

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 18, 2005 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2005-0991 to 2005-1008**  
**ORDINANCES – 2005-1153 to 2005-1174**  
**RESOLUTION – None**

**2005-0990-1**

**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 2005-0991 to 2005-0993 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - OCTOBER 19, 2005 - 9:00 A. M.**

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

**HEARINGS**

1. **Motion 2005-0994 – Close hearing**  
**PUBLIC HEARING** on the proposal to establish a tax rate of \$.650/\$100 of value for Tax Year 2005, which is the same total tax rate that was levied by the City for Tax Year 2004 - **9:00 A.M.**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 34**

**MISCELLANEOUS** - NUMBERS 2 and 3

**2. Motion 2005-1005**

REQUEST from Mayor for confirmation of the reappointment of the following to the **PLANNING COMMISSION**, for terms to expire September 30, 2007:

Position Two - **MR. RICHARD A. RICE**  
Position Three - **MR. JAMES R. JARD**  
Position Seven - **MR. DAVID L. COLLINS**  
Position Eight - **MR. JOHN W. H. CHIANG**  
Position Fourteen - **MR. B. J. WALTER**  
Position Nineteen - **MR. JON N. STRANGE**

**3. Council Members Green, Sekula-Gibbs, Galloway, Khan and Quan tagged**

RECOMMENDATION from Director Human Resources for Medicare Advantage Plans for 2006 on contracts with **TEXANPLUS** and **TEXAS HEALTHSPRING** for Medical Coverage to eligible city retirees

**ACCEPT WORK** - NUMBERS 4 and 5

**4. Motion 2005-0997**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$69,288.00 and acceptance of work on contract with **INTEX UNITED, INC** for 611 Walker Graphics, GFS W-Q103-01-3 - 00.50% under the original contract amount  
**DISTRICT I - ALVARADO**

**5. Motion 2005-0998**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$642,700.29 and acceptance of work on contract with **UTILITY & ENVIRONMENTAL SERVICES, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-C1-3 (4277-13) - 06.55% under the original contract amount

**PROPERTY** - NUMBER 6

**6. Motion 2005-0999**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels KY5-009, owned by Flat Stone II, Ltd., a Texas limited partnership and KY5-058, owned by Cockrell Resources, Inc., et al., for the **GREENSPPOINT WATERLINE EASEMENTS PROJECT** from North Sam Houston Parkway West to Aldine Bender Road, CIP S-0900-A4-3 **DISTRICT B - GALLOWAY**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 11A

**7. Motion 2005-1000**

**WILSON FIRE APPARATUS & EQUIPMENT** for Safety and Rescue Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative - \$214,877.73 - Grant Fund

**8. Motion 2005-1001**

**ABACUS DIAGNOSTICS** - \$46,980.00 and **MILLIPORE CORPORATION** - \$38,661.00 for Forensic Chemicals and Test Kits, Part II Contract for Police Department - General Fund

**9. Motion 2005-1002**

**PHILPOTT MOTORS, LTD.** for Special Response Group Command Center Vehicle through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Police Department - \$529,467.00 - Grant Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**10. Motion 2005-1003**

RECOMMENDATION from City Purchasing Agent relative to Chemical, Aqua Ammonia Contract for Department of Public Works & Engineering:

- (1) Award to **SOUTHERN IONICS INCORPORATED** in an amount not to exceed \$865,350.89 - Enterprise Fund;
- (2) Approve payment to **SOUTHERN IONICS INCORPORATED** in an amount not to exceed \$50,476.76 for Emergency Purchase - Enterprise Fund; and
- (3) **DECLARE EXODUS R.J.** non-responsible for a 36-month period due to failure to deliver per its contract agreement

**11. Ordinance 2005-1156**

ORDINANCE appropriating \$30,000.00 out of Solid Waste Consolidated Construction Fund for Design, Installation and Project Management of Two Emergency Backup Generators and Ancillary Equipment for the Southwest and Southeast Service Centers, CIP L-0070

**a. Motion 2005-1004**

**HUNT AND HUNT ENGINEERING** for Design, Installation and Project Management of Two Emergency Backup Generators and Ancillary Equipment for the Southwest and Southeast Service Centers, CIP L-0070 - \$24,575.00 and contingencies for a total amount not to exceed \$30,000.00

**ORDINANCES** - NUMBERS 12 through 34

**12. Ordinance 2005-1160**

ORDINANCE **AMENDING ARTICLE XVII OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Residential Parking Permits

