

**AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 19, 2006 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS 2006-0820 to 2006-0842  
ORDINANCES – 2006-0949 to 2006-0975  
RESOLUTION – 2006-0014

2006-0819-1

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

**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 2006-0820 to 2006-0822 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - SEPTEMBER 20, 2006 - 9:00 A. M.**

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

**HEARINGS**

**1. Motion 2006-0823 – Close hearing**

**PUBLIC HEARING** to consider emergency application to change rates filed by Texas American Water Company as Temporary Manager of Vergil D. Martin dba H&J Utility aka MATCO within the City of Houston, Texas to determine just and reasonable rates to be observed within the City of Houston, Texas that shall constitute the legal rates of Vergil D. Martin dba H&J Utility aka MATCO until changed as provided under the Water Code -  
**DISTRICT A - LAWRENCE**

**MAYOR'S REPORT** - Recycling Awareness Campaign: "Go Green Houston"

**CONSENT AGENDA NUMBERS 2 through 43**

**MISCELLANEOUS** - NUMBERS 2 and 3

**Motion 2006-0824 – Suspend rules to consider Item 2 out of order**

**2. Motion 2006-0825**

CONFIRMATION of the appointment of **MS. JANIECE LONGORIA** to Position 7 of the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY** for a two-year term

**3. Motion 2006-0826**

RECOMMENDATION from Chief of Police for Extension of Leave of Absence without pay for Office Assistant **ROSIE PRICE**

**ACCEPT WORK** - NUMBERS 4 and 5

**4. Motion 2006-0827**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,574,517.82 and acceptance of work on contract with **LONE STAR ROAD CONSTRUCTION, LTD.** for Bertner Bridge and Paving, Package II, Bertner Bridge, GFS N-0722-02-3 (WBS No. N-000722-0002-4) (SB9089-2) - 12.88% over the original contract amount - **DISTRICT D - EDWARDS**

**5. Motion 2006-0828**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,482,345.90 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Near Northside - North Area, GFS S-0035-D1-3 (WBS No. S-000035-00D1-4) (WA10792) - **DISTRICT H - GARCIA**

**PROPERTY** - NUMBERS 6 and 7

**6. Council Member Alvarado tagged**

RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all cost of Court and not file any objections to the award in connection with eminent domain proceeding styled City v. Rafael & Maria A. Suarez, et al., Cause No. 862,834; for acquisition of Parcel AY2-049; for the **CENTRAL STREET GRADE SEPARATION PROJECT (Central St. Extension over Manchester Avenue to Train Yard)**; CIP N-000676-0001-2 (N-0676-01-1) - \$115,630.00 - Street & Bridge Consolidated Fund - **DISTRICT I - ALVARADO**

**7. Council Member Johnson tagged**

RECOMMENDATION from Director Department of Public Works & Engineering, to purchase Parcel CY4-006, located at 8905 Seeker Street, owned by Tony Aundrey Alexander, for **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-0265-27-2 (R-0000265-0027-2) - **DISTRICT B - JOHNSON**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 15

**8. Motion 2006-0836**

**TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Certification/ Re-certification of Firefighters for Fire Department - \$120,000.00 - General Fund

**9. Motion 2006-0830**

**MIXED GAS TECHNOLOGIES, INC dba GULF COAST BREATHING AIR** for One Trailer-Mounted Mobile Respiratory Air Compressor Assembly for the Houston Fire Department \$65,279.00 - Equipment Acquisition Consolidated Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**10. Motion 2006-0831**

**PHILPOTT MOTORS, LTD.** for Bomb Squad Response Trucks through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Police Department - \$390,520.00 - Grant Fund

**11. Motion 2006-0832**

**CRAFCO, INC** for Crack Sealer through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Department of Public Works & Engineering - \$44,628.25 Equipment Acquisition Consolidated Fund

**12. Motion 2006-0833**

**INDEPENDENT HOSE & EXPANSION JOINTS, INC** for Hoses and Couplings, Hydraulic Contract for Solid Waste Management Department - \$310,000.00 - General Fund

