

**AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 31, 2006 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2006-0088 to 2006-0110**  
**ORDINANCES – 2006-0091 to 2006-0119**  
**RESOLUTIONS – 2006-0001**

**2006-0087-1**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Lawrence

**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 2006-0088 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 1, 2006 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**Motion 2006-0089 – Accept reports**

**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 and a Quarterly Investment Report by the City Controller

**CONSENT AGENDA NUMBERS 1 through 46**

**MISCELLANEOUS** - NUMBERS 1 through 7

**1. Motion 2006-0096**

REQUEST from Mayor for confirmation of the appointment of **MS. ROSEMARY GARZA**, to Position Three on the **CIVIL SERVICE COMMISSION** for Municipal Employees of the City of Houston and the Police Officer's and Firefighters' Civil Service Commission, for a term expiring June 14, 2008

**2. Motion 2006-0097**

REQUEST from Mayor for confirmation of the appointment of **MR. CRAIG L. PRESLEY**, to Position Three, to the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 30, 2007

**Motion 2006-0090 – Suspend rules to consider Item 3 out of order**

**3. Motion 2006-0092**

REQUEST from Mayor for confirmation of the appointment of **REVEREND DR. DOUGLAS RICHNOW**, to Position Five of **ACCESS HOUSTON CABLE CORPORATION (now known as HOUSTON MEDIA SOURCE, INC) BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2006

**4. Motion 2006-0098**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$272,788.00 permit fee to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** to amend the 2005 groundwater permits - Enterprise Fund

**5. Motion 2006-0099**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$847,786.00 permit fee to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for Permit Year 2006 aggregated groundwater withdrawal fee and accrual of over-conversion credits - Enterprise Fund

**6. Motion 2006-0100**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$27,710.16 to **LONE STAR GROUNDWATER CONSERVATION DISTRICT** for water user fees for calendar year 2006 - Enterprise Fund

**7. Motion 2006-0101**

RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Account for **M.I.P. TEXAS HUNTINGTON PARTNERSHIP** - \$37,845.53 Enterprise Fund

**ACCEPT WORK** - NUMBERS 8 through 10

**8. Motion 2006-0093**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,084,762.00 and acceptance of work on contract with **F. W. WALTON, INC** for Roof Replacement for City Hall and City Hall Annex, GFS D-0113-02-3 - 02.04% over the original contract amount - **DISTRICT I - ALVARADO**

**9. Motion 2006-0094**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$436,608.50 and acceptance of work on contract with **R & B GROUP, INC** for Coffee Lift Station, GFS R-0267-59-3 (4276-32) - 04.93% under the original contract amount - **DISTRICT D - EDWARDS**

**10. Omitted**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 17

**11. Pulled-Not Considered**

**CRINER-DANIELS & ASSOCIATES** for Servers and required hardware for City's ERP System through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code \$1,380,792.00 - Special Non-Recurring Project Fund

**12. Motion 2006-0095**

**AAR, INCORPORATED** for Asbestos Abatement, Demolition and Site Clean-Up Services for Police Department - \$169,300.00 and contingencies for a total amount not to exceed \$177,765.00 Dangerous Building Consolidated Fund

**13. Motion 2006-0102**

**IES INTERACTIVE TRAINING, INC** for Firearms Training System Upgrade for Houston Police Department - \$55,190.00 - Police Special Services Fund

**14. Motion 2006-0103**

**QUALITY TOWER SERVICES, LTD.** for Repair of a Communication Tower for Police Department \$39,464.00 and contingencies for a total amount not to exceed \$41,437.20 - General Fund

**15. Council Member Sekula-Gibbs tagged**

**SIRIUS COMPUTER SOLUTIONS, INC** for Spending authority to Purchase Maintenance and Support Services for IBM Software and Hardware 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 - \$925,173.00 - Enterprise Fund

**16. Council Member Sekula-Gibbs tagged**

**INTERNATIONAL BUSINESS MACHINES, INC** for Spending authority to Purchase Maintenance and Support Services for IBM Computer Middleware and DB2 Software 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 - \$950,105.00 - Enterprise Fund

**17. Council Member Berry tagged**

**HOUSTON COMMUNICATIONS, INC (Bid #58)** for Batteries, Gel Cell for Department of Public Works & Engineering - \$151,200.00 minus a commission fee for internet-based reverse auction services for a net award amount not to exceed \$148,176.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 18 through 46

**18. Resolution 2006-0001**

RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its FBO Revenue Bonds, Series 2006 (AFCO Fixed Base Operations Obligated Group)  
**DISTRICT B - JOHNSON**

**19. Ordinance 2006-0111**

ORDINANCE approving and authorizing Resolution and submission of a grant application by the Parks & Recreation Department to the Texas Parks and Wildlife Department, authorizing the Mayor to sign the Resolution and committing an In-kind Match to implement the program

**RESOLUTIONS AND ORDINANCES** - continued

**20. Ordinance 2006-0112**

ORDINANCE approving and authorizing supplemental agreement No. 2 to Park and Recreation Lease No. DACW64-1-82-60, Cullen Park, Buffalo Bayou and Tributaries Flood Control Project, Addicks Dam, between the Secretary of the Army, as owner, and the City of Houston, as lessee, adding approximately 1,000 acres, to the leased area - **DISTRICT A - LAWRENCE**