**13. Ordinance 2005-1161**

ORDINANCE authorizing the issuance of City of Houston, Texas, Certificates of Obligation, Series 2005D; prescribing the terms and form thereof; providing for the payment of principal and interest thereon; awarding the sale of the certificates and authorizing execution of a Purchase Contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the certificates; making other provisions regarding such certificates and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency

**14. Ordinance 2005-1162**

ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2005E; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale of the bonds and authorizing execution of a Purchase Contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the bonds; authorizing the defeasance of certain outstanding obligations, the execution and delivery of an Escrow Agreement, the purchase of and subscription for certain securities and the use of certain funds related to the obligations to be defeased; authorizing Escrow Verification; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, a Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency

**ORDINANCES** - continued

**15. Ordinance 2005-1163**

ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations to authorize one or more Qualified Hedge Agreements with respect to certain Outstanding Combined Utility System Bonds and related agreements; making other provisions incident thereto; and declaring an emergency

**16. Ordinance 2005-1157**

ORDINANCE approving and authorizing contract between the City of Houston and **FORT BEND COUNTY** relating to Joint Elections to be held on November 8, 2005 and possible subsequent Run-Off Election; providing a maximum contract amount - Not to exceed \$60,000.00 - General Fund

**17. Ordinance 2005-1158**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Ohsfeldt Street, containing 14,261 square feet of land, more or less, Parcel SY2-058; being located in the Henry Reinerman Survey, A-644, Houston, Harris County, Texas, vacating and abandoning Parcel SY2-058 to Memorial Hermann Hospital System, abutting owner in consideration of owner's dedication of a water line easement and owner's payment of \$88,628.00 and other consideration to the City - **DISTRICT H - GARCIA**

**18. Ordinance 2005-1164**

ORDINANCE consenting to the addition of 9.30 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district

**19. Ordinance 2005-1165**

ORDINANCE consenting to the addition of 227.75 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district

**20. Ordinance 2005-1166**

ORDINANCE approving and authorizing Resolution and submission of a grant application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Forest Service for participation in the Urban Forestry Partnership Program and authorizing the Mayor to sign the Resolution

**21. Council Member Lawrence tagged**

ORDINANCE approving and authorizing contract between the City and **JOHN HALL PUBLIC AFFAIRS, INC** for Consulting Services related to the Implementation for the Federal Clean Air Act; providing a maximum contract amount - 1 Year with two one-year options - \$378,000.00 General Fund

**22. Ordinance 2005-1167**

ORDINANCE approving and authorizing contract between the City and **CROWE CHIZEK AND COMPANY LLC** for Consulting Services related to assessing Jail Processing Costs and a potential joint facility with Harris County; providing a maximum contract amount - \$54,650.00 General Fund

**23. Not Received-Not Considered**

ORDINANCE amending Ordinance No. 2003-467 to increase the maximum contract amount to contract Parking Agreement between the City and **HCPA SERVICES COMPANY** for certain City Employee Parking in the Hobby Center Garage - 3 Years - \$1,710,225.00 - General, Enterprise and Other Funds

**ORDINANCES** - continued

**24. Ordinance 2005-1168**

ORDINANCE approving and authorizing City of Houston to enter into contract with **A. G. ROBERT'S REALTY** for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$50,750.00 CDBG Funds

**25. Ordinance 2005-1169**

ORDINANCE approving and authorizing City of Houston to enter into contract with **CONSTRUCTION ANALYSTS AND ASSOCIATES, INC** for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$51,875.00 - CDBG Funds

**26. Ordinance 2005-1170**

ORDINANCE approving and authorizing City of Houston to enter into contract with the **NELROD COMPANY** for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$52,500.00 - CDBG Funds

**27. Ordinance 2005-1171**

ORDINANCE approving and authorizing City of Houston to enter into contract with **SPECIALTY HOUSING AND ASSET MANAGEMENT OF TEXAS, INC** for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$53,500.00 - CDBG Funds

**28. Ordinance 2005-1172**

ORDINANCE approving and authorizing City of Houston to enter into contract with **SUNLAND ENGINEERING COMPANY DBA SUNLAND GROUP** for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$52,875.00 - CDBG Funds

**29. Ordinance 2005-1154**

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY**, providing up to \$121,000.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and the provision of other Homeless related Information Services