**13. Motion 2006-0834**

**THE SHERWIN-WILLIAMS COMPANY (Bid No. 5)** for Paint, Street Marking for Various Departments - \$290,250.10, minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC. for a net award not to exceed \$284,445.10 - General and Enterprise Funds

**14. Motion 2006-0837**

**STEWART & STEVENSON, LLC** for Automotive, Detroit Diesel Replacement Parts & Repair services for Various Departments - \$845,498.00 - General, Enterprise and Fleet Management Funds

**15. Motion 2006-0835**

**GLOBE ELECTRIC CO., INC** - \$296,818.56 and **D. F. SALES** - \$126,419.88 for Automotive Specialty Fasteners for Various Departments - General and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 16 through 43

**16. Resolution 2006-0014**

RESOLUTION supporting the City of Houston's participation in a Waiver Request of local match participation to the Texas Department of Transportation to waive local match participation for the Federal Off-System Bridge Program - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO**

**17. Council Members Wiseman and Lovell tagged**

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Dangerous Dogs

**18. Ordinance 2006-0955**

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by repealing provisions relating to tattooing of impounded and quarantined animals

**19. Ordinance 2006-0956**

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to Joint Elections to be held on November 7, 2006; providing a maximum contract amount - \$800,000.00 - General Fund

**20. Ordinance 2006-0957**

ORDINANCE amending Ordinance No. 2005-1141 to further increase the maximum contract amount to contract between the City of Houston and **HARRIS COUNTY** relating to joint elections held on November 8, 2005 and subsequent Run-Off Election; allocating funds to such contract \$57,962.84 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**21. Council Member Wiseman tagged**

ORDINANCE appointing presiding and alternate judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston Regular Election to be held on November 7, 2006; prescribing the maximum number of election clerks for each voting precinct

**22. Council Member Wiseman tagged**

ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston Elections to be held in 2006; authorizing the payment of certain costs of such elections - \$100,000.00 - General Fund

**23. Ordinance 2006-0950**

ORDINANCE consenting to the addition of 0.0761 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35**, for inclusion in its district

**24. Ordinance 2006-0951**

ORDINANCE consenting to the addition of 10.630 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 158**, for inclusion in its district

**25. Ordinance 2006-0958**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 452**

**26. Ordinance 2006-0959**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 482**

**27. Ordinance 2006-0952**

ORDINANCE consenting to the addition of 14.75 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119**, for inclusion in its district

**28. Ordinance 2006-0953**

ORDINANCE consenting to the addition of 14.98 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 19**, for inclusion in its district

**29. Ordinance 2006-0960**

ORDINANCE releasing certain territory consisting of approximately 850 acres in **FORT BEND COUNTY** in the vicinity of the City of Fulshear, Texas, from the extraterritorial jurisdiction of the City of Houston

**30. Ordinance 2006-0961**

ORDINANCE establishing the north side of the 400 through the 600 blocks of East 23rd Street, the south side of the 400 through the 600 blocks of East 24th Street, the north side of the 600 block of East 24th Street, and the south side of the 600 block of East 25th 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**

31. and 32. Omitted

**RESOLUTIONS AND ORDINANCES** - continued

**33. Ordinance 2006-0962**

ORDINANCE relating to the fiscal affairs of the **UPTOWN DEVELOPMENT AUTHORITY** on behalf of **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving the Fiscal Year 2007 Operating Budget for the Authority and the Fiscal Year 2007-2011 Capital Improvement Budget for the Zone - **DISTRICT G - HOLM**

**34. Ordinance 2006-0963**

ORDINANCE repealing Ordinance No. 2006-280 and authorizing sale of Casa Real Apartments located at 215 West Little York, Houston, Texas, and authorizing Release of City's Restrictive Covenants, Deed of Trust Lien and assignment of leases and rents in exchange for payment to City of no less than \$1,567,000.00 - **DISTRICT B - JOHNSON**

