

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 22, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0167 to 2005-0180
ORDINANCES – 2005-0138 to 2005-0168
RESOLUTION – None

2005-0166-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Galloway

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 2005-0167 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 23, 2005 - 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 37

MISCELLANEOUS - NUMBERS 1 and 2

1. **Motion 2005-0168**
RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **GARDEN OAKS CIVIC CLUB, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 1
2. **Motion 2005-0169**
RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **WOODLAND TRAILS NORTH COMMUNITY IMPROVEMENT ASSOCIATION** for law enforcement services of two (2) deputies from Harris County

PROPERTY - NUMBER 3

3. Motion 2005-0170

RECOMMENDATION from Director Department of Public Works & Engineering on request from Attorneys representing **HUFFMAN INDEPENDENT SCHOOL DISTRICT (Huffman)** for consent by the City Council to a sale of Property to the City of Houston held by Huffman Independent School District as a result of a Tax Foreclosure identified as Tract 6E, Block One, of the G. A. Trott's Subdivision; on offer of \$3,737.00; for the **EAST LAKE HOUSTON SANITARY SEWER EASEMENTS PROJECT, CIP R-0801-04-2 - DISTRICT E - WISEMAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 10-1

4. Ordinance 2005-0157

ORDINANCE appropriating \$446,112.45 out of Fire Consolidated Construction Fund for Continuous Power Sources for Building Services Department, CIP C-0162

a. Motion 2005-0174

C. F. MCDONALD ELECTRIC, INC for Continuous Power Sources for Building Services Department - \$424,869.00 and contingencies for a total amount not to exceed \$446,112.45

5. Council Member Garcia tagged

THE RELIZON COMPANY (Bid No. 4) for Barcoded Traffic, Non-Traffic and Parking Citations for Municipal Courts-Administration and -Judicial Departments - \$546,430.00 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$535,501.40 - General Fund

6. Motion 2005-0171

THE HON COMPANY - \$19,251.59 and **ALLSTEEL** - \$4,826.78 for Chairs from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - Enterprise Fund

7. Council Member Khan tagged

AMEND MOTION #2002-557, 5/15/02, TO EXTEND expiration date from May 15, 2005 to May 14, 2007, for Water Meter Replacement Parts Contract for Department of Public Works & Engineering, awarded to **HERSEY METERS, INC, NEPTUNE TECHNOLOGY GROUP, INC, BADGER METER, INC** and **NATIONAL WATERWORKS, INC (Formerly U.S. FILTER DISTRIBUTION GROUP)**

8. Motion 2005-0172

RECOMMENDATION from Finance & Administration Department for approval of spending authority to purchase Automotive Diagnostic Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments, awarded to **SNAP-ON INDUSTRIAL** - \$163,900.91 - General, Enterprise and Other Funds

9. Motion 2005-0175

HI-WAY EQUIPMENT CO., INC for Equipment, Road Machinery, Gradall Replacement Parts for Various Departments - \$1,643,000.00 - General, Enterprise, Fleet Management and Storm Water Utility Funds

10. Motion 2005-0176

PHILPOTT MOTORS, LTD. - \$5,180,901.00, **BABY JACK II AUTOMOTIVE LTD.** \$1,054,478.00, **BABY JACK CHRYSLER AUTOMOTIVE LTD.** - \$33,942.00 and **SAM PACK'S FIVE STAR FORD** - \$45,207.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - \$6,314,528.00 - Enterprise, Grant and Other Funds

PURCHASING AND TABULATION OF BIDS - continued

10-1 Motion 2005-0173

IMAGISTICS INTERNATIONAL, INC for Rental of Photocopiers from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Houston Airport System - \$30,201.70 - Enterprise Fund

ORDINANCES - NUMBERS 11 through 37

11. Ordinance 2005-0138

ORDINANCE consenting to the addition of 100.668 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

12. Ordinance 2005-0139

ORDINANCE consenting to the creation of **EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**

13. Ordinance 2005-0140

ORDINANCE consenting to the creation of **EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**

14. Ordinance 2005-0141

ORDINANCE consenting to the creation of **EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 7**

15. Ordinance 2005-0142

ORDINANCE consenting to the addition of 162.22 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district

16. Ordinance 2005-0143

ORDINANCE consenting to the addition of 4.8106 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55**, for inclusion in its district

17. Ordinance 2005-0144

ORDINANCE consenting to the addition of 11.3560 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150**, for inclusion in its district

18. Ordinance 2005-0145

ORDINANCE consenting to the addition of 460.0768 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 278**, for inclusion in its district

19. Ordinance 2005-0146

ORDINANCE consenting to the addition of 4.7351 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119**, for inclusion in its district

20. Ordinance 2005-0158

ORDINANCE approving and authorizing a Utility Functions and Services Allocation Agreement between the City of Houston and **BEAZER HOMES OF TEXAS, L.P.** on behalf of proposed **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 381**

