

AGENDA - COUNCIL MEETING - TUESDAY - MARCH 29, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0252 to 2005-0297
ORDINANCES – 2005-0278 to 2005-0323
RESOLUTION – 2005-0004

2005-0251-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Garcia

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

Motions 2005-0252 to 2005-0254 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MARCH 30, 2005 - 9:00 A. M.

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

MAYOR'S REPORT - Utility Relocations for CIP Projects – **Presented**

Motion 2005-0257 – Accept report

9:00 A.M. - **REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

CONSENT AGENDA NUMBERS 1 through 73

MISCELLANEOUS - NUMBER 1

1. Motion 2005-0259

RECOMMENDATION from the Director Finance & Administration for approval of Individual Public Official Bond for **RICHARD LEWIS, Acting Chief Clerk of the Municipal Courts** in the amount of \$25,000.00 as required by the Code of Ordinances

ACCEPT WORK - NUMBERS 2 through 11

2. Motion 2005-0271

RECOMMENDATION from Houston Airport System for approval of final contract amount of \$1,787,683.99 and acceptance of work on contract with **CONSTRUCTION LTD.**, for ISEP - Remodeling Terminal D Core Room / MDF Upgrades & SITA Relocation at George Bush Intercontinental Airport/Houston; Project No. 500Q; CIP A-0483 and A-0422 - 18.34% under the original contract amount - **DISTRICT B - GALLOWAY**

3. Motion 2005-0272

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$832,000.88 and acceptance of work on contract with **CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-R4-3 (4277-10) - 01.79% over the original contract amount

4. Motion 2005-0273

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,113,802.32 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-R9-3 (4257-32) - 04.44% over the original contract amount

5. Motion 2005-0274

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,508,836.68 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Water Line Repair Contract by Point Repair Method, (10698) 07.51% under the original contract amount

6. Motion 2005-0275

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,305,614.59 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for On-Call Rehabilitation to Large Diameter Water Lines Package 2, GFS S-0900-88-3 (WA10700-02) - 04.71% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; E - WISEMAN and I - ALVARADO**

7. Motion 2005-0276

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,099,238.28 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Repair by Point Repair Method, (WA10713) - 05.68% under the original contract amount

8. Motion 2005-0277

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,217,635.69 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Main Replacement in Lakewood Heights Subdivision, GFS S-0035-95-3 (WA10736) and Sanitary Sewer Replacement along Sunnyglen Drive, GFS R-2011-38-3 (WW4809-3) - 08.54% under the original contract amount - **DISTRICT E - WISEMAN**

9. Motion 2005-0278

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,467,130.74 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Campbell Woods/Long Point Acres Subdivisions, GFS S-0035-93-3 (WA10732) - 14.35% under the original contract amount **DISTRICT A - LAWRENCE**

ACCEPT WORK - continued

10. Motion 2005-0279

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,184,856.44 and acceptance of work on contract with **C AND C SERVICES** for Construction of Water Line Replacement in Westbury East Subdivision, GFS S-0035-97-3 (WA10738) - 04.12% under the original contract amount - **DISTRICT C - GOLDBERG**

11. Motion 2005-0280

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,735,569.46 completed by the Surety, **CAPITOL INDEMNITY CORPORATION** and acceptance of work on contract awarded to **ADVANTAGE CONTRACT SERVICES, INC** for Rehabilitation of Four Elevated Tanks and Replacement of One Elevated Tank with Hydropneumatic Tanks, GFS S-0600-21-3 (10521-21) - 03.59% under the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN and G - HOLM**

PROPERTY - NUMBERS 12 through 15

12. Motion 2005-0281

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY3-253, located at 4101 Lyons Avenue, owned by S W E Holdings, LP, Scott Wizig President, for the **LYONS AVENUE PAVING PROJECT from US 59 to Waco - DISTRICT B - GALLOWAY**

13. Motion 2005-0260

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY2-053, located at 9406 E. Avenue J, owned by John Stuart Dissen, for **CENTRAL STREET GRADE SEPARATION PROJECT from Central Street Extension over Manchester Avenue to Train Yard**, CIP N-0676-01-2 - \$54,700.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO**

14. Motion 2005-0261

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY4-050, located within the banks of Brays Bayou drainage-way between Holcombe Boulevard and South MacGregor Drive, owned by Harris County Flood Control District, for the **CAMBRIDGE PAVING PROJECT from Old Spanish Trail to MacGregor Drive**, CIP N-0720-01-2 - \$48,496.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS**