**Motion 2006-0091 – Suspend rules to consider Item 21 out of order**

**21. Ordinance 2006-0091**

ORDINANCE amending Ordinance Nos. 2000-1114 and 2001-152 to abolish certain trade classifications and definitions, to establish current minimum prevailing wage rates for workers in building trade classifications with corresponding definitions, allowing apprentices and helpers in such trade classifications in certain ratios for certain specified classifications and establishing the prevailing wage rate for each; amending Ordinance No. 85-2071 to establish current minimum prevailing wage rates for engineering (heavy-highway) construction classifications; adopting such wage rates as the minimum wage rates for such construction crafts and trades on such contracts; providing that these rates shall apply to certain city contracts on or after the effective date; providing for a procedure for establishing new classifications and resurveying others; providing a repealing clause

**22. Ordinance 2006-0092**

ORDINANCE establishing the east and west sides of the 1400 block of Ashland Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**23. Ordinance 2006-0093**

ORDINANCE establishing the south side of the 2300 block of Dunstan Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK**

**24. Ordinance 2006-0094**

ORDINANCE establishing the south side of the 1700 block of Vassar Street, and the north and south sides of the 1700 blocks of Banks and Milford Streets within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK**

**25. Ordinance 2006-0095**

ORDINANCE establishing the north and south sides of the 2400 and 2500 block of Wichita Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

**26. Ordinance 2006-0096**

ORDINANCE establishing the north and south sides of the 900 block of Pecore Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**27. Ordinance 2006-0097**

ORDINANCE establishing the east and west sides of the 2800 block of Robertson Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

**RESOLUTIONS AND ORDINANCES** - continued

**28. Ordinance 2006-0098**

ORDINANCE establishing the north side and south side of the 3300 block of Southmore Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

**29. Ordinance 2006-0099**

ORDINANCE consenting to the addition of 10.5627 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**30. Ordinance 2006-0100**

ORDINANCE consenting to the addition of 1.730 acres of land to **CYPRESS-CREEK UTILITY DISTRICT**, for inclusion in its district

**31. Ordinance 2006-0101**

ORDINANCE consenting to the addition of 7.5538 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district

**32. Ordinance 2006-0102**

ORDINANCE appropriating \$143,170.00 out of Water & Sewer System Consolidated Construction Fund and \$107,351.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONESTAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Five of the Skyview Park Subdivision, CIP S-0800-J7-3, R-0800-J7-3 & M-0800-09-3 **DISTRICT D - EDWARDS**

**33. Ordinance 2006-0113**

ORDINANCE amending Ordinance 2005-0241 to increase the maximum contract amount; providing for an allocation of funds from the Central Service Revolving Fund for Contract between the City of Houston and **FULCRUM POWER SERVICES, L.P.** for Professional Energy Management Services relating to the City's Electricity Contract - \$200,000.00 - Central Service Revolving Fund

**34. Ordinance 2006-0103**

ORDINANCE appropriating \$408,445.28 out of Public Library Consolidated Construction Fund as an additional appropriation for Professional Architectural Services, GFS E-0011-01-2, E-0142-01-2, E-0076-01-2 and E-0049-01-2, under contract with **PROZIGN INC. DBA PROZIGN ARCHITECTS** (approved by Ordinance No. 02-0239) - **DISTRICTS H - GARCIA and I - ALVARADO**

**35. Ordinance 2006-0114**

ORDINANCE appropriating \$617,120.00 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Westwood Park, GFS F-504C-11-3; 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 - **DISTRICT C - CLUTTERBUCK**

**36. Ordinance 2006-0104**

ORDINANCE appropriating \$109,500.00 out of Public Health Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **NATEX CORPORATION DBA NATEX CORPORATION ARCHITECTS** for the Renovation of West End Health Center Phase II, GFS H-0068-02-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT H - GARCIA**

**RESOLUTIONS AND ORDINANCES** - continued

**37. Pulled-Not Considered**

ORDINANCE allocating \$450,000.00 and approving and authorizing Miscellaneous Professional Engineering Services Contract between the City of Houston and **PROFESSIONAL SERVICE INDUSTRIES, INC** for Testing Laboratory Services for Street Maintenance Projects

**38. Ordinance 2006-0105**

ORDINANCE appropriating \$50,600.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **LANDTECH CONSULTANTS, INC** for Design of Lyons Avenue Reconstruction from Zindler Street to Port Street (approved by Ordinance No. 00-1107), GFS N-0719-02-2 (SB9040); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA**

**39. Ordinance 2006-0115**

ORDINANCE appropriating \$550,000.00 out of Series E Commercial Paper Metro Project Fund No. 49M and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Design of Citywide Overlay Project, GFS N-1037-50-2 (OL2250); providing funding for contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Project Fund No. 49M

