

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 24, 2006 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2006-0958 to 2006-0979**  
**ORDINANCES – 2006-1063 to 2006-1093**  
**RESOLUTION – 2006-0019**

**2006-0957-1**

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

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

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**HEARING**

1. **Motion 2006-0958**  
**PUBLIC HEARING** on the proposal to establish a tax rate of \$.6450/\$100 of value for Tax  
Year 2006 - **9:00 A.M.**

**9:30 A. 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 2006-0964 – Procedural motion**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 47**

**MISCELLANEOUS** - NUMBERS 2 through 7

2. **Motion 2006-0959**  
REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2008:  
Position 1 - **MR. NEAL MANNE**  
Position 2 - **MR. BA MAU NGUYEN**  
Position 3 - **MR. J. KENT FRIEDMAN**

**MISCELLANEOUS** - continued

**3. Motion 2006-0960**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON AREA WATER CORPORATION BOARD OF DIRECTORS**, for terms to expire August 1, 2008

Position One - **MR. JAMES "GRADY" PRESTAGE**, reappointment

Position Three- **MR. CHARLES M. PENLAND**, reappointment

Position Four - **MS. XIMENA M. SIMMONS**, appointment

Position Five - **MR. DAVID BERG**, reappointment

**Motion 2006-0974 – Suspend rules to consider Item 4 out of order**

**4. Motion 2006-0975**

REQUEST from Mayor for confirmation of the reappointment of the following to the **HOUSTON ZOO, INC BOARD OF DIRECTORS**, for terms to expire June 30, 2009:

Position 3 - **MR. GLENN L LOWENSTEIN**

Position 4 - **MS. BONNIE WEEKLEY**

Position 5 - **MR. GEORGE R. WILLY**

Position 6 - **MR. E. W. BILL WRIGHT, III**

**5. Motion 2006-0961**

REQUEST from Mayor for confirmation of the appointment of **MR. HOWARD A. ROSE**, to Position Fifteen of the **PUBLIC PARKING COMMISSION**, for a term to expire December 31, 2008

**6. Ordinance 2006-1073**

ORDINANCE appropriating \$12,287.40 out of Public Health Consolidated Fund as an additional appropriation for Construction Contract (Outline Agreement 4600004951) between the City of Houston and **PARALLAX BUILDERS, INC** in connection with Repairs to the Parking Garage at 8000 North Stadium Drive originally approved under Ordinance No. 2005-809 (WBS No. H-000031-0003-4) - **DISTRICT D - EDWARDS**

**a. Motion 2006-0976**

RECOMMENDATION from Director Building Services Department for approval of Change Order 7 in the amount of \$27,523.33 on contract with **PARALLAX BUILDERS, INC** for Repairs to Parking Garage at 8000 North Stadium Drive, WBS No. H-000031-0003-4 - 01.10% over the original contract amount - **DISTRICT D - EDWARDS**

**7. Motion 2006-0962**

RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Account for **ORIX PLC HOUSTON VENTURE** - \$34,150.92 - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 13

**8. Ordinance 2006-1063**

ORDINANCE appropriating \$65,000.00 out of Parks Consolidated Construction Fund for Asbestos and Lead Abatement, Demolition and Repair Services for Building Services Department

**a. Motion 2006-0965**

**BASIC INDUSTRIES, INC** for Asbestos and Lead Abatement, Demolition and Repair Services for Building Services Department - \$62,525.00 and contingencies for a total amount not to exceed \$65,000.00

**PURCHASING AND TABULATION OF BIDS** - continued

**9. Motion 2006-0966**

**MID-MINNESOTA WIRE AND MFG., INC** for Wall-Mounted and Mobile Turnout Gear Storage Systems and Accessories for Building Services Department - \$768,406.00 - General and In-House Renovation Revolving Funds

**10. Motion 2006-0977**

**PRO ALLIANCE** for Perennial Rye Grass Seed for Parks & Recreation Department - \$58,556.50 Parks General and Parks Special Revenue Funds

**11. Motion 2006-0967**

**LANDSLOWNE-MOODY COMPANY** - \$167,963.30, **JOHN DEERE COMPANY** - \$77,639.88 and **HOUSTON TURF EQUIPMENT** - \$98,016.52 for Grounds Keeping Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) for Houston Airport System and Parks & Recreation Department - Enterprise, Equipment Acquisition and Parks Special Revenue Funds

**12. Motion 2006-0978**

**AMEND MOTION #2006-342, 5/3/06, TO EXTEND** expiration date from November 4, 2006 to January 31, 2007, and **TO INCREASE** spending authority from \$2,054,000.00 to \$3,054,000.00 for Chemical, Inorganic Metal Salt Coagulants Contract for Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION** - Enterprise Fund

**13. Motion 2006-0968**

**NICK'S DIESEL SERVICE, INC** for Trash Collection Trailers for Solid Waste Management Department - \$809,200.00 - Equipment Acquisition Consolidated Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 14 through 47