15. Motion 2005-0262

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY4-121, located at the NW corner of FM 1960 West and Mills Road, owned by John W. Worsham, 2/9 interest; Worsham Interests, Ltd., Jean M. Worsham, Managing Partner, 2/9 interest; Gail W. Pitt, 1/9 interest; Cynthia W. Bowers, 1/9 interest; John W. Mills III, 1/9 interest; Sally M. Watkins, 1/9 interest; J. W. Mills Estate Trust, John W. Mills III and Sally Mills Watkins, Trustees 1/9 interest, for the **WILLOWBROOK WATER WELL PROJECT**, CIP S-0100-12-2; \$53,236.00 - Enterprise Fund - **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 through 30

16. **Motion 2005-0263**
CYPRESS LAWN & TURF EQUIPMENT COMPANY, INC - \$39,101.86 and **EQUIPMENT SUPPORT SERVICES** - \$41,037.47 for Riding Mowers and Forklift through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Airport System - Enterprise Fund
17. **Ordinance 2005-0283**
ORDINANCE appropriating \$154,544.25 out of GRB Consolidated Construction Fund to Furnish and Install a Fall Protection System at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department
 - a. **Motion 2005-0264**
MILESTONE METALS, INC to Furnish and Install a Fall Protection System at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department \$147,185.00 and contingencies for a total amount not to exceed \$154,544.25
18. **Motion 2005-0282**
MARTIN APPARATUS, INC for Heavy-Duty Rescue Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Fire Department \$390,987.00 - Grant Fund
19. **Motion 2005-0283**
AMEND MOTION #2002-923, 8/7/02, TO INCREASE spending authority from \$391,000.00 to \$503,000.00 for Automotive E-One Fire Truck Replacement Parts and Repair Contract for Fire Department, awarded to **FIRE APPARATUS SPECIALIST** - \$112,000.00 - General Fund
20. **Motion 2005-0284**
TURF EQUIPMENT & SUPPLIES, INC - \$326,360.58 and **KLEIBER TRACTOR & EQUIPMENT, INC** - \$73,500.00 for Lawnmower and Edger Replacement Parts and Repair Service for Parks & Recreation Department - \$408,021.00 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$399,860.58
- 20-1 **Motion 2005-0285**
ALL PLAY, INC and **PLAYPOWER LT FARMINGTON, INC** for Playground Equipment and Park Amenities through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative - Not to exceed \$1,000,000.00 - CDBG Fund
21. **Motion 2005-0265**
MACAULAY CONTROLS COMPANY for Replacement Parts Contract for Existing Metering Pumps and Analyzers for Department of Public Works & Engineering - \$241,170.00 - Enterprise Fund
22. **Council Member Wiseman tagged**
AMEND MOTION #2001-1102, 10/3/01, as amended by Motion #2004-822, 7/7/04, TO EXTEND expiration date from October 3, 2005 to October 2, 2006, for Water Meters, Cold Water Contract for Department of Public Works & Engineering, awarded to **BADGER METERS, INC**
23. **Council Member Wiseman tagged**
AMEND MOTION #01-434, 4/18/01, as amended by Motion #04-330, 3/31/04, TO EXTEND expiration date from April 26, 2005 to April 25, 2006, for Fire Hydrants Contract for Department of Public Works & Engineering, awarded to **MUNICIPAL PIPE & FABRICATING COMPANY**

PURCHASING AND TABULATION OF BIDS - continued

24. Motion 2005-0266

BOYER, INC for Emergency Purchase of Clean-up Services at Greens Bayou for Department of Public Works & Engineering - \$98,900.00 - Enterprise Fund

25. Motion 2005-0267

INTERNATIONAL TRUCKS OF HOUSTON (Bid No. 17) - \$110,798.56 and **TOMMIE VAUGHN MOTORS, INC (Bid No. 7)** - \$225,846.49 for Automotive Air and Spring Brake Replacement Parts for Various Departments - \$347,056.75 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$336,645.05 - General and Fleet Management Funds

26. Motion 2005-0286

G & S ASPHALT, L.P. dba AMERICAN MATERIALS for Concrete, Hot Mixed Asphalt for Various Departments - \$21,978,430.40 - General, Enterprise and Storm Water Funds