21. Ordinance 2005-0147

ORDINANCE approving and authorizing a Utility Functions and Services Allocation Agreement between the City of Houston and **RH OF TEXAS LIMITED PARTNERSHIP** on behalf of proposed **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 411**

ORDINANCES - continued

22. Ordinance 2005-0159

ORDINANCE approving and authorizing a resolution of the City Council of the City of Houston, Texas authorizing the execution of an interlocal participation agreement for the **TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE** and other matters related to becoming a member of the Texas Local Government Purchasing Cooperative

23. Ordinance 2005-0167

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$100,000.00 in Community Development Block Grant Funds for the Administration and Operation of an Emergency Cold and Wet Program to provide Short-Term Emergency Housing Assistance and access to Social Services for Homeless Individuals and Families

24. Ordinance 2005-0148

ORDINANCE approving and authorizing fifth amendment to contract between the City of Houston, the **ALIEF INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$65,000.00 and continue the program for the development of neighborhood parks on public school grounds under the Spark Program - CDBG Funds - **DISTRICT F - KHAN**

25. Ordinance 2005-0149

ORDINANCE approving and authorizing first amendment to contract between the City of Houston, the **GALENA PARK INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$75,000.00 and continue the program for the development of neighborhood parks on public school grounds under the Spark Program - CDBG Funds - **DISTRICT E - WISEMAN**

26. Ordinance 2005-0150

ORDINANCE approving and authorizing twenty-third amendment to contract between the City of Houston, the **HOUSTON INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$540,000.00 and continue the program for the development of neighborhood parks on public school grounds under the Spark Program - CDBG Funds - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I - ALVARADO**

27. Ordinance 2005-0151

ORDINANCE approving and authorizing seventh amendment to contract between the City of Houston, the **SPRING BRANCH INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$120,000.00 and continue the program for the development of neighborhood parks on public school grounds under the Spark Program - CDBG Funds - **DISTRICT A - LAWRENCE**

28. Ordinance 2005-0160

ORDINANCE approving and authorizing Occupancy Agreement between **HOUSTONWORKS USA**, as occupant, and the City of Houston, Texas, as owner, for space in the Third Ward Multi-Service Center - **DISTRICT I - ALVARADO**

29. Ordinance 2005-0152

ORDINANCE amending Ordinance Number 01-0768 to increase the maximum contract amount for Contract #53097 between the City of Houston and **H. S. HICKS, D.V.M.** - \$20,000.00 General Fund

30. Council Member Sekula-Gibbs tagged

ORDINANCE approving and authorizing an Agreement between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** for a Houston Freeway Mobility and Safety Improvement Program

ORDINANCES - continued

31. Ordinance 2005-0161

ORDINANCE awarding contract to **HOUSTON INSTALLATION SERVICES** for Furniture Relocation Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$712,013.54 - General and Enterprise Funds

32. Council Member Khan tagged

ORDINANCE amending Ordinance No. 03-1321 to increase a maximum contract amount; approving and authorizing first Amendment to Intergovernmental Agreement between City of Houston, **COUNTY OF LOS ANGELES** and **OFFICE DEPOT** for purchase of Office Supplies for Various Departments - \$878,553.81 - General, Enterprise, Grant and Other Funds

33. Ordinance 2005-0153

ORDINANCE awarding construction contract to **REDDY ENGINEERS AND CONTRACTORS, LTD**, for Construction of Theater District Flood Doors and Flood Gates Phase 3 and 4, GFS B-0074-02-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, and contingencies relating to construction of facilities financed by the Convention & Entertainment Enterprise Fund - \$1,168,765.00 - Enterprise Fund - **DISTRICT I - ALVARADO**

34. Ordinance 2005-0154

ORDINANCE appropriating \$5,176,000.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding contract to **HUFF & MITCHELL, INC** for Garden Villas Storm Sewer Improvements, GFS M-0226-01-3 (SM5036); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund - **DISTRICT I - ALVARADO**

35. Ordinance 2005-0155

ORDINANCE awarding construction contract to **C. E. BARKER, LTD.**, for Construction of Water, Sanitary Sewer and Storm Drainage Systems to serve Section Two of the Meadowcrest Subdivision, CIP S-0800-A9-03 and R-0800-A9-03 (DPC-054); approving and authorizing assignment of the construction contract to **MARKET DEVELOPERS, L.L.C.** - **DISTRICT D - EDWARDS**

36. Ordinance 2005-0156

ORDINANCE appropriating \$5,400,000.00 out of Street & Bridge Consolidated Construction Fund to reimburse the General Fund for the Rehabilitation of Concrete Pavement, CIP N0655-03-3

37. Ordinance 2005-0168

ORDINANCE appropriating \$4,000,000.00 out of Disaster Recovery Fund; transferring that sum to the Equipment Acquisition Consolidated Fund, appropriating \$20,402,152.00 out of Equipment Acquisition Consolidated Fund for Purchase of FY2005 Rolling Stock and Other Equipment

