

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 21, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-1008 to 2004-1015
ORDINANCES – 2004-0969 to 2004-0988
RESOLUTION – None

2004-1007-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

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 - SEPTEMBER 22, 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 2A

1. **Council Member Wiseman tagged**
RECOMMENDATION from Director Finance & Administration Department for approving Equipment Acquisition Plan for FY2005

MISCELLANEOUS - continued

Motion 2004-1008 – Suspend rules to consider Items 2, 2a, 3 and 8 out of order

2. Council Member Edwards tagged

ORDINANCE appropriating \$33,303.06 out of Public Health Consolidated Construction Fund; allocating/appropriating additional funds for Bio-Safety Level 3 Laboratory (BSL-3), GFS H-0029-02-3; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT D - EDWARDS**

a. Council Member Edwards tagged

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 5 in the amount of \$33,303.06 on contract with **A-TEC ENGINEERS AND CONTRACTORS** for Bio-Safety Level 3 Laboratory (BSL-3) for Health & Human Services Department GFS H-0029-02-3 - **DISTRICT D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 5A

3. Council Members Wiseman and Edwards tagged

TRAF-TEX, INC to Install Pedestrian Crosswalk Signals for Convention & Entertainment Facilities Department - \$104,320.00 and contingencies for a total amount not to exceed \$109,536.00 Enterprise Fund

4. Motion 2004-1009

AMEND MOTION #2000-1058, 8/23/00, as amended by #2003-1147, 9/24/03, TO EXTEND expiration date from October 1, 2004 to September 30, 2005, for Chemical Water Test Materials Contract for Various Departments, and **TO INCREASE** spending authority from \$614,198.66 to \$798,458.26, awarded to **HACH COMPANY** - Enterprise Fund

5. Council Members Green, Holm, Wiseman, Galloway, Garcia and Quan tagged

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Printing Services; providing a maximum contract amount - 5 Years - \$5,200,000.00 – General, Enterprise and Other Funds

a. Council Members Green, Holm, Wiseman, Galloway, Garcia and Quan tagged

HOUSTON INDEPENDENT SCHOOL DISTRICT for Printing Services for Various Departments

ORDINANCES - NUMBERS 6 through 26

6. Council Member Green tagged

ORDINANCE **AMENDING ARTICLE V OF CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Farmers Markets

7. Ordinance 2004-0980

ORDINANCE **AMENDING ARTICLE VIII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston Parks Board

8. Council Members Sekula-Gibbs, Edwards, Lawrence and Green tagged

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2004-801 by adding one (1) Deputy Chief Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability

9. Council Members Ellis, Sekula-Gibbs and Wiseman tagged

ORDINANCE approving and authorizing an agreement between the City of Houston and the **HOUSTON POLICE OFFICERS' PENSION SYSTEM**

ORDINANCES - continued

10. Council Member Wiseman tagged

ORDINANCE AMENDING THE CITY OF HOUSTON CONSTRUCTION CODE, THE CITY OF HOUSTON FIRE CODE, and THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the transfer of Construction Code Enforcement and related functions from the Department of Planning and Development to the Department of Public Works and Engineering

11. Ordinance 2004-0969

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Tilson Lane Excess, Fee-owned, Street right of way, containing 409 square feet of land, more or less, being out of Lots 7 and 8, Block 5, Cedar Brook Addition, Section 1, Harris County, Texas, Parcel SY4-018, vacating and abandoning said parcel to NPSP, L.P., the abutting owner, in consideration of its payment of \$900.00 and other consideration to the City - **DISTRICT A - LAWRENCE**

12. Ordinance 2004-0970

ORDINANCE approving and authorizing special warranty deed conveying to George N. Polydoros, Trustee, a parcel of land containing ±15,778 square feet, former Memorial West Water Treatment Plant Site, Parcel S95-045, located at 15107 Memorial Drive, Reserve A, Block 1, Thornwood Subdivision, Section 2, Abstract 80, Joel Wheaton Survey, Harris, Texas, in consideration of George N. Polydoros, Trustee's payment of \$221,680.90 and other consideration to the City - **DISTRICT A - LAWRENCE**