**40. Ordinance 2006-0106**

ORDINANCE appropriating \$350,562.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OTHON, INC** for Design of Sewer Line Replacement - Sims Bayou Utility Conflict Relocation from Almeda Road to the vicinity of Almeda Sims Wastewater Treatment Plant, GFS R-0521-B2-2 (WW4905); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

**41. Ordinance 2006-0107**

ORDINANCE appropriating \$539,282.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CARTER & BURGESS, INC** for Design of Neighborhood Sewer System Improvements, GFS R-2011-51-2 (WW4913); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE; H - GARCIA and I - ALVARADO**

**42. Ordinance 2006-0108**

ORDINANCE appropriating \$72,096.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **JAYMARK ENGINEERING CORPORATION** for Construction Management and Inspection Services associated with the Rehabilitation of Two Ground Water Storage Tanks, GFS S-0600-B2-3 (10814-02) - **DISTRICTS G - HOLM and H - GARCIA**

**RESOLUTIONS AND ORDINANCES** - continued

**43. Ordinance 2006-0109**

ORDINANCE appropriating \$3,842,208.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0295-09-3 (WW4257-73); 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**44. Ordinance 2006-0110**

ORDINANCE appropriating \$894,940.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in Azaleadell and Carlisle Subdivisions, GFS S-0035-B4-3 (WA10777); 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, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and I - ALVARADO**

**45. Ordinance 2006-0058 – Passed third and final reading**

ORDINANCE No. 2006-58, passed second reading January 25, 2006

ORDINANCE granting to **WSI WASTE SERVICES OF TEXAS, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

**46. Ordinance 2006-0059 – Passed third and final reading**

ORDINANCE No. 2006-59, passed second reading January 25, 2006

ORDINANCE granting to **YC DISPOSAL, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 47

**MISCELLANEOUS**

**47. Motion 2006-0104**

MOTION to set a date not less than seven days from February 1, 2006 to receive nominations for Positions Four and Six, for terms to expire December 31, 2006 and Positions Five and Seven, for terms to expire December 31, 2007, of the **ETHICS COMMITTEE – Set Date to 2/22/2006**

**MATTERS HELD** - NUMBERS 48 through 54

**48. Motion 2006-0105 – Adopt**

MOTION By Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **RAPID ENVIRONMENTAL SERVICES, LLC** to Address Emergency Disaster Recovery by providing Potable Water Tanks - \$55,000.00 - General and Enterprise Funds

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 21 on Agenda of January 25, 2006

**Motion 2006-0106 – Amend Section 2 of Item 49 to read in part as follows:**

“consider the possibility of entering into strategic partnership agreements with utility districts etc.”

**49. Ordinance 2006-0116 – Adopt as amended**

ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 27 on Agenda of January 25, 2006

**50. Ordinance 2006-0117**

ORDINANCE consenting to the creation of **WOODRIDGE MUNICIPAL UTILITY DISTRICT**  
**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 38 on Agenda of January 25, 2006

**Motion 2006-0107 – Suspend rules to hear Mr. Richard Lewis on Item 51**

**51. Ordinance 2006-0118**

ORDINANCE approving and authorizing contract between the City of Houston and **PHOENIX BUSINESS CONSULTING** for Computer Consulting Services relating to the ERP Project \$1,565,313.00 - Special Non-recurring Fund

**TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and KHAN**

This was Item 44 on Agenda of January 25, 2006

**52. Ordinance 2006-0119**

ORDINANCE appropriating \$1,084,300.00 out of Street & Bridge Consolidated Construction Fund for Local Match Funds for Construction of a City of Houston (City) and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** Bikeway Project MKT/SP Rails to Trails, Contract No. 053475 - Ord No. 02-0032, GFS N-0420-30-3 (SB9161-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA** - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 45 on Agenda of January 25, 2006

**53. Motion 2006-0108 – Refer back to the Administration**

ORDINANCE approving and authorizing first amendment to contract No. 51583 between the City of Houston and **REPUBLIC WASTE SERVICES OF TEXAS, LTD**

**TAGGED BY COUNCIL MEMBERS KHAN, WISEMAN, SEKULA-GIBBS and HOLM**

This was Item 46 on Agenda of January 25, 2006

**MATTERS HELD** - continued

**54. Motion 2006-0109 – Adopt**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Patrick Berna, on behalf of Romulus Co. (Munir Asfar, general partner), for abandonment and sale of Ellen Lane, from Sheffield Road to Lila Lane, and a portion of Lila Lane, adjacent to Lots 4 through 6, Block 12, in exchange for the conveyance to the City of a right of way for and the construction of a cul-de-sac at the dead-end portion of Lila Lane, located within Woodland Acres, Parcels SY6-011A, SY6-011B, SY6-019 and AY6-076 – **(Jimmy Payton and Arthur Shackelford, appointed and Scott Stephens, alternate) - TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT E - WISEMAN - TAGGED BY COUNCIL MEMBER JOHNSON**

This was Item 58 on Agenda of January 25, 2006

**Motion 2006-0110 – Suspend rules to remain in session beyond noon recess**

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Green 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

**1/31/2006 – Council Member Wiseman absent due to being ill**

**2/1/2006 – All Present**