

**AGENDA - COUNCIL MEETING - WEDNESDAY - JULY 7, 2004 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0807 to 2004-0828**  
**ORDINANCES – 2004-0736 to 2004-0761**  
**RESOLUTION – None**

**2004-0806-1**

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

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

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. 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

**MAYOR'S REPORTS**

**CONSENT AGENDA NUMBERS 1 through 33**

**MISCELLANEOUS** - NUMBER 1

**1. Motion 2004-0807**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$140,091.76 on contract with **CYRUS DIVERSIFIED, INC dba BONTERRE CONSTRUCTION CO.** for City of Houston's National Pollution Discharge Elimination System - Storm Water Pollution Minimization Plan - 8002 Airline, GFS M-0126-48-3 (SM5020) - **DISTRICT B - GALLOWAY**

**ACCEPT WORK** - NUMBER 2

**2. Council Member Edwards tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,454,888.00 and acceptance of work on contract with **JAY C. CONTRACTOR** for Water Main Replacement in Windsor Village Subdivision, GFS S-0035-62-3 (10579) - 14.30% under the original contract amount - **DISTRICT D - EDWARDS**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 3 through 10

3. **Motion 2004-0808**  
**VISIONTRON CORP.** for Stanchions and Hardware Replacement Parts for Houston Airport System - \$223,358.00 - Enterprise Fund
4. **Motion 2004-0809**  
**U. S. TRAFFIC, INC (Bid No. 1)** for Arrowboards for Department of Public Works & Engineering \$31,950.00 - Enterprise and Equipment Acquisition Consolidated Funds
5. **Motion 2004-0813**  
**LAWRENCE MARSHALL CHEVROLET II, L.P.** - \$55,480.00 and **HI-WAY EQUIPMENT CO., INC** - \$81,375.00 for Cab & Chassis and Asphalt Road-Patching Body through the Houston-Galveston Area Council (H-GAC) through the Interlocal Agreement for Cooperative Purchasing Equipment Acquisition Consolidated Fund
6. **Motion 2004-0814**  
**LEOTEK ELECTRONICS USA CORP. (Bid #18)** - \$50,954.10 and **GENERAL TRAFFIC EQUIPMENT CORP. (Bid #12)** - \$172,563.00 for Traffic Signal Equipment for Department of Public Works & Engineering - \$230,430.00 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$223,517.10 - General Fund
7. **Motion 2004-0810**  
**INGERSOLL RAND EQUIPMENT & SERVICE COMPANY** for Trailer-Mounted Generator for Department of Public Works & Engineering - \$34,606.00 - Enterprise Fund
8. **Motion 2004-0811**  
**AMEND MOTION #2003-1449, 12/3/03, TO INCREASE** award to purchase additional EGR Emission Reduction Systems for Public Works and Solid Waste Management Departments, awarded to **STEWART & STEVENSON SERVICES, INC** for a total increase of \$400,400.00 Grant Fund
9. **Motion 2004-0815**  
**AMEND MOTION #2000-1344, 11/1/00, as amended by MOTION #2003-1088, 9/10/03, TO EXTEND** expiration date from November 6, 2004 to November 5, 2005, for Automotive White GMC/Volvo, Replacement Parts Contract for Various Departments, awarded to **CHASTANG'S BAYOU CITY FORD (formerly LONE STAR TRUCK CENTER)**
10. **Motion 2004-0812**  
**CHANNELVIEW SUPPLY COMPANY** for Equipment, Onan Generator Replacement Parts for Various Departments - \$406,040.56 - General and Fire Department Revolving Funds

**ORDINANCES** - NUMBERS 11 through 33

11. **Not Received-Not Considered**  
**ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the use of Traffic Control Personnel; containing findings and other provisions relating to the foregoing subject; providing for severability

**ORDINANCES** - continued

**Motion 2004-0816 – Postpone Items 12, 14 and 15 to the end of the Agenda**

**12. Ordinance 2004-0759**

ORDINANCE approving and authorizing execution of sub-recipient agreement between the City of Houston and **TEXAS ENGINEERING EXTENSION SERVICE (TEEX)** to accept funding through the U. S. Department of Homeland Security's FY2003 Supplemental Urban Area Security Initiative (UASI) Grant Program - \$9,602,566.00