13. Ordinance 2004-0971

ORDINANCE approving and authorizing special warranty deed conveying to John Chime parcel of land containing 29,132 square feet (0.6688 acres), more or less, being out of Block 8, Plantation Oaks Subdivision, Section Two, J. Jeffries Survey, A-492, Harris County, Texas (the former Water Well Plant Site No. 2 located at 3830 Tiffany Drive); and in consideration of John Chime's payment of \$44,000.00, and other consideration to the City - **DISTRICT D - EDWARDS**

14. Ordinance 2004-0981

ORDINANCE authorizing the restructuring of certain escrow funds established with proceeds of Combined Utility System First Lien Revenue Refunding Bonds, Series 2004; authorizing the Mayor and the City Controller to approve the terms of the Escrow restructuring and certain other matters relating thereto; authorizing the execution and delivery of necessary documents incident thereto; authorizing the redemption of outstanding escrowed securities and the purchase of and subscription for new Escrow Securities authorizing Escrow Verification and Bond Counsel Services

15. Ordinance 2004-0982

ORDINANCE approving and authorizing amendment No. 2 to the construction contract 53347 between the City of Houston and **J. D. ABRAMS, L.P.**, for APM Guideway Expansion, Roadway & Site Utilities at George Bush Intercontinental Airport/Houston; deappropriating \$995,000.00 which was appropriated by City of Houston, Texas, Ordinance No. 2003-939 out of Airport System Consolidated 2001 AMT Construction Fund; deappropriating \$5,000.00 which was appropriated by City of Houston, Texas, Ordinance No. 2001-1081 out of the Airport System Bonds 2000B NON-AMT Construction Fund; (Project No. 536A); CIP A-0354; A-0203 and A-0422 **DISTRICT B - GALLOWAY**

16. Ordinance 2004-0972

ORDINANCE appropriating \$1,100,058.65 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for professional construction management services contract with **LOCKWOOD, ANDREWS & NEWNAM, INC** (approved by Ordinance No. 99-312); CIP S-0900-43-3 (10448-2) for the Surface Water Transmission Program

17. Council Members Berry, Green, Wiseman and Sekula-Gibbs tagged

ORDINANCE approving and authorizing amendment No. 2 to Automobile Rental Concession Agreement at William P. Hobby Airport by and between the City of Houston, Texas and **AVIS RENT A CAR SYSTEM, INC; BUDGET RENT A CAR SYSTEM, INC; DTG OPERATIONS, INC d/b/a DOLLAR RENT A CAR; THE HERTZ CORPORATION; VANGUARD CAR RENTAL USA INC**, operating its brands **ALAMO** and **NATIONAL**; and **DTG OPERATIONS, INC d/b/a THRIFTY CAR RENTAL** to extend the agreements on a month to month basis - **DISTRICT I - ALVARADO**

18. Ordinance 2004-0973

ORDINANCE appropriating \$1,215,856.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction Contract No. 53048 between the City of Houston and **BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC.**, successor in interest to Daimlerchrysler Rail Systems (North America) Inc., for Phase 2 Automated People Mover (APM) System at George Bush Intercontinental Airport/Houston; Project 536D; CIP A-0354 and A-0422 - **DISTRICT B - GALLOWAY**

19. Ordinance 2004-0974

ORDINANCE approving and authorizing supplemental agreement No. 1 to Lease Agreement DTFA 07-01-L-01280 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 9 and Runway 27 at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

20. Ordinance 2004-0975

ORDINANCE approving and authorizing supplemental agreement No. 3 to Lease Agreement DTFA 07-02-L-02783 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 15R at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY**

21. Ordinance 2004-0976

ORDINANCE approving and authorizing supplemental agreement No. 1 to Lease Agreement DTFA 07-03-L-00940 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 30L at William P. Hobby Airport - **DISTRICT I - ALVARADO**

22. Council Member Alvarado tagged

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to joint elections to be held on November 2, 2004; providing a maximum contract amount - \$1,400,000.00 - General Fund

23. Ordinance 2004-0983

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SIMDESK, INC (Formerly INTERNET ACCESS TECHNOLOGIES, INC)** for Software Licensing and Support