**35. Ordinance 2006-0964**

ORDINANCE appropriating \$1,127,810.86 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund and approving and authorizing Single Home Repair Contracts between the City as the Repair Agency, acting on behalf of various home owners, and **REYTEC CONSTRUCTION RESOURCES, INC** (8 Contracts - \$839,792.80, which amount includes a 10% contingency of \$76,344.80), **GENERAL CONTRACTOR SERVICES, INC** (2 Contracts - \$194,848.06, which amount includes a 10% contingency of \$17,713.46), and **INOVA HOMES, LLC** (1 Contract - \$93,170.00, which amount includes a 10% contingency of \$8,470.00), for demolition and reconstruction work on homes (Tier III) under the Single Family Home Repair Program Administrative Guidelines, as amended - **DISTRICTS B - JOHNSON; D - EDWARDS; H - GARCIA and I - ALVARADO**

**36. Ordinance 2006-0965**

ORDINANCE approving and authorizing first amendment to contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Tuberculosis Physician Services (#C56846)

**37. Not Received-Not Considered**

ORDINANCE approving and authorizing contract between the City of Houston and **IPC COMMAND SYSTEMS, INC** for Service and Maintenance of the Houston Emergency Center's Digital Radio Network; providing a maximum contract amount - \$467,200.00 - Houston Emergency Center Fund - 3 Years with two one-year options

**38. Ordinance 2006-0966**

ORDINANCE awarding contract to **THE CAPTIONING COMPANY** for Closed-Captioning Services for Municipal Channel; providing a maximum contract amount - 3 Years with two one-year options - \$207,000.00 - Cable Television Fund

**39. Ordinance 2006-0967**

ORDINANCE approving and authorizing contract between the City of Houston and **JOHNSON CONTROLS, INC** for Inter-Terminal Train System Operations and Maintenance Services for the Houston Airport System - 3 Years with two one-year options - \$10,847,020.66 - Enterprise Fund **DISTRICT B - JOHNSON**

**40. Ordinance 2006-0968**

ORDINANCE approving and authorizing Treated Surface Water Supply Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**

**RESOLUTIONS AND ORDINANCES** - continued

**Motion 2006-0829 – Suspend rules to consider Item 41 out of order**

**41. Ordinance 2006-0949**

ORDINANCE appropriating \$5,000.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **IDC, INC** for Woodland Heights Area Drainage Improvements, CIP M-0257-01-3 (WBS No. M-000257-0001-4) (SM5042) - **DISTRICT H - GARCIA**

**42. Ordinance 2006-0969**

ORDINANCE appropriating \$2,500,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing a Demand Side Management Agreement between the City of Houston and **SIEMENS BUILDING TECHNOLOGIES, INC** for Demand Side Lighting Project, (WBS No. D-000120-0001-4)

**43. Ordinance 2006-0954**

ORDINANCE awarding contract to **IDEA INTEGRATION, CORPORATION** for Storm Water Quality Information System Application for the Public Works & Engineering Department; providing a maximum contract amount of \$318,000.00 - 3 Years with two one-year options - Storm Water Utility Fund

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 44

**PURCHASING AND TABULATION OF BIDS**

**44. Motion 2006-0838**

RECOMMENDATION from Director Department of Finance & Administration to make the following awards for Photography Supplies for Various Departments - \$735,855.26, minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC. for a net award not to exceed \$721,138.15 - General and Enterprise Funds:

**DIXIE SALES COMPANY USA, INC (Bid Nos. 1 and 2) - \$282,517.69**

**HPI INTERNATIONAL, INC (Bid No. 1) - \$76,584.86**

**SOUTHPOINT PHOTO IMAGING SUPPLIES - \$336,892.72**

**COUNCIL DRAW LOTS**

**LINE ITEM NOS. 4, 6 and 7** due to receiving identical bids from **DIXIE SALES COMPANY USA, INC** and **HPI INTERNATIONAL, INC** for a net amount not to exceed \$25,142.88