**13. Not Received-Not Considered**

ORDINANCE approving and authorizing execution of sub-recipient agreement between the City of Houston and **TEXAS ENGINEERING EXTENSION SERVICE (TEEX)** to accept funding through the U. S. Department of Homeland Security's FY2004 Supplemental Urban Area Security Initiative (UASI) Grant Program - \$8,211,741.00

**14. Ordinance 2004-0760**

ORDINANCE approving and authorizing execution of sub-recipient agreement between the City of Houston and **TEXAS ENGINEERING EXTENSION SERVICE (TEEX)** to acquire equipment funded through the U. S. Department of Homeland Security's FY2004 State Homeland Security Program - \$1,465,467.00

**15. Ordinance 2004-0761**

ORDINANCE approving and authorizing execution of sub-recipient agreement between the City of Houston and **TEXAS ENGINEERING EXTENSION SERVICE (TEEX)** to accept funding through the U. S. Department of Homeland Security's FY2004 State Homeland Security Law Enforcement Terrorism Prevention Program - \$2,812,856.00

**16. Ordinance 2004-0746**

ORDINANCE approving and authorizing Occupancy Agreement between the **INSTITUTE FOR REHABILITATION AND RESEARCH (TIRR)**, as occupant, and the City of Houston, Texas, as owner, for space in the Metropolitan Multi-Service Center - **DISTRICT D - EDWARDS**

**17. Ordinance 2004-0747**

ORDINANCE relating to the Retail Water and Sewer Rates of **AQUA UTILITIES, INC** and **AQUASOURCE DEVELOPMENT, INC**; setting a hearing to determine just and reasonable rates to be observed within the City of Houston; suspending for ninety days the effective date of the new rates that shall constitute the legal rates of Aqua Utilities, Inc. and Aquasource Development, Inc. until changed as provided by the Texas Water Code

**Motion 2004-0817 – Amend Item 19 to substitute Exhibit A to provide 77% abatement**

**18. Council Member Edwards tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **VINSON & ELKINS, LLP** for Professional Legal Services - \$200,000.00 - Property and Casualty Fund

**19. Ordinance 2004-0748 – Adopt as amended**

ORDINANCE creating the **MEMORIAL HERMANN REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**Motion 2004-0818 – Amend Section 2 of Item 19a to substitute 77% for 90% and in Section 6(a) and Exhibit 3**

**a. Ordinance 2004-0749 – Adopt as amended**

ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas, **MEMORIAL HERMANN MEDICAL PLAZA, L.P.**, and **MEMORIAL HERMANN HOSPITAL SYSTEM** for certain property located within the **MEMORIAL HERMANN REINVESTMENT ZONE**; granting variances to certain requirements of Chapter 44 of the Code of Ordinances - **DISTRICT D - EDWARDS**

**20. Ordinance 2004-0750**

ORDINANCE approving and authorizing interlocal cooperation contract between the City of Houston and **TEXAS DEPARTMENT OF PUBLIC SAFETY** for an Extension for the No Suspect Casework DNA Backlog Reduction Program

**21. Ordinance 2004-0736**

ORDINANCE approving and authorizing Impaired Driving Mobilization Selective Traffic Enforcement Program (IDM STEP) amendment, allocating additional Texas Department of Transportation funding to the 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 or the Acting Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**22. Ordinance 2004-0737**

ORDINANCE approving extension of time for Contract No. 54690 between the City of Houston and the **KINGDOM COME COMMUNITY DEVELOPMENT CORPORATION** - **DISTRICT D - EDWARDS**

**23. Ordinance 2004-0738**

ORDINANCE approving extension of time for Contract No. 54691 between the City of Houston and the **KINGDOM COME COMMUNITY DEVELOPMENT CORPORATION** - **DISTRICT D - EDWARDS**

**24. Ordinance 2004-0751**

ORDINANCE appropriating \$17,270.75 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **URBANIZA, L.P.** for Construction of an 8-Inch Water Main on Eigel Avenue, CIP S-0802-22-03 - **DISTRICT H - GARCIA**

