

**AGENDA - COUNCIL MEETING - TUESDAY - JULY 13, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0829 to 2004-0839**  
**ORDINANCES – 2004-0762 to 2004-0779**  
**RESOLUTION – None**

**2004-0828-1**

**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

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

**RECONVENE**

**WEDNESDAY - JULY 14, 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 through 4

**1. Motion 2004-0830**

REQUEST from Mayor for confirmation of the appointment of **MR. WILLIAM (JOE) TURNER** as City of Houston Parks and Recreation Director

**2. Motion 2004-0831**

REQUEST from Mayor for confirmation of the appointment of **MR. MICHAEL S. MARCOTTE, P. E.** as City of Houston Department of Public Works and Engineering Director

MISCELLANEOUS - continued

**3. Motion 2004-0829**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON PARKS BOARD**, for terms to expire January 1, 2007:

Position 1 - **MR. DON S. ARON**, appointment

Position 2 - **MS. ELEANOR W. TINSLEY**, reappointment

Position 3 - **MR. TERRENCE (Terry) S. CHENG**, appointment

Position 10- **MR. JAMES A. ELKINS III**, reappointment

Position 13- **MS. YOLANDA BLACK NAVARRO**, reappointment

Position 16- **MS. NANCY T. REYNOLDS**, reappointment

**4. Motion 2004-0832**

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$305,209.93 - Enterprise Water & Sewer Fund

DAMAGES - NUMBER 5

**5. Motion 2004-0833**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **COLLEEN MAHAN**, et al vs. the City of Houston, Texas, et al; in the United States District Court for the Southern District of Texas, Houston Division, Civil Action No. H-02-1435 - \$30,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBER 6

**6. Council Member Green tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,121,112.72 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-78-3 (4257-15) - 01.98% over the original contract amount - **DISTRICTS A - LAWRENCE; C - GOLDBERG; D - EDWARDS; E - WISEMAN and I - ALVARADO**

PROPERTY - NUMBER 7

**7. Motion 2004-0834**

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceeding styled City of Houston v. John P. Vuong & Kheo Thi Nguyen, et al, Cause No. 812,878, for acquisition of Parcel AY3-020; for the **LYONS AVENUE PAVING PROJECT from Zindler St. - Port St.**, CIP/GFS N-0663-RE-1 \$49,295.00 - **DISTRICT H - GARCIA**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 10

**8. Ordinance 2004-0765**

ORDINANCE appropriating \$1,150,000.00 out of Water & Sewer System Consolidated Construction Fund for spending authority to address the Emergency Repair of 72-inch Sanitary Sewer Line at N. Braeswood and 900 S. Rice for Public Works & Engineering Department, CIP R-0019-34-3 - **DISTRICT C - GOLDBERG**

**PURCHASING AND TABULATION OF BIDS** - continued

a. **Motion 2004-0835**

**GARVER CONSTRUCTION, LTD.** for spending authority in an amount not to exceed \$1,150,000.00 for Emergency Repair of the 72-inch sanitary sewer line at 900 S. Rice and N. Braeswood for Department of Public Works & Engineering

9. **Motion 2004-0836**

**TOMMIE VAUGHN MOTORS, INC (Bid Nos. 4 and 5)** for Automotive, Ford Motor Car/Light Truck Replacement Parts & Repair for Various Departments - \$6,184,016.83 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$5,998,496.33 - General, Enterprise and Fleet Management Funds

10. **Motion 2004-0837**

**AMEND MOTION #2001-886, 8/1/01, TO EXTEND** expiration date from August 3, 2004 to August 2, 2006, and **TO INCREASE** spending authority by \$462,879.12 from \$1,157,197.80 to \$1,620,076.92, for Fire Fighter Uniforms for Various Departments, awarded to **LONE STAR UNIFORMS, INC (Bid #1)**

**ORDINANCES** - NUMBERS 11 through 26

11. **Council Members Ellis, Wiseman, Galloway and Sekula-Gibbs tagged**

**ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Municipal Court Security Officers

12. **Council Member Wiseman tagged**

**ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the use of Traffic Control Personnel

13. **Council Members Wiseman, Quan, Sekula-Gibbs and Galloway tagged**

**ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parking Meters; containing findings and other provisions relating to the foregoing subject; providing for severability

14. **Ordinance 2004-0767**

**ORDINANCE** authorizing reallocation of amounts which may be issued for authorized purposes of the City of Houston, Texas, General Obligation Commercial Paper Notes, Series D, and declaring an emergency

15. **Ordinance 2004-0768**

**ORDINANCE** relating to the alteration or relocation of one or more off-premise signs; containing findings and other provisions relating to the foregoing subject; providing for severability

16. **Ordinance 2004-0769**

**ORDINANCE** approving and authorizing an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$1,013,320.00 - General and Grant Funds