**14. Resolution 2006-0019**

RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks - **DISTRICTS G - HOLM and H - GARCIA**  
Jack Roach House - 3001 Del Monte Drive  
Houston Heights Woman's Club Building - 1846 Harvard Street  
Heinrich and Hannah Guese House - 1819 Lubbock Street

**15. Ordinance 2006-1074**

ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series G, in an aggregate principal amount not to exceed \$115,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the Notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement; and declaring an emergency

**16. Ordinance 2006-1075**

ORDINANCE relating to the fiscal affairs of **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)**; approving the Fiscal Year 2007 Operating Budget for the Zone - **DISTRICT G - HOLM**

**RESOLUTIONS AND ORDINANCES** - continued

**17. Ordinance 2006-1076**

ORDINANCE relating to the fiscal affairs of **REINVESTMENT ZONE NUMBER SIX, CITY OF HOUSTON, TEXAS (EASTSIDE ZONE) - DISTRICTS E - WISEMAN and I - ALVARADO**

**18. Ordinance 2006-1064**

ORDINANCE consenting to the addition of 83.301 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 143**, for inclusion in its district

**19. Ordinance 2006-1065**

ORDINANCE consenting to the addition of 62.42 acres of land to **FOUNTAINHEAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**20. Ordinance 2006-1066**

ORDINANCE consenting to the addition of 4.485 acres of land to **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**21. Ordinance 2006-1077**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 451 - DISTRICT D - EDWARDS**

**22. Ordinance 2006-1067**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 499 - DISTRICT E - WISEMAN**

**23. Ordinance 2006-1078**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500**

**24. Ordinance 2006-1079**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501**

**25. Ordinance 2006-1080**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 502**

**26. Ordinance 2006-1081**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 503**

**27. Ordinance 2006-1085**

ORDINANCE consenting to the addition of 11.847 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

**28. Ordinance 2006-1086**

ORDINANCE issuing permit to **HOUSTON PAVILIONS, L.P.** for constructing using, occupying, operating, maintaining and repairing two building footings, one each within the Polk and Fannin and the Polk and San Jacinto Street rights of way, adjoining Block 273, S.S.B.B.; two vehicle ramps, one each within the Polk and Dallas Street rights of way, between Main and Fannin, two vehicle ramps, one each within the Dallas and Polk Street rights of way, between San Jacinto and Caroline; and a portion of a below grade garage within the San Jacinto Street right of way, between Dallas and Polk, all being within the public street rights of way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**29. Ordinance 2006-1068**

ORDINANCE issuing permit to **O'REILLY AUTOMOTIVE, INC, and its subsidiaries and affiliates** for using, occupying, operating, maintaining and repairing a waterline within the 8600 block of Tavenor Lane, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued **DISTRICT I - ALVARADO**

**30. Ordinance 2006-1069**

ORDINANCE ordering and setting a public hearing pursuant to the provisions of Chapter 26, Texas Parks & Wildlife Code regarding the proposed permanent use of approximately 1.8931 acres of land out of Selena Quintanilla Perez-Denver Harbor Park by the City's Health and Human Services Department; authorizing and directing that notice of such hearing be given, stating in substance the form of such notice; finding and stating other matters generally relating thereto **DISTRICT I - ALVARADO**  
**HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 29, 2006**

**31. Council Member Lawrence tagged**

ORDINANCE repealing Ordinance No. 2006-162; appropriating \$100,000.00 out of Housing Special Revenue Fund; and approving and authorizing grant agreement between the City of Houston and **THE JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS**, to provide partial assistance for the renovation of a public facility located at 5601 S. Braeswood, Houston, Texas  
**DISTRICT C - CLUTTERBUCK**

**32. Council Member Green tagged**

ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **KIPP, INC** to provide for a reduction in the term of the "Restricted Use Period" placed on the facility located at 10811 Collingham Street - **DISTRICT F - KHAN**

**33. Ordinance 2006-1082**

ORDINANCE approving and authorizing contract between the City of Houston and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for the Houston Fire Department Telemetry Operations - \$732,365.00 - General Fund

**34. Ordinance 2006-1083**

ORDINANCE approving and authorizing acceptance of Homeland Security Grant Program Funding from the **U.S. DEPARTMENT OF HOMELAND SECURITY**, as subawarded to the City of Houston through the Governor's Division of Emergency Management - \$8,205,785.00 - Grant Fund

**Motion 2006-0973 – Suspend rules to consider Item 35 out of order**

**35. Council Members Wiseman and Holm tagged**

ORDINANCE approving and authorizing contract for Advertising Support Services for the Houston Airport System by and between the City of Houston and **RIVES CARLBERG, L.P.**; providing a maximum contract amount - \$1,800,000.00 - Enterprise Fund