ORDINANCES - continued

24. Ordinance 2004-0977

ORDINANCE repealing Ordinance No. 2004-569; approving and authorizing Replacement Loan Agreement between the City of Houston and **LITTLE YORK VILLAS, L.P.** to provide \$441,600.00 Loan of Federal "HOME" Funds for eligible costs in connection with the acquisition and rehab of an apartment building located at the 6900 block of Nuben and W. Little York, Houston, Texas, to house low and very-low income residents - **DISTRICT B - GALLOWAY**

25. Ordinance 2004-0978

ORDINANCE appropriating \$1,166,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **CH2M HILL INC** for East Water Purification Plant, CIP S-0056-12-3 (10536-7) - **DISTRICT E - WISEMAN**

26. Ordinance 2004-0979

ORDINANCE appropriating \$183,142.80 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **TLC ENGINEERING, INC** for Construction of a 5.0 MG Ground Storage Tank and Detention Pond at the Park Glen-1 Pumping Station, CIP S-0600-32-3 (WA10675-32) - **DISTRICT F - KHAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 27

MISCELLANEOUS

Motion 2004-1010 – Procedural motion

Motion 2004-1011 – Procedural motion

27. Motion 2004-1012 – Amend

AMEND MOTION #2004-985, 9/8/04, TO CORRECT block description of a designated residential parking permit area in the Washington Avenue / Memorial Super Neighborhood (1300 block of Logan should be the 5700 block of Logan) - **REQUIRES THREE MOTIONS - DISTRICT G - HOLM**

MATTERS HELD - NUMBERS 28 through 35

28. Motion 2004-1013

RECOMMENDATION from Finance & Administration Department to award to **TRAYLOR MOTORS HOMES, INC** for Mobile Health Clinic for Health & Human Services Department \$144,351.00 Grant Fund - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**
This was Item 5 on Agenda of September 15, 2004

29. Ordinance 2004-0984

ORDINANCE naming a private street located between Westhollow Drive and Panaguard Drive as Queensbury View Path - **DISTRICT G - HOLM** - **TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 10 on Agenda of September 15, 2004

MATTERS HELD – continued

30. Ordinance 2004-0985

ORDINANCE appropriating \$1,300,000.00 out of Homeless and Housing Consolidated Fund as a Cash Match; approving and authorizing the submittal of a grant application to the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** for Lead-Based Paint Hazard Reduction Control Grant Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$3,000,000.00

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 13 on Agenda of September 15, 2004

31. Ordinance 2004-0986

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and the acceptance of grant funds for the FY05 Illegal Dumping Community Action Program - \$250,533.05 - Grant Fund

TAGGED BY COUNCIL MEMBER GARCIA and EDWARDS

This was Item 16 on Agenda of September 15, 2004

32. Ordinance 2004-0987

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **BUFFALO RIDES, INC** for Hermann Park Miniature Train Ride Concession Revenue - **TAGGED BY COUNCIL MEMBERS WISEMAN, GARCIA and SEKULA-GIBBS**

This was Item 18 on Agenda of September 15, 2004

33. Motion 2004-1014

RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2003 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2004 MTFP in map form - **POSTPONED BY MOTION #2004-1005, 9/15/04**

This was Item 24 on Agenda of September 15, 2004

34. Ordinance 2004-0988

ORDINANCE approving and authorizing Communication Equipment Licenses at George Bush Intercontinental Airport/Houston between the City of Houston and the following companies:

(1) **SPRINTCOM, INC** and (2) **VOICESTREAM HOUSTON, INC** - Revenue - **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 28 on Agenda of September 15, 2004

35. Motion 2004-1015

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John Weddle, on behalf of C. M. Garver, trustee, for abandonment and sale of Avenue B, from 75th Street to 76th Street, in exchange for the conveyance to the City of a 15-foot-wide sanitary sewer easement, both located within Magnolia Park, Section 2, Parcels SY5-003 and DY5-005 - **2 APPRAISERS and 1 ALTERNATE APPRAISER - DISTRICT I - ALVARADO**

POSTPONED BY MOTION #2004-1006, 9/15/04

This was Item 30 on Agenda of September 15, 2004

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Galloway 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

- 9/21/2004 – Council Member Galloway absent due to being ill**
 - Council Member Goldberg out of the City on City business**
 - Council Member Green absent**
- 9/22/2004 – Council Member Goldberg out of the City on City business**
 - Council Member Khan out of the City on personal business**