**25. Ordinance 2004-0752**

ORDINANCE appropriating \$167,860.14 out of Water & Sewer System Consolidated Construction Fund and \$228,000.00 out of Homeless & Housing Consolidated Bond Fund and approving and authorizing Developer Participation Contract between the City of Houston and **S.S.M., L.P.**, for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section II of the West Orem Place Subdivision; CIP S-0800-71-03 and R-0800-71-03 - **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**26. Council Member Ellis tagged**

ORDINANCE amending Ordinance Number 2001-849 to extend the term and increase the maximum contract amount; approving and authorizing second amendment to Contract #53111 between the City of Houston and **STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES** for Telecommunications and Internet Services Citywide - 3 Years - \$367,200.00 Central Services Revolving Fund

**27. Ordinance 2004-0739**

ORDINANCE appropriating \$543,600.00 out of Airport System Subordinate Lien Revenue Bonds series 1998B AMT (535); authorizing the purchase 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-0476-38.1; approving purchase and sale agreements with the owners of the land (Maria Esperanza Vasquez and Jacinto Vasquez, Darlene Faye Dunn, Hennig Family Trust, William O. Weaver and Zula L. Weaver, Patricia C. Bell, and Trinidad T. Ramos) - **DISTRICT B - GALLOWAY**

**28. Ordinance 2004-0740**

ORDINANCE appropriating \$694,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to professional engineering services contract between the City of Houston and **CARTER & BURGESS, INC** in connection with SMGCS/Civil Site Work for ILS CAT III at William P. Hobby Airport (Project No. 566B) CIP A-0385 - **DISTRICT I - ALVARADO**

**29. Ordinance 2004-0741**

ORDINANCE appropriating \$125,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 2 to professional engineering services contract between the City of Houston and **RATNALA & BAHL, INC** in connection with Airfield Pavement Rehabilitation at William P. Hobby Airport (Project No. 566) CIP A-0385 - **DISTRICT I - ALVARADO**

**30. Ordinance 2004-0742**

ORDINANCE appropriating \$575,162.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **R. G. MILLER ENGINEERS, INC** for Design of Aldine-Westfield Road Paving Improvements from Tidwell Road to Little York Road, CIP N-0577-01-2 (SB9105); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

**31. Ordinance 2004-0743**

ORDINANCE appropriating \$330,920.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Design of Benson Street from Lyons to Noble, CIP N-0782-01-2 (SB9189); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

**ORDINANCES** - continued

**32. Ordinance 2004-0744**

ORDINANCE appropriating \$103,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **ENTECH CIVIL ENGINEERS, INC** for Design of Kirby Drive from IH-610 to Holmes Road; CIP N-0789-01-2 (SB9184); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS C - GOLDBERG and D - EDWARDS**

**33. Ordinance 2004-0745**

ORDINANCE appropriating \$178,344.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Design of Architectural Rehabilitation and Improvements to Groundwater Production Facilities at various locations; CIP S-1000-23-2 (WA10804); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS F - KHAN; G - HOLM and E - WISEMAN**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 34 through 46

**34. Motion 2004-0819 – Adopt**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,226,766.31 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of 48-inch and 54-inch water main along Westview from Gessner to Campbell and 24-inch water main along Blalock from Old Katy Rd., to Westview, GFS S-0900-46-3 (10602) - 04.89% over the original contract amount - **DISTRICT A - LAWRENCE - TAGGED BY COUNCIL MEMBER GREEN**  
This was Item 5 on Agenda of June 30, 2004

**35. Motion 2004-0820 – Adopt**

**INLAND ENVIRONMENTS, LTD.** for Asbestos Abatement, Demolition and Site Clean-Up Services for Planning & Development Department - \$42,727.00 and contingencies for a total amount not to exceed \$44,863.35 - Dangerous Building Consolidated Fund  
**TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 8 on Agenda of June 30, 2004

**36. Motion 2004-0821 – Adopt**

**LONE STAR UNIFORMS, INC** for Apparel, Motorcycle Patrol for Police Department \$202,296.00 - General Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 9 on Agenda of June 30, 2004

**37. Ordinance 2004-0753**

ORDINANCE appropriating \$2,275,677.50 out of Water & Sewer System Consolidated Construction Fund for Water Meters, Cold Water Contract