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 38 through 49

38. Motion 2005-0177

MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,369,578.00 and acceptance of work on contract with **PM CONSTRUCTION AND REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; GFS R-0266-P2-3 (4257-30) - 03.54% over the original contract amount

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 25 on Agenda of February 16, 2005

39. Motion 2005-0178

RECOMMENDATION from Finance & Administration Department to award to **TEXAS ACCESS CONTROLS** for Door Operators, Automatic Contract for Houston Airport System - \$145,000.00 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$140,650.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS

This was Item 27 on Agenda of February 16, 2005

40. Motion 2005-0179

RECOMMENDATION from Finance & Administration Department to **AMEND MOTION #2002-760, 6/19/02, TO EXTEND** expiration date from June 19, 2005 to June 18, 2007, for Helicopter Component Overhaul & Exchange Contract for Houston Police Department, awarded to **HELI-TECH, INC - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 30 on Agenda of February 16, 2005

41. Motion 2005-0180

RECOMMENDATION from Finance & Administration Department to **AMEND MOTION #2002 761, 6/19/02, TO EXTEND** expiration date from June 19, 2005 to June 18, 2007, for Helicopter Replacement Parts Contract for Houston Police Department, awarded to **TRIUMPH GEAR SYSTEMS, INC (Formerly ROLLS-ROYCE GEAR SYSTEMS)**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 31 on Agenda of February 16, 2005

42. Motion 2005-0162

ORDINANCE approving and authorizing sale to **SOUTHWESTERN BELL TELEPHONE, L.P.** of a 15-foot-wide Telecommunications Easement in a tract or parcel of land containing 2,384 square feet, more or less, being out of the City of Houston's South Central Police Station Site, located at 2202 Saint Emanuel Street, James S. Holman Survey, A-323, Harris County, Texas, Parcel SY3-012, for and in consideration of the payment by Southwestern Bell Telephone, L.P. of \$22,386.00 to the City of Houston; subject to the terms and conditions of the easement agreement **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 39 on Agenda of February 16, 2005

43. Ordinance 2005-0163

ORDINANCE approving and authorizing contract between the City of Houston and **ANDREWS KURTH, L.L.P.**, for Professional Legal Services - \$636,000.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and WISEMAN

This was Item 45 on Agenda of February 16, 2005

MATTERS HELD – continued

44. Postpone two (2) weeks

ORDINANCE amending Ordinance No. 1996-0061 to increase the maximum contract amount for Professional Legal Services contract with **MLADENKA-FOWLER, ADAMS & ASSOCIATES (now MLADENKA-FOWLER & ASSOCIATES)** for Litigation relating to the City's Sexually Oriented Business Ordinance - \$10,000.00 - Property and Casualty Fund

TAGGED BY COUNCIL MEMBERS WISEMAN, KHAN, SEKULA-GIBBS, LAWRENCE, GREEN and GALLOWAY

This was Item 46 on Agenda of February 16, 2005

45. Ordinance 2005-0164

ORDINANCE approving and authorizing contract between the City and **BAKER BOTTS L.L.P.** for Professional Legal Services - \$125,000.00 - Police Special Services Fund

TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS

This was Item 47 on Agenda of February 16, 2005

46. Ordinance 2005-0165

ORDINANCE approving and authorizing second amendment to contract between the City and **REPUBLIC PARKING SYSTEM, INC** for Parking Operations and Management Concession Agreement for Convention & Entertainment Facilities Department; amending Ordinance No. 2001-0222 to increase the maximum contract amount

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 49 on Agenda of February 16, 2005

47. Ordinance 2005-0166

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **LION APPAREL** for Fire Fighter Personal Protective Equipment for Houston Fire Department approved and authorized by Ordinance No. 2001-260

TAGGED BY COUNCIL MEMBER GARCIA

This was Item 50 on Agenda of February 16, 2005

48. Postpone one (1) week

ORDINANCE approving and authorizing contract between the City of Houston and **M. ARTHUR GENSLER, JR. & ASSOCIATES** for Holcombe Square Design Project in the Texas Medical Center - \$120,000.00 - Grant Fund - **DISTRICTS C - GOLDBERG and D - EDWARDS**

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 55 on Agenda of February 16, 2005

49. Postpone one (1) week

ORDINANCE approving and authorizing Communication Equipment License at George Bush Intercontinental Airport/Houston between the City of Houston and **NEXTEL OF TEXAS, INC d/b/a NEXTEL COMMUNICATIONS - DISTRICT B - GALLOWAY**

POSTPONED BY CONSENT, 2/16/05

This was Item 61 on Agenda of February 16, 2005

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Alvarado 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 23, 2005 - PAGE 8

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

2/22/2005 – Council Member Galloway absent due to death in the family

**2/23/2005 – Council Member Galloway absent due to death in the family
Council Member Wiseman absent due to being ill**