27. Motion 2005-0287

CENTURY ASPHALT MATERIALS for Concrete, Hot Mixed Asphaltic, Part II for Various Departments - \$2,072,220.00 - General, Enterprise and Storm Water Funds

28. Motion 2005-0268

LESLIE'S POOLMART, INC for Chlorinated Chemicals for Various Departments - \$133,963.00 General and Enterprise Funds

29. Council Member Ellis tagged

AMEND MOTION #2002-497, 4/24/02, TO EXTEND expiration date from April 24, 2005 to April 23, 2006, for Paints, Solvents & Painting Supplies Contracts for Various Departments, awarded to **ICI DULUX, SHERWIN-WILLIAMS PAINT CO., INC, SOUTHWESTERN PAINT CO.,** and **QUALITY PAINT & DÉCOR**

30. Motion 2005-0269

NORTH SHORE SUPPLY COMPANY, INC for Steel Construction Materials for Various Departments - \$890,882.73 - General, Enterprise, Storm Water and Fleet Management Funds

Motion 2005-0288 – Suspend rules to remain in session beyond noon recess

ORDINANCES - NUMBERS 31 through 73

31. Council Member Wiseman tagged

ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Public Official Bonds and Blanket Crime Policies for Public Employees

Council Member Sekula-Gibbs presented the following written motion to amend Item 32:

"I move that Section 4 of Agenda Item 32 be amended to read as follows"

4. BOARD COMMITTEES

- a) The standing committees of the Board should cover the following areas:
 - (1) Risk Management/Governance
 - (2) Investment
 - (3) Administration (include compensation)
 - (4) Finance/Actuarial
 - (5) Audit
 - (6) Disability

ORDINANCES - continued

Item 32 - continued

- b) The committee responsible for all meet and confer issues for HMEPS shall be a committee of the elected trustees and the trustee appointed by the elected trustees. Other than the committee responsible for meet and confer issues, all committees shall consist of at least one elected trustee and one trustee appointed by the Mayor, Controller or City Council.
- c) All meetings, other than meetings dealing with meet and confer issues, shall be open to all trustees.
- d) Except for meet and confer decisions, no committee shall have authority to make final approvals, but shall only make recommendations to the full Board.
- e) All matters relating to travel, salaries, bonuses, and reimbursements, regarding the Board of Trustees and the Executive Director would go before the full Board for discussion and approval.”

Council Member Wiseman tagged

32. Council Member Wiseman tagged

ORDINANCE approving and authorizing second amendment to Meet and Confer Agreement between the City and the **BOARD OF TRUSTEES OF THE HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM**

33. Ordinance 2005-0304

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the construction of Water Transmission Lines and associated facilities to convey surface water from Lake Houston to the Greenspoint Area for the public project known as the Greenspoint Water Line Project Phase I; approving the right-of-way alignment therefore; authorizing the acquisition of certain real property and real property interests within the right-of-way alignments and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisals Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the following parcels of land in Harris County, Texas: 6,741 feet of land out of the Pierce Sullivan Survey A-749 (apparent record owner Harris County Flood Control District); 853 square feet of land out of the Pierce Sullivan Survey A-749 (apparent record owner W9/GPT-Northchase Real Estate Limited Partnership); 1,109 square feet of land out of Block 6 Unrestricted Reserve “K”, Greenspoint Subdivision Section One (apparent owner Greater Greenspoint Management District), CIP S-0900-01-2 - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

34. Ordinance 2005-0305

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the construction of Water Transmission Lines and associated facilities to convey surface water from Lake Houston to the Greenspoint Area for the public project known as the Greenspoint Water Line Project Phase II; approving the right-of-way alignment therefore; authorizing the acquisition of certain real property and real property interests within the right-of-way alignments and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisals Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the following parcels of land in Harris County, Texas: 5,032 square feet of land out of the N. Lambrecht Survey A-1550 (apparent record owner Centerpoint Energy Houston Electric, LLC); 8,000 square feet of land out of Lot 186 Block 6 of Humble Acres, Section Two (apparent record owner Isabel Almogabar); 1,589 square feet of land out of the S.W. Upshaw Survey A-818, (apparent owner Harris County Flood Control District); 3,923 square feet of land out of Lot 226 Block 7 of Humble Acres, Section Two (apparent record owner Wayne Castleberry); 4,004 square feet of land out of Lot 225 Block 7 of Humble Acres, Section Two (apparent record owner P.G. McCain, Joyce McCain and Sarah E. McCain); 14,286 square feet of land out of the S.W. Upshaw Survey A-818, (apparent owner Rosa Belle L. Meaux); 9,958 square feet of land out of the S. W. Upshaw Survey A-818 (apparent record owner Houston Lighting and Power Company); 15,520 square feet of land out of the N. Lambrecht Survey A-1550 and 1670 (Verona Investments Co. Inc.), CIP S-0900-01-2 - **DISTRICT B - GALLOWAY**