**Motion to amend Item 30 as follows:**

"Amend Item 30 to restore the \$500,000.00 to Economic Development and two \$250,000.00 demonstration programs on down payment assistance to assist Houstonians and delete the \$1,000,000.00 allocation for Rita and Katrina Evacuees" – **Tagged by Council Members Alvarado and Sekula-Gibbs**

**30. Council Member Alvarado tagged**

ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005, which approved and authorized submission of the 2005 Consolidated Plan and the Grant Applications for the 31st Year Community Development Block Grant ("CDBG") and the Home Investment Partnerships Grant, among others

**a. Council Member Alvarado tagged**

ORDINANCE approving and authorizing contract between the City of Houston and the **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide \$266,869.00 in Community Development Block Grant Funds for the Administration and Operation of the H.E.A.R.T. Demonstration Program, which is a program that will provide job training and placement for developmentally disabled low and moderate income individual adults

**ORDINANCES** - continued

**31. Council Members Goldberg and Khan tagged**

ORDINANCE awarding and authorizing contract between the City of Houston and **DC SERVICES L.L.C.**, for Communications Technician Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,643,625.00 General Fund

**32. Ordinance 2005-1173**

ORDINANCE appropriating \$3,700,000.00 out of Houston Airport System Consolidated 2000 AMT Construction Fund (530); authorizing the purchase of a Conservation Easement on 915 acres of land in the R. N. Davis Survey, A-161, Montgomery County, Texas, CIP A-0475.04.1; approving a conservation easement purchase and sale agreement with Charles Alderton Bahr, owner of the land, and Legacy Land Trust, as holder of the conservation easement

**33. Ordinance 2005-1174**

ORDINANCE appropriating \$222,695.15 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **OMEGA ENGINEERING, INC** for Design of Park Row Paving from SH 6 to Eldridge Parkway (approved by Ordinance No. 02-0318), GFS N-0723-01-2 (SB9090); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

**34. Ordinance 2005-1159**

ORDINANCE appropriating \$2,411,707.20 out of Parks Consolidated Construction Fund, awarding construction contract to the **GONZALEZ GROUP, LLC** for Construction of Northline Park and Greenwood Park Pool Facilities, GFS F-504B-12-3, F-504B-06-3; 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; providing funding for engineering and testing services, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and E - WISEMAN**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 35

**MISCELLANEOUS**

**35. Motion 2005-1006**

MOTION to set a date not less than seven (7) days from October 19, 2005, to receive nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

**MATTERS HELD** - NUMBERS 36 through 39

**Motion 2005-0995 – Suspend rules to consider Items 36, 29 and 37 out of order**

**36. Ordinance 2005-1153**

ORDINANCE issuing permit to **VALERO LOGISTICS OPERATIONS, L.P.** to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICT D - EDWARDS** - **POSTPONED BY MOTION #2005-962, 10/5/05**

This was Item 29 on Agenda of October 5, 2005

**Motion 2005-0996 – Amend Article V, Section B of Item 37 to add Renewals subject to approval of the City Council**

**37. Ordinance 2005-1155 – Adopt as amended**

ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY** by and through the Harris County Protective Services for Children and Adults to Develop and Implement a System of Care within Kashmere High School; providing a maximum contract amount - \$160,810.13 - General Fund - **DISTRICT B - GALLOWAY**  
**TAGGED BY COUNCIL MEMBERS HOLM, LAWRENCE, QUAN and GALLOWAY**

This was Item 13 on Agenda of October 12, 2005

**38. Motion 2005-1007 – Refer back to the Administration**

RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcel S95-053, and authorize the City Secretary to advertise the property for sealed bid sale to the highest bidder at the minimum appraised bid amount - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER DISTRICT C - GOLDBERG**

This was a portion of Item 30 on Agenda of October 12, 2005

**39. Motion 2005-1008 – Postpone two (2) week**

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 \$5,947,737.39 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Mesa Drive Reconstruction - Contract "A", GFS N-0680-01-3 (N-0680-01) - 02.54% over the original contract amount - **DISTRICT B - GALLOWAY**

**POSTPONED BY MOTION #2005-988, 10/12/05**

This was Item 33 on Agenda of October 12, 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**

**AGENDA - OCTOBER 19, 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

**10/18/2005 – Council Member Garcia out of the City on City business**

**Council Member Wiseman absent due to being ill**

**10/19/2005 – Council Member Garcia out of the City on City business**

**Council Member Wiseman absent due to being ill**