

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 24, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2004-0197 to 2004-0220**  
**ORDINANCES – 2004-0124 to 2004-0144**  
**RESOLUTION – None**

**2004-0196-1**

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

**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 2004-0197 to 2004-0204 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 25, 2004 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 32**

**MISCELLANEOUS** - NUMBERS 1 through 4

**1. Motion 2004-0205**

REQUEST from Mayor for confirmation of the appointment of **MR. MUNIR IBRAHIM** to Position Eight of the **HOUSTON CONVENTION CENTER HOTEL CORPORATION**, for a term to expire December 31, 2005

**2. Motion 2004-0206**

REQUEST from Mayor for confirmation of the appointment of **MR. GEORGE DEMONTROND** to the Board of Directors of the **METROPOLITAN TRANSIT AUTHORITY**, for a two year term

**MISCELLANEOUS** - continued

**3. Motion 2004-0207**

RECOMMENDATION from Finance & Administration Department for approval of Individual Fidelity Bond Form for **JUDY GRAY JOHNSON, DIRECTOR OF FINANCE AND ADMINISTRATION** and **TREASURER** in the amount of \$25,000.00 as required by the City Charter and the Code of Ordinances - \$100.00 - Insurance Management Fund

**4. Motion 2004-0212**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$500,250.00 permit fee to the **HARRIS-GALVESTON COASTAL SUBSIDENCE DISTRICT** for Permit Year 2004 Ground Water Withdrawal - Enterprise Fund

**ACCEPT WORK** - NUMBER 5

**5. Motion 2004-0213**

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$1,655,425.00 and acceptance of work of the Surety, **CONTINENTAL CASUALTY COMPANY** on contract awarded to **RTG BUILDING COMPANY** for Renovation of Carnegie Branch Library, GFS E-0008-01-3 - 18.85% over the original contract amount  
**DISTRICT H - GARCIA**

**PROPERTY** - NUMBER 6

**6. Motion 2004-0208**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ted T. Vuong, Walter P. Moore and Associates, Inc., on behalf of the May Department Stores Company (Eugene S. Kahn, chief executive officer), for abandonment and sale of a 10-foot-wide utility easement, the attendant aerial easement(s), and a 10-foot-wide water line easement in exchange for the conveyance to the City of a 15-foot-wide water line easement, a fire hydrant easement, and a water meter easement, all located within Baybrook Mall, Section 1, Subdivision, Parcels SY4-026A, SY4-026B, KY4-105A, KY4-105B and KY4-105C - **STAFF APPRAISERS - DISTRICT E - WISEMAN**

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

**7. Motion 2004-0209**

**SECOR** for One Fusion Machine for Department of Public Works & Engineering - \$34,100.00 Enterprise Fund

**8. Motion 2004-0210**

**UNITED CRANE, INC** for Crane Truck Rental for Department of Public Works & Engineering \$63,600.00 - Enterprise Fund

**9. Motion 2004-0211**

**AMEND MOTION #2001-374, 4/4/01, TO EXTEND** expiration date from April 5, 2004 to April 4, 2006, for Gel Cell Batteries Contract for Department of Public Works & Engineering, awarded to **GLOBE ELECTRIC CO., INC**

**10. Motion 2004-0214**

**AMEND MOTION #2001-1085, 10/03/01, TO INCREASE** spending authority from \$748,859.48 to \$936,074.35, for Electric Lighting, Parts and Fixtures for Various Departments, awarded to **TURTLE AND HUGHES, INC** - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**11. Motion 2004-0215**

**ARAMSCO** - \$48,754.50, **CODE BLUE POLICE SUPPLY** - \$32,573.10, **GROVES INDUSTRIAL SUPPLY** - \$282,874.96, **ORR SAFETY CORP.** - \$522,961.84, **SAFETY SUPPLY, INC (Bid No. 2)** - \$260,811.53, **TASCOSA TOOL SERVICE, INC (Bid No. 2)** - \$57,798.00, **TRICON TOOL & SUPPLY (Bid No. 2)** - \$118,415.25 and **WILSON FIRE APPARATUS & EQUIPMENT** \$456,794.00 for Safety Equipment and Supplies for Various Departments - \$1,780,983.18 General, Enterprise and Asset Forfeiture Funds

**ORDINANCES** - NUMBERS 12 through 32

**12. Ordinance 2004-0124**

ORDINANCE consenting to the addition of 8.823 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 157**, for inclusion in its district

**13. Ordinance 2004-0125**

ORDINANCE consenting to the addition of 13.226 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 370**, for inclusion in its district

**14. Ordinance 2004-0126**

ORDINANCE consenting to the addition of 31.5020 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383**, for inclusion in its district

**15. Ordinance 2004-0131**

ORDINANCE establishing the north side of the 1400 block of Michigan 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**

**16. Ordinance 2004-0132**

ORDINANCE establishing the east side of the 100, 200, 300, and 400 blocks of Moss 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**

**17. Ordinance 2004-0127**

ORDINANCE making certain findings and approving the use of a portion of Glenbrook Park Golf Course for the proposed realignment of a portion of the sanitary sewer lines through Glenbrook Park located in the 8200 block of the Gulf Freeway, City of Houston, Texas; said findings made after a public hearing held at 9:00 a.m. on Wednesday, January 14, 2004, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code - **DISTRICT I - ALVARADO**

**18. Ordinance 2004-0133**

ORDINANCE making certain findings and approving the taking and use of a 3.3530 acre permanent easement out of Townwood Park by the Harris County Flood Control District for Flood Control and Drainage Purposes; said findings made after a public hearing held at 9:00 a.m. on Wednesday, December 10, 2003, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**19. Council Members Garcia, Edwards, Alvarado, Quan and Holm tagged**