35. Ordinance 2005-0306

Ordinance finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the construction of Water Transmission Lines and associated facilities to convey surface water from Lake Houston to the Greenspoint Area for the public project known as the Greenspoint Water Line Project Phase III; approving the right-of-way alignment therefore; authorizing the acquisition of certain real property and real property interests within the right-of-way alignments and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisals Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the following parcels of land in Harris County, Texas: 9,432 square feet of land out of Lot 65 of Waverly Farms Subdivision; (apparent record owner Union Inc.); 4,153 square feet of land out of Lot 66 of Waverly Farms Subdivision (apparent record owner Robin Reed, as independent Executrix of the Estate of Harry W. Reed Deceased); 10,001 square feet of land out of the, S. W. Upshaw Survey A-821 (apparent record owner Eli Sasson); 1,625 square feet of land out of the S.W. Upshaw Survey A-1821 (apparent owner Centerpoint Energy Houston Electric, LLC); 2,750 square feet of land out of the S.W. Upshaw Survey A-1821 (apparent owner Rosslyn Road Inc.); 2,944 square feet of land in two tracts of land out of the S.W. Upshaw Survey A-1821 (apparent owner Solhjou Company); 8,748 square feet of land out of Lots 46 and 47 of Waverly Farms Subdivision (apparent owner Solhjou Company); 8,750 square feet of land out of Lots 44 and 45 of Waverly Farms Subdivision (apparent owner Harry W. Reed, Trustee); 8,801 square feet of land out of Lots 42 and 43 of Waverly Farms Subdivision (apparent owner Harry W. Reed, Trustee); 7,135 square feet of land out of Lots 40 And 41 of Waverly Farms Subdivision (apparent owner Bob Heath); 17,473 square feet of land out of Lot 62 of Waverly Farms Subdivision, (apparent owner Waverly Farms Associates, A Texas Joint Venture); 2,562 square feet of land out of Lot 62 of Waverly Farms Subdivision (apparent record owner H. R. Real Estate Company of Texas Inc.); 4,650 square feet of land out of Lot 63 of Waverly Farms Subdivision (apparent record owner Robin Reed as Independent Executrix of the Estate of Harry Reed, Deceased); 5,350 square feet of land out of Lots 63 and 64 of Waverly Farms Subdivision (apparent owner Robin Reed as Independent Executrix of the Estate of Harry W. Reed, Deceased), CIP S-0900-01-2 - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

36. Ordinance 2005-0307

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the construction of Water Transmission Lines and associated facilities to convey surface water from Lake Houston to the Greenspoint Area for the Public Project known as the Greenspoint Water Line Project Phase IV; approving the right-of-way alignment therefore; authorizing the acquisition of certain real property and real property interests within the right-of-way alignments and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisals Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the following parcels of land in Harris County, Texas: 0.3845 acre of land out of the remainder of Lots 1 and 2 of the Jerry Hayes Subdivision; (apparent record owner Union Inc.); 0.0964 acre of land out of the Washington County Railroad Company Survey, Section 1, Block 6 A-935 (apparent record owners Naomi Ann Read, Wayne Ronald Read and Roger H. Read); 0.0961 acre of land out of the Washington County Railroad Company Survey, Section 1 Block 6, A-935 (apparent owners William B. Collins, Catherine Boze, Mary Alice Davis, Grady H. Collins, Jr., Ernest W. Collins, Sam T. Croom, Frank O. Barnes, Fred Halbkat, Emory T. Carl and Rosemary Collins Blanton); 0.8491 acre of land out of Lots 1, 4, and 5, Block 1 of Hartland Acres (apparent record owners Jack A. Farr, Jr. Trustee of the Jack A. Farr Jr. Children's Trusts and Eddie Farr, Trustee of the Eddie N. Farr Children's Trust; 0.8304 acre of land out of Lot 6, Block 1 of Hartland Acres (apparent record owners Texas Freight Services Inc., and Thomas Fred Lipscomb, Individually and as Trustee); 0.5497 acre of land out of Lot 7, Block 1 of Hartland Acres (apparent owner Rijma Investment Management Company); 1.172 acres of land out of Restricted Reserves "E" and "F", Block One of J. A. Green Development Corporation Replat No. 1 (apparent record owner J. A. Green Development Corporation); 0.5862 acre of land out of Lot 11, Block 2 of Hartland Acres (apparent record owner Roberto Mancin Guerzoni, care of James R. Chandler, III); 0.5862 acre of land out of Lot 26, Block 2 of Hartland Acres, (apparent owner Francisco Rubio and Coralía Rubio); 0.5712 acre of land out of Lot 7, Block 3 of Hartland Acres (apparent record owner Raw Land Ltd., A Texas Limited Partnership); 0.3592 acre of land out of the Washington County Railroad Company Survey, Section 2 Block 6, A-1078 (apparent record owner Centerpoint Energy Houston Electric, LLC), CIP S-0900-01-2 - **DISTRICT B - GALLOWAY**