**ORDINANCES** - continued

**a. Motion 2004-0822 – Adopt**

**AMEND MOTION #2001-1102, 10/3/01, TO EXTEND** expiration date from October 3, 2004 to October 2, 2005, for Water Meters, Cold Water Contract for Department of Public Works & Engineering, awarded to **BADGER METER, INC - TAGGED BY COUNCIL MEMBER GREEN**  
These were Items 10 and 10A on Agenda of June 30, 2004

**38. Motion 2004-0823 – Adopt**

**AMEND MOTION #2001-748, 7/3/01, TO EXTEND** expiration date from July 9, 2004 to July 8, 2005, for Special Purpose Clothing Contract for Various Departments, awarded to **ACADEMY ADVERTISING SPECIALTIES & AWARDS -TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 12 on Agenda of June 30, 2004

**Motion 2004-0824 – Postpone Item 40 to the end of the Agenda**

**39. Ordinance 2004-0754**

ORDINANCE approving and authorizing contracts between the City and **DR. PEPPER BOTTLING COMPANY OF TEXAS** and **FRESH BREW GROUP, USA** for Soft Drink and/or Vending Marketing Partnerships - Revenue - **TAGGED BY COUNCIL MEMBER KHAN**  
This was Item 30 on Agenda of June 30, 2004

**40. Motion 2004-0828 – Postpone one (1) week**

ORDINANCE appropriating \$242,500.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **DECISION INFORMATION RESOURCES, INC** for Development of a Community Needs Assessment for Multi-Service Centers, CIP D-0111-01-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO**  
**TAGGED BY COUNCIL MEMBERS KHAN and SEKULA-GIBBS**  
This was Item 34 on Agenda of June 30, 2004

**41. Motion 2004-0825 - Postpone (1) one week**

ORDINANCE appropriating \$350,460.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **SPARKS-BARLOW-BARNETT, INC** for Design of Lockwood Drive Paving from Bennington to Tidwell Road; CIP N-0612-01-2; (SB9181) providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 35 on Agenda of June 30, 2004

**MATTERS HELD** - continued

**Motion 2004-0826 – Postpone Item 42 one (1) week – “FAILED”**

**42. Ordinance 2004-0755**

ORDINANCE appropriating \$1,033,600.00 out of Street & Bridge Consolidated Construction Fund and \$172,000.00 out of Water & Sewer System Consolidated Construction Fund for a total of \$1,205,600.00 and approving and authorizing professional engineering services contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for the Design of Cook Road Paving Improvements from Bissonnet Road to Bellaire Boulevard, CIP N-0639-01-2 (SB9176); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT F - KHAN** - **TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 36 on Agenda of June 30, 2004

**43. Motion 2004-0827 – Postpone one (1) week**

ORDINANCE appropriating \$385,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City and **ESOR CONSULTING ENGINEERS, INC** for Neighborhood Sidewalk Program, CIP N-0646H-01-2 (SB9185); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA**

**TAGGED BY COUNCIL MEMBERS WISEMAN and GALLOWAY**

This was Item 37 on Agenda of June 30, 2004

**44. Ordinance 2004-0756**

ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **EDWARDS AND KELCEY, INC** for Intersection Redesign and Street Safety Improvements; CIP N-0650-14-2 (SB9050-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 38 on Agenda of June 30, 2004

**45. Ordinance 2004-0757**

ORDINANCE appropriating \$310,401.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **COBB FENDLEY & ASSOCIATES, INC** for Design of Long Point Road from Hempstead Road to Bingle Road, CIP N-0674-01-2 (SB9088); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

**TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 39 on Agenda of June 30, 2004

**MATTERS HELD** - continued

**46. Ordinance 2004-0758**

ORDINANCE appropriating \$5,200,000.00 out of Series E Commercial Paper Metro Projects Fund, \$616,500.00 out of Street & Bridge Consolidated Construction Fund, and \$1,880,000.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project No. 438; GFS N-0371-01-3 (SB9080); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund, the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and G - HOLM**  
**TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 61 on Agenda of June 30, 2004

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

**07/07/2004 – Council Members Goldberg and Garcia absent on vacation  
Council Member Wiseman absent due to being ill**

**07/08/2004 – Council Members Goldberg and Garcia absent on vacation  
Council Member Wiseman absent due to being ill**