**HPI INTERNATIONAL, INC drawn for award**

**MATTERS HELD** - NUMBERS 45 through 52

**45. Motion 2006-0839**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Chief of Police for allocation of additional funding for Forensic DNA Testing Services for Houston Police Department as follows - General Fund:

**ORCHID BIOSCIENCES, INC - \$200,000.00**

**RELIAGENE TECHNOLOGIES, INC - \$100,000.00**

**TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 4 on Agenda of September 13, 2006

**MATTERS HELD** - continued

**46. Motion 2006-0840**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Chief of Police for allocation of additional funding for Professional Structural Engineering Services between the City of Houston and **POLYTECH, INC d.b.a. PTI, INC** for Houston Police Department - \$400,000.00 - General Fund

**TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 5 on Agenda of September 13, 2006

**47. Ordinance 2006-0970**

**ORDINANCE AMENDING SECTION 6-126 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to location of Dog Kennels - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 14 on Agenda of September 13, 2006

**Motion 2006-0841 – Written motion by Council Member Holm to amend Item 48 as follows:**

“Section 2. That the City Council takes cognizance of the fact that in order to implement the Project Plan and Reinvestment Zone Financing Plan for the Zone, and to make adjustments occasioned by events transpiring during the year, the Authority may need to transfer funds from one Line Item of Project Costs shown on Exhibit “A” to another unless approved by City Council the Authority may only transfer funds (1) as needed for Debt Service and (2) from one Line Item of Project Costs to another provided that the aggregate of such transfers does not exceed the lesser of \$400,000 or 5% of the Project Costs during Fiscal Year 2007. Subject to foregoing, the Operating Budget attached hereto as Exhibit “A” is hereby approved for the Authority.” - Adopted

**Motion 2006-0842 – Written motion by Council Member Holm to amend Item 48 as follows:**

“Motion to amend the Capital Improvement Plan for TIRZ 17, to state that there will be no further funding or study on the development of Town and Country Way, east of Attingham.” - Adotped

**48. Ordinance 2006-0971 – Adopt as amended**

ORDINANCE relating to the fiscal affairs of the **MEMORIAL CITY REDEVELOPMENT AUTHORITY** on behalf of **REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS (MEMORIAL CITY ZONE)**; approving the FY 2007 Operating Budget for the Authority and the FY 2007-2011 Capital Improvement Budget for the Zone - **DISTRICTS A - LAWRENCE and G - HOLM** - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 21 on Agenda of September 13, 2006

**49. Ordinance 2006-0972**

ORDINANCE approving and authorizing an agreement between the City of Houston and **MASON TILLMAN ASSOCIATES, LTD.** for a Disparity Study and related services; providing a maximum contract amount

**TAGGED BY COUNCIL MEMBERS LAWRENCE, WISEMAN and SEKULA-GIBBS**

This was Item 25 on Agenda of September 13, 2006

**50. Ordinance 2006-0973**

ORDINANCE amending Ordinance #2005-1272 to provide a maximum contract amount for contracts between the City and Various Tow Company Operators for the Safe Clear Program \$1,882,414.00 - Police Special Services Fund (From METRO)

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

This was Item 26 on Agenda of September 13, 2006

**MATTERS HELD** - continued

**51. Ordinance 2006-0974**

ORDINANCE awarding contract to **MOTIVA ENTERPRISES LLC** for Low Emission Diesel Fuel and Unleaded Gasoline for Various Departments; providing a maximum contract amount 3 Years with 2 one-year options - \$125,000,000.00 - Central Service Revolving Fund

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 27 on Agenda of September 13, 2006

**52. Ordinance 2006-0975**

ORDINANCE awarding contract to **OIL PATCH-BRAZOS VALLEY, INC** for Fuel Transportation Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$2,371,500.00 - Central Service Revolving Fund

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 28 on Agenda of September 13, 2006

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

**9/19/2006 – Council Members Holm and Green absent on personal business**

**9/20/2006 – Council Members Sekula-Gibbs and Green absent on personal business**