37. Ordinance 2005-0284

ORDINANCE consenting to the addition of 159.281 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 58**, for inclusion in its district

38. Ordinance 2005-0285

ORDINANCE consenting to the addition of 141.335 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district

39. Ordinance 2005-0286

ORDINANCE consenting to the addition of 3.54 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO 191**, for inclusion in its district

40. Ordinance 2005-0287

ORDINANCE consenting to the addition of 27.636 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 239**, for inclusion in its district

41. Ordinance 2005-0288

ORDINANCE consenting to the addition of 7.8849 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 278**, for inclusion in its district

ORDINANCES - continued

42. Ordinance 2005-0289

ORDINANCE consenting to the addition of 572.8357 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district

43. Ordinance 2005-0290

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 434**

44. Ordinance 2005-0291

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 449**

45. Ordinance 2005-0292

ORDINANCE consenting to the addition of 3.998 acres of land to **LONGHORN TOWN UTILITY DISTRICT OF HARRIS COUNTY, TEXAS**, for inclusion in its district

46. Ordinance 2005-0293

ORDINANCE consenting to the addition of 199.0737 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23**, for inclusion in its district

47. Ordinance 2005-0294

ORDINANCE consenting to the addition of 42.3803 acres of land to **PARKWAY UTILITY DISTRICT**, for inclusion in its district

48. Ordinance 2005-0295

ORDINANCE consenting to the addition of 7.5454 acres of land to the **WOODLANDS METRO CENTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

49. Ordinance 2005-0308

ORDINANCE approving and authorizing the application for and acceptance of a Justice Assistance Grant from the **U.S. DEPARTMENT OF JUSTICE**; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program; and approving and authorizing an interlocal agreement with **HARRIS COUNTY**, a subrecipient of this grant, for Joint Participation in the Harris County Integrated Video Project - \$3,341,531.00 - Grant Fund

50. Council Member Garcia tagged

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 - \$60,000,000.00 - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

51. Ordinance 2005-0309

ORDINANCE appropriating \$456,000.00 out of the Fire Department Fund Number 48A; approving and authorizing second amendment to lease agreement between **CLAIRE CHAMBERLAIN, as landlord**, and the City of Houston, Texas, as tenant, for approximately 10,000 square feet of office space in the building located at 1901 Milam Street to extend the lease term for three years; such leased facility to be used as a temporary fire station by the Houston Fire Department - **DISTRICT I - ALVARADO**

ORDINANCES - continued

Motion 2005-0270 – suspend rules to consider Item 52 out of order

52. Council Members Khan and Wiseman tagged

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** for City Firefighting and Fire Protection Services to Unincorporated Areas of Harris County - Revenue

53. Ordinance 2005-0310

ORDINANCE approving and authorizing supplemental agreement to contract (C51012) between the City and **JOHNSON CONTROLS, INC** for Closed Circuit TV Camera System for the Library Department - \$675,000.00 - CDBG Fund - **DISTRICTS B - GALLOWAY; C - GOLDBERG; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO**

54. Ordinance 2005-0311

ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, Texas, **WELLS OPERATING PARTNERSHIP, L.P., KERR-MCGEE OIL & GAS ONSHORE LLC** and **KERR-MCGEE OIL & GAS CORPORATION** to **LEXINGTON NORTHCHASE L.P.** - **DISTRICT B - GALLOWAY**