**ORDINANCES** - continued

**17. Ordinance 2004-0770**

ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON INC, ALLTECH SYSTEMS, INC, RUSHMORE CORPORATION d/b/a ALL TEMPS 1 PERSONNEL, ALSO TEMPS, INC, APPLE ONE TEXAS, INC, AT-TECH STAFFING SERVICES, INC, BERGAILA & ASSOCIATES, INC, CRINER-DANIELS & ASSOCIATES, INC., DATALOGIC CONSULTING, INC., ELITE COMPUTER CONSULTANTS, L.P., ELITE PERSONNEL CONSULTANTS, INC d/b/a EVINS TEMPORARIES, EXECUTEAM CORPORATION, PDS TECHNICAL SERVICES, INC, POMERANTZ STAFFING SERVICES, L.L.C., and SILVER & ASSOCIATES, INC,** for Temporary Administrative/Industrial and Information Technology Staffing - \$7,000,000.00 - Central Services Revolving Fund

**18. Ordinance 2004-0762**

ORDINANCE approving and authorizing correction of Real Property description contained in an interlocal agreement between the City of Houston and **HARRIS COUNTY** for transfer of the Future Development, Operations and Maintenance of Nottingham Park from the City to Harris County - **DISTRICT G - HOLM**

**19. Pulled-Not Considered**

ORDINANCE approving and authorizing amendment No. 1 to lease agreement by and between the City of Houston and **FEDERAL EXPRESS CORPORATION** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY**

**20. Ordinance 2004-0771**

ORDINANCE approving and authorizing the Mayor to accept grant assistance from the United States Federal Aviation Administration for various projects at the City's Airports; declaring the City's eligibility for such grants, CIP A-0304, A-0263, A-0444 and A-0153 - Up to \$50,000,000.00 **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

**21. Ordinance 2004-0766**

ORDINANCE approving and authorizing subordination of purchase right (Toyota Center Garage) among the City of Houston, Texas, **THE HARRIS COUNTY-HOUSTON SPORTS AUTHORITY,** and **JPMORGAN CHASE BANK** for purposes of allowing the Harris County-Houston Sports Authority to obtain favorable restructuring of its parking garage debt and in consideration of payment of certain monies by the Harris County-Houston Sports Authority to the City - **DISTRICT I - ALVARADO**

**22. Ordinance 2004-0772**

ORDINANCE approving and authorizing contract between the City of Houston and **CATHOLIC CHARITIES OF THE DIOCESE OF GALVESTON-HOUSTON** providing up to \$380,000.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the administration and operation of a "Short-term Rent, Mortgage and Utility Assistance and Supportive Services Project", which sum includes a limitation of additional funding in the amount of \$190,000.00 **DISTRICT D - EDWARDS**

**23. Ordinance 2004-0773**

ORDINANCE authorizing the adoption of certain amendments to the Emergency Home Repair Program ("Program") Administrative Guidelines, including changing the name of the program to the Single Family Home Repair Program; and appropriating \$2,000,000.00 out of Tax Increment Reinvestment Zone ("TIRZ") Funds to implement the program, as amended

**ORDINANCES** - continued

**24. Ordinance 2004-0774**

ORDINANCE awarding contract to **MERIDIAN MANAGEMENT CORPORATION** for Facility Maintenance Services for Building Services Department; providing a maximum contract amount 3 Years with two one-year options - \$14,545,320.00 - General and Enterprise Funds

**25. Ordinance 2004-0763**

ORDINANCE approving and authorizing first amendment to Contract No. C50772 between the City of Houston and **DRC, INC** to extend the term from January 1, 2005 to December 31, 2007, for Disaster Debris Removal Services for the Solid Waste Management Department

**26. Ordinance 2004-0764**

ORDINANCE appropriating \$888,775.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase of land and improvements thereon out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-39.1, Project 617; approving purchase and sale agreements with the owners of the land (Jerry D. Narvaez and Lydia L. Narvaez) - **DISTRICT B - GALLOWAY**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 27

**MISCELLANEOUS**

**27. Motion 2004-0838**

REVIEW of the record and make determination of the appeal filed by Mr. Travis C. Crowder on behalf of Mr. Eric Shaley of E. S. Auto Sales, Inc., 5304 North Main, of the decision of the Automotive Board to revoke his Motor Vehicle Dealer License No. 272.97 – **Uphold decision of Board to revoke license**

**MATTERS HELD** - NUMBERS 28 through 33

**28. Motion 2004-0839 – Adopt**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt 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**  
**TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 2 on Agenda of July 7, 2004

**29. Ordinance 2004-0775**

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  
**TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 18 on Agenda of July 7, 2004

**MATTERS HELD** - continued

**30. Ordinance 2004-0776**

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 - **TAGGED BY COUNCIL MEMBER ELLIS**  
This was Item 26 on Agenda of July 7, 2004

**31. Ordinance 2004-0777**

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**  
**POSTPONED BY MOTION #2004-828, 7/7/04**  
This was Item 40 on Agenda of July 7, 2004

**32. Ordinance 2004-0778**

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**  
**POSTPONED BY MOTION #2004-825, 7/7/04**  
This was Item 41 on Agenda of July 7, 2004

**33. Ordinance 2004-0779**

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  
**POSTPONED BY MOTION #2004-827, 7/7/04**  
This was Item 43 on Agenda of July 7, 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**

**AGENDA - JULY 14, 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

**7/13/2004 – All Present**

**7/14/2004 – All Present**