**36. Ordinance 2006-1084**

ORDINANCE approving and authorizing Communication Equipment License between the City of Houston and **HOUSTON CELLULAR TELEPHONE COMPANY, L.P., D/B/A CINGULAR WIRELESS** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**

**RESOLUTIONS AND ORDINANCES** - continued

**37. Omitted**

**38. Not Received-Not Considered**

ORDINANCE approving and authorizing contract between the City of Houston and **CONSERVATION AND RESTORATION OF SCULPTURE, L.L.C.**, for Professional Art Restoration and Replacement Services related to the sculpture "Light Spikes" at George Bush Intercontinental Airport/Houston; accepting the restored artwork into the City's permanent art collection - \$363,124.00 - **DISTRICT B - JOHNSON**

**39. Ordinance 2006-1070**

ORDINANCE awarding contract to **AABBOTT-MICHELLI TECHNOLOGIES, INC** for Calibration & Repair of Truck Platform Scales for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$253,180.00 - Enterprise Fund

**40. Ordinance 2006-1071**

ORDINANCE appropriating \$4,988,121.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing the third amendment to contract between the City of Houston and **ITRON, INC** for the Radio Automated Meter Reading System for the Public Works and Engineering Department

**41. Ordinance 2006-1072**

ORDINANCE awarding contract to **UST SERVICES, INC** for Fuel Systems Tank Testing Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$797,050.26 - General, Enterprise and Fleet Management Funds

**42. Ordinance 2006-1087**

ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **PEARVILLE, L.P.**, for Construction of Water and Sanitary Sewer Lines to serve the Parks at Boulder Creek Subdivision (WBS Nos. S-000802-0042 and R-000802-0042) - **DISTRICT E - WISEMAN**

**43. Ordinance 2006-1088**

ORDINANCE appropriating \$120,816.13 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **OREM PARTNERS I, LTD** for Construction of a Lift Station to serve Sections One and Two of the Daybreak Subdivision (WBS No. R-000802-0043) - **DISTRICT E - WISEMAN**

**44. Ordinance 2006-1089**

ORDINANCE appropriating \$60,528.22 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **AVONDALE VENTURES, L.P.** for Construction of Water and Sanitary Sewer Lines to serve Section One of the Avondale Subdivision (WBS Nos. S-000802-0044 and R-000802-0044) **DISTRICT D - EDWARDS**

**45. Ordinance 2006-1090**

ORDINANCE appropriating \$93,306.89 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **INDIVISA CORPORATION** for Construction of Water and Sanitary Sewer Lines to serve the Pine Tree Subdivision (WBS Nos. S-000802-0045 and R-000802-0045) - **DISTRICT B - JOHNSON**

**RESOLUTIONS AND ORDINANCES** - continued

**46. Ordinance 2006-1091**

ORDINANCE appropriating \$1,240,659.75 out of Parks Consolidated Fund; awarding construction contract to **RESICOM, INC** for Westbury Park (WBS No. F-504A08-0001-4); 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; provide funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Fund - **DISTRICT C - CLUTTERBUCK**

**47. Ordinance 2006-1092**

ORDINANCE appropriating \$1,077,000.00 out of Parks Consolidated Fund; awarding construction contract to **BOYER, INC** for Meyerland and Reeves Parks (WBS Nos. F-0504C7-0001-4 and F-0504C8-0001-4); 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; provide funding for engineering and testing, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Fund - **DISTRICT C - CLUTTERBUCK**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 48 through 51

**48. Ordinance 2006-1093**

ORDINANCE **AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to membership of the Building and Standards Commission  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 23 on Agenda of October 18, 2006

**Motion 2006-0963 – Suspend rules to consider Items 49 and 51 out of order**

**49. Motion 2006-0969 – Refer back to the Administration**

CONCURRENT Ordinance creating a Freight Rail District pursuant to Chapter 171, Texas Transportation Code - **TAGGED BY COUNCIL MEMBERS HOLM, WISEMAN, GARCIA, SEKULA-GIBBS and CLUTTERBUCK**  
This was Item 24 on Agenda of October 18, 2006

**50. Motion 2006-0979 – Postpone one (1) week**

ORDINANCE awarding contract to **ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC** for Cleaning and Janitorial Services for Special Events for the Convention & Entertainment Department; providing a maximum contract amount - 3 Years with two one-year options \$14,069,293.75 - Enterprise Fund - **DISTRICTS D - EDWARDS and I - ALVARADO**  
**TAGGED BY COUNCIL MEMBERS GARCIA, GREEN, KHAN, ALVARADO and HOLM**  
This was Item 27 on Agenda of October 18, 2006

**MATTERS HELD** - continued

**51. Motion 2006-0970 – Postpone one (1) week**

RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2005 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2006 MTFP in map form

**POSTPONED BY MOTION #2006-954, 10/18/06**

This was Item 35 on Agenda of October 18, 2006

**Motion 2006-0971 – Procedural motion**

**Motion 2006-0972 – Procedural motion**

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

**10/24/2006 – All Present**