55. Ordinance 2005-0312

ORDINANCE approving and authorizing lease agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS (METRO)** for use of the Kingwood Park and Ride Lot for Placement of Recycling Bins for area residents - **DISTRICT E - WISEMAN**

56. Ordinance 2005-0296

ORDINANCE approving and authorizing contract between the City and **TEXAS DEPARTMENT OF TRANSPORTATION** for Installation of a 16" Waterline at IH-10 at Greens Bayou, GFS S-0900-01-2 (WA10448) - **DISTRICTS E - WISEMAN and I - ALVARADO**

57. Ordinance 2005-0297

ORDINANCE appropriating \$234,915.78 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing Developer Participation Contract between the City of Houston and **EL TESORO DEVELOPMENT, LTD** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the El Tesoro Subdivision, CIP S-0800-C6-03 & R-0800-C6-03 - **DISTRICT E - WISEMAN**

58. Ordinance 2005-0298

ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing Developer Participation Contract between the City of Houston and **EL TESORO DEVELOPMENT, LTD** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the El Tesoro Subdivision, CIP S-0800-C7-03 & R-0800-C7-03 - **DISTRICT E - WISEMAN**

59. Ordinance 2005-0299

ORDINANCE appropriating \$160,426.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **ELLA PARK, LTD.** for Construction of Water and Sanitary Sewer Lines in the Ella Park Subdivision; CIP S-0800-G2-03 & R-0800-G2-03 - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

60. Ordinance 2005-0300

ORDINANCE appropriating \$489,836.28 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **GARC ENTERPRISES, LTD.** for Construction of Water and Sanitary Sewer Lines In Southridge Crossing Section One; CIP S-0800-G7-03 & R-0800-G7-03
DISTRICT E - WISEMAN

61. Ordinance 2005-0301

ORDINANCE appropriating \$137,302.24 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **THIS NEW HOUSE, LLC** for Construction of Water and Sanitary Sewer Lines in the Village of Oak Forest Subdivision; CIP S-0800-G8-03 & R-0800-G8-03 - **DISTRICT A - LAWRENCE**

62. Ordinance 2005-0302

ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **THE GALVESTON COMPANY, LLC dba GALCO** - Revenue

63. Ordinance 2005-0313

ORDINANCE appropriating \$87,905.65 out of Fire Consolidated Construction Fund for Environmental and Construction services at Fire Station No. 20, GFS C-0142-02-3; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT I - ALVARADO**

64. Ordinance 2005-0314

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SYNAGRO OF TEXAS-CDR, INC** for Hauling and Disposal of Biosolids for the Public Works Department; providing a maximum contract amount - \$1,000,000.00 - Enterprise Fund

65. Ordinance 2005-0303

ORDINANCE awarding contract to **HWY 6 TRANSMISSION CENTER, INC** for Automatic Transmission Repair/Exchange Services for Various Departments; providing a maximum contract amount - \$2,779,476.50 - General and Enterprise Funds

Motion 2005-0255 – Suspend rules to consider Item 66 out of order

Motion 2005-0256 – Override the tag of Item 66 – “Adopted”

66. Ordinance 2005-0278

ORDINANCE approving and authorizing contract between the City of Houston and **FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, LLP, a Delaware Limited Liability Partnership,** to provide the services of a Project Leader to Review the Operations and Procedures in the Crime Laboratory - \$2,200,000.00 General Fund

67. Ordinance 2005-0315

ORDINANCE appropriating \$2,512,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **RATNALA & BAHL, INC** for Design of Water Line Replacement in Eastway Plaza, Woodview Area, Croyden Gardens, West Gray Area, Willow Run South and Buxley Area; GFS S-0035-F6-2 (WA10859); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS and H - GARCIA**

ORDINANCES - continued

68. Ordinance 2005-0316

ORDINANCE appropriating \$1,321,562.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Water Line Replacement in the Blossom Heights Area, Stratton Place Area, and Magnolia Park Area; GFS S-0035-D7-2 (WA10860); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS G - HOLM; H - GARCIA and I - ALVARADO**

69. Ordinance 2005-0317

ORDINANCE appropriating \$1,296,053.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SCL ENGINEERING, L.L.C.** for Design of Water Line Replacement in the Turner Area, Brookhaven Area and Buffalo Speedway Area; GFS S-0035-E1-2 (WA10856); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; C - GOLDBERG; D - EDWARDS and H - GARCIA**

