erica Vargas; and Melvin Lamar Dunn) - **DISTRICT B - GALLOWAY**

**26. Ordinance 2004-0112**

ORDINANCE appropriating \$98,000.00 out of Public Health Consolidated Construction Fund, and \$202,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **NATEX CORPORATION ARCHITECTS** for Task Order Architectural and Engineering Services for Various City Departments, CIP H-0062-02-2 and R-0268-42-2; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 27 through 33

**27. Motion 2004-0164**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,592,411.99 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Construction of Central Park Subdivision Storm Sewer Improvements, GFS M-0186-01-3 (M-0186-01) - 00.04% over the original contract amount  
**DISTRICT I - ALVARADO - TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 3 on Agenda of February 4, 2004

**28. Motion 2004-0165**

MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$962,192.00 and acceptance of work on contract with **HORSESHOE CONSTRUCTION, INC** for Neighborhood Sewer Rehabilitation in Sims Bayou, GFS R-2011-25-3 (4764-1R) - 17.81% under the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO - TAGGED BY COUNCIL MEMBER GREEN**

This was Item 5 on Agenda of February 4, 2004

**29. Ordinance 2004-0113**

ORDINANCE amending Ordinance No. 99-529 to increase maximum contract amount to contract between the City of Houston and **CARRIER CORPORATION** for Heating, Ventilation and Air Conditioning Maintenance Services for Various Departments - \$468,000.00 - General, Enterprise and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER QUAN**

This was Item 21 on Agenda of February 4, 2004

**30. Ordinance 2004-0114**

ORDINANCE appropriating \$424,000.00 out of Houston Airport System Consolidated 2001 NON-AMT Construction Fund and approving and authorizing professional architectural and engineering services contract between the City of Houston and **RATNALA & BAHL, INC** for Extension of Taxiway "NC" from Taxiway "NG" to Taxiway "NJ" at George Bush Intercontinental Airport/Houston (Project No. 575); CIP A-0397 - **DISTRICT B - GALLOWAY**

**TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 24 on Agenda of February 4, 2004

**31. Ordinance 2004-0115**

ORDINANCE awarding construction contract to **B & D CONSTRUCTION CO., INC** for Water Distribution, Sewer Collection, and Storm Water Drainage Systems serving Clarke Springs Section One, CIP S-0800-82-3 and R-0800-82-3 (DPC-30); approving and authorizing assignment of construction contract to **150 CLARKE SPRINGS, LTD.** - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 27 on Agenda of February 4, 2004

**32. Ordinance 2004-0116**

ORDINANCE awarding construction contract to **B & D CONSTRUCTION CO., INC** for Water Distribution, Sewer Collection, and Storm Water Drainage Systems serving Clarke Springs Section Two, CIP S-0800-83-3 and R-0800-83-3 (DPC-33); approving and authorizing assignment of construction contract to **150 CLARKE SPRINGS, LTD.** - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 28 on Agenda of February 4, 2004

**MATTERS HELD** - continued

**Motion 2004-0166 – Postpone Item 33 until 10 am or until amended document is received**

**Motion 2004-0167 – Suspend rules to hear from Mr. Rick Vacar on Item 33**

**Motion 2004-0168 - Council Member Alvarado presented the following written motion relative to Item 33:**

I move that Agenda Item Number 33 on the February 11, 2004 Agenda, Amendment No. 1 to the JCDecaux contract, be amended by doing the following:

- adding the phrase “in addition to providing at least 15 monitors at HOU along with the installation of the CNN Airport Network” before the semicolon in the third recital on page 1.
- deleting the sentence in Section II, page 2, in its entirety, and substituting therefore the sentence “Beginning in Year 5 of the Term, Article IV, Section 4.7(d), of the Agreement is hereby amended by deleting the phrase “seventy-five percent (75%)” from line three and substituting therefor the phrase “seventy percent (70%)”.
- deleting the second sentence in subparagraph (c) in Section III, page 2, in its entirety and substituting therefor the following sentences:  
Advertising Display costs which may be applied against the required expenditure shall only include the cost of new Advertising Displays including design fees, fabrication, shipping and installation. In addition to Concessionaire’s Midterm expenditure requirement of \$500,000.00, Concessionaire shall, at its expense, also provide for the procurement and installation of the CNN Airport Network along with a minimum of fifteen (15) television monitors into the Central Concourse at HOU, of a quality approved by the Director. All expenditures for Advertising Displays shall be in compliance with required submission of plans and specifications as stated elsewhere herein.

**33. Ordinance 2004-0118**

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** - **POSTPONED BY MOTION #2004-0131, 2/4/04**  
This was Item 36 on Agenda of February 4, 2004

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

**AGENDA - FEBRUARY 11, 2004 - PAGE 7**

**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

**2/10/2004 – All Present**

**2/11/2004 – All Present**