70. Ordinance 2005-0318

ORDINANCE appropriating \$1,812,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **RATNALA & BAHL, INC** for Sewer Model Management; CIP R-0543-02-2 (WW4783-02)

71. Ordinance 2005-0319

ORDINANCE appropriating \$1,500,000.00 out of Airports Improvement Fund and approving and authorizing Professional Architectural and Engineering Services Contract between the City of Houston and **BOVAY ENGINEERS, INC**; (Project No. 405); CIP A-0496 - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

72. Ordinance 2005-0320

ORDINANCE appropriating \$415,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for the Design of Water Line Grid Extensions along North Park, N. Wayside, Mt. Houston, Homestead and Winfield; GFS S-0700-62-2 (WA10844); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and E - WISEMAN**

73. Ordinance 2005-0321

ORDINANCE appropriating \$909,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PELTIER BROTHERS CONSTRUCTION, LTD.** for Melrose Park Lift Station, GFS R-0267-C1-3 (WW4765-01); 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 74

PROPERTY

74. Motion 2005-0289

RECOMMENDATION from Department of Public Works & Engineering that City Council declare surplus and authorize the sealed bid sale of ±3.0055 acres of land and building, subject to an easement for Liquid and Vapor Recovery System Emission Points, located at 812 Gillette Street, John Austin Survey, Abstract 1, Parcel SY5-039 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount: **(Sheila Stewart and Jasmine Quinerly, appointed – Michael Urban, alternate) - APPOINT INDEPENDENT APPRAISERS and ALTERNATE APPRAISER**
DISTRICT I - ALVARADO

MATTERS HELD - NUMBERS 75 through 86

75. Motion 2005-0290

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **THE ADDRESS-WALSH COMPANY (Bid No. 1)** - \$63,721.56 and **HAHN EQUIPMENT COMPANY, INC (Bid No. 2)** - \$151,900.00 for Pumps for Department of Public Works & Engineering - \$220,022.00 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount of \$215,621.56 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER ELLIS**
This was Item 11 on Agenda of March 16, 2005

76. Motion 2005-0291

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **DOOLEY TACKABERRY, INC (Bid No. 3)** - \$48,500.00, **JORDAN DAVID SAFETY** - \$26,190.00, **SAFECO, INC (Bid Nos. 2, 3, 5 and 4 respectively)** - \$166,832.06, **SAFETY SUPPLY, INC (Bid No. 1)** - \$48,500.00, **SECURITY SAFETY & SUPPLY, INC (Bid No. 3)** - \$60,571.24 for Safety Equipment & Supplies Contract Part II for Various Departments - \$361,436.39 minus a commission fee (3% Internet-based reverse auction services) for a net award amount not to exceed \$350,593.30 - General and Enterprise Funds
TAGGED BY COUNCIL MEMBER LAWRENCE
This was Item 18 on Agenda of March 16, 2005

77. Resolution 2005-0004

RESOLUTION supporting cooperation between the City and the **HOUSTON GALVESTON AREA COUNCIL** and Participation in its Voluntary Mobile Emissions Reduction Program
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 20 on Agenda of March 16, 2005

Motion 2005-0258 – Suspend rules to consider Items 78, 79, 80 and 81 out of order

78. Ordinance 2005-0279

ORDINANCE amending City of Houston Ordinance No. 2001-0555, passed June 13, 2001 (as amended by City of Houston Ordinance No. 2003-0763), which approved and authorized the submission of the 2001 Consolidated Plan and the grant application for the 27th Community Development Block Grant ("CDBG") Program, as amended
TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN, EDWARDS, SEKULA-GIBBS, KHAN and GALLOWAY
This was Item 31 on Agenda of March 16, 2005

MATTERS HELD – continued

79. Ordinance 2005-0280

ORDINANCE amending City of Houston Ordinance No. 2002-0512, passed June 12, 2002, which approved and authorized the submission of the 2002 Consolidated Plan and the grant application for the 28th Community Development Block Grant ("CDBG") Program

TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN, EDWARDS, SEKULA-GIBBS, KHAN and GALLOWAY

This was Item 32 on Agenda of March 16, 2005

80. Ordinance 2005-0281

ORDINANCE amending City of Houston Ordinance No. 2003-0620, passed June 25, 2003, (as amended by City of Houston Ordinance No. 2004-0284), which approved and authorized the submission of the 2003 Consolidated Plan and the grant application for the 29th Community Development Block Grant ("CDBG") Program, as amended

TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN, EDWARDS, SEKULA-GIBBS, KHAN and GALLOWAY

This was Item 33 on Agenda of March 16, 2005

81. Ordinance 2005-0282

ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed On June 30, 2004, which approved and authorized the submission of the 2004 Consolidated Plan and the grant application for the 30th Community Development Block Grant ("CDBG") Program

TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN, EDWARDS, SEKULA-GIBBS, KHAN and GALLOWAY

This was Item 34 on Agenda of March 16, 2005

82. Motion 2005-0292 – Tabled

MOTION by Council Member Green/Seconded by Council Member Galloway to amend Item 82B to add the following:

Any and all purchases over \$100,000.00 should be placed out for competitive bid through the City Purchasing Department and approved by City Council.

Go-Direct vendors would also meet the 24% MWBE goal as indicated in the RCA on each Purchase Order that is issued.

TAGGED BY COUNCIL MEMBER HOLM

a. Motion 2005-0293 – Allow substitute for Item 82a

WRITTEN Motion presented by Council Member Sekula-Gibbs to amend Item 82B to add the following:

Any purchase over \$100,000.00 will be included in the City Council agenda for approval and upon approval be handled by the City Purchasing Agent for bidding.

TAGGED BY COUNCIL MEMBERS HOLM, LAWRENCE, KHAN AND QUAN

MATTERS HELD – continued

Motion 2005-0294 – Written motion by Council Member Sekula-Gibbs to amend Item 82b as follows:

“Any purchase of \$100,000 or over made from these contracts will require prior City Council approval, and the IT Director shall provide quarterly reports to City Council of all \$25,000 to \$100,000 purchases.” – **“ADOPTED”**

b. Ordinance 2005-0322 – Adopt as amended

ORDINANCE approving and authorizing second amendment to contract #51399 between the City of Houston and the **TEXAS PROCUREMENT CENTER, L.L.C.**, and approving and authorizing interlocal agreements between the City of Houston, **DEPARTMENT OF INFORMATION RESOURCES (DIR)** and **FAIRFAX COUNTY, VIRGINIA**, to procure Technology Products and Services; providing a maximum contract amount - \$65,000,000.00 - Various Funds

TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, GREEN, LAWRENCE, EDWARDS, QUAN and KHAN

This was Item 39 on Agenda of March 16, 2005

83. Ordinance 2005-0323

ORDINANCE amending the Annual Budgets of the City for Fiscal Year 2005; making appropriations, including the general appropriation; authorizing transfers within the fiscal year 2005 Annual Budgets; and authorizing a Temporary Cash Borrowing for the General Fund, all in support of the annual budgets of the City for Fiscal Year 2005

TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, ELLIS, SEKULA-GIBBS, GREEN and GALLOWAY

This was Item 50 on Agenda of March 16, 2005

NOTE: Funding for Item Nos. 84 and 85 is contingent on passage of Items 79, 80 and 81

84. Motion 2005-0295

HALL BUICK PONTIAC GMC through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) for Pumper Trucks for Fire Department \$3,838,999.98 - Grant Fund

TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN and EDWARDS

This was Item 51 on Agenda of March 16, 2005

85. Motion 2005-0296

FREEWAY FORD LTD. - \$960,000.00 and **KNAPP CHEVROLET, INC** - \$1,256,000.00 for Ambulances and EMS Squad Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department - Grant Fund

TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN and EDWARDS

This was Item 52 on Agenda of March 24, 2005

86. Motion 2005-0297

RECOMMENDATION from Department of Finance & Administration to make the following awards for Traffic Safety Devices for Various Departments - \$1,366,148.57 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$1,325,164.11 General and Enterprise Funds:

SECURITY SAFETY & SUPPLY - \$1,019,949.44

WATER FILLED BARRIER SYSTEMS OF HOUSTON, INC - \$268,626.95 and

TRANTEX, INC - \$34,550.72

COUNCIL DRAW LOTS

ITEM NO. 20 due to receiving identical bids from **TRANTEX, INC** and **SECURITY SAFETY & SUPPLY** in the amount of \$2,100.00, minus (3% of award amount), for a net award amount not to exceed \$2,037.00 - **SECURITY SAFETY & SUPPLY drawn for award**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 53 on Agenda of March 24, 2005

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Berry 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

3/29/2005 – All Present

3/30/2005 – Council Member Goldberg out of the City on City business