ORDINANCE relating to Health Care Benefits for City Employees, Retirees, Deferred Retirees, Survivors and certain dependents; approving and authorizing various plans and agreements and amendments to plans and agreements regarding Health Care for the aforementioned beneficiaries, approving a maximum contract amount; containing other provisions relating to the foregoing subject; providing for severability

**Motion 2004-0216 – Suspend rules to hear from Mr. Charles Foster on Item 20**

**20. Ordinance 2004-0134**

ORDINANCE accepting a sculpture honoring former President George H. W. Bush to be located in Sesquicentennial Park and approving and authorizing contract between the City of Houston and the **GREATER HOUSTON COMMUNITY FOUNDATION** for Donation of such sculpture **DISTRICT I - ALVARADO**

**21. Ordinance 2004-0128**

ORDINANCE approving and authorizing sponsorship agreement between the City and **BEALL HOMEOWNERS ASSOCIATION, INC** for Garbage Collection Service for the respective civic association - 12 Months - \$576.00 - **DISTRICT H - GARCIA**

**22. Ordinance 2004-0135**

ORDINANCE approving and authorizing contract between the City and **STANLEY SMITH SECURITY, INC d/b/a INITIAL SECURITY** for Security Guard Services for the Convention & Entertainment Department; providing a maximum contract amount - 3 Years with two one-year options - \$16,415,000.00 - Enterprise Fund - **DISTRICTS D - EDWARDS; H - GARCIA and I - ALVARADO**

**23. Ordinance 2004-0129**

ORDINANCE amending Ordinance No. 99-841 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE** for Window Cleaning Services for Convention & Entertainment Facilities Department - \$82,017.81 - Enterprise Fund

**24. Ordinance 2004-0136**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **NIVERCO MEDICAL SERVICES** for Repair, Inspection & Preventive Maintenance Services on Laboratory Equipment for Various Departments (as approved by Ordinance No. 99-538)

**25. Ordinance 2004-0137**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **OMNI CONSTRUCTION, INC** for Disaster Debris Removal Services for the Solid Waste Management Department (as approved by Ordinance No. 99-905)

**26. Ordinance 2004-0138**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **GRUBBS CONSTRUCTION, COMPANY** for Disaster Debris Removal Services for the Solid Waste Management Department (as approved by Ordinance No. 99-903)

**ORDINANCES** - continued

**27. Ordinance 2004-0139**

ORDINANCE appropriating \$318,600.00 out of Airport System 1998B AMT Construction Bond Fund; authorizing purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One and Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-22.1; Project 617; approving purchase and sale agreements with the owners of the land (Andrew and Ysidra Huichapa; Kenneth James Mixon, Mary Darleen Mixon, et al; Patricia Ann Geist, Barbara Jean Eickenhorst, et al; and Adelaido Antonio Ureste) - **DISTRICT B - GALLOWAY**

**28. Ordinance 2004-0140**

ORDINANCE appropriating \$24,325,758.00 out of Houston Airport System Consolidated 2004 NON-AMT Construction Fund (CIP A-0392), awarding construction contract to **CONTRACTOR TECHNOLOGY LTD** for Terminal A/B Ramp Widening at George Bush Intercontinental Airport/Houston (IAH), Project No. 558B; providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - GALLOWAY**

**29. Ordinance 2004-0130**

ORDINANCE awarding contract to **JIMERSON UNDERGROUND, INC** for Construction of Water, Sanitary Sewer and Storm Drainage Systems serving Northwest Place Estates, CIP S-0800-94-03 and R-0800-94-03 (DPC-31); approving and authorizing the assignment of the construction contract to **7168 STONE BROOK I, LTD.** - **DISTRICT A - LAWRENCE**

**30. Council Member Edwards tagged**

ORDINANCE appropriating \$161,101.64 out of Water & Sewer System Consolidated Construction Fund, \$38,075.09 out of Tax Increment Reinvestment Zone Affordable Housing Midtown Fund and \$100,115.33 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation contract between the City of Houston and **KENDALL HOMES CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Avondale Subdivision, CIP S-0800-B5-03 and R-0800-B5-03 - **DISTRICT D - EDWARDS**

**31. Ordinance 2004-0141**

ORDINANCE appropriating \$25,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **LAN TERRA, L.L.C.** for Construction of Water and Sanitary Sewer Lines to serve development of Naomi Avenue, CIP S-0802-13-03 and R-0802-14-03 - **DISTRICT C - GOLDBERG**

**32. Ordinance 2004-0142**

ORDINANCE appropriating \$3,112,123.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0294-02-3 (WW4257-43); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS D - EDWARDS; E - WISEMAN and I - ALVARADO**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 33 through 39

**33. Motion 2004-0217**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$202,890.91 and acceptance of work of the Surety, **WESTERN SURETY COMPANY** on contract awarded to **PRIME GENERAL CONTRACTORS, INC** for Construction of Safe Sidewalk Program at Various Locations, Package No. 2, GFS N-0610A-95-3 (SB9064-1) 67.06% under the original contract amount - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 5 on Agenda of February 18, 2004

**34. Motion 2004-0218 – Postpone two (2) weeks**

ORDINANCE issuing permit to **TEXAS SOUTHERN UNIVERSITY**, a Public Institution of Higher Education, for building, constructing, maintaining, using, operating and repairing a six inch waterline encased in an eight inch steel pipe and four inch waterline encased in a six inch steel pipe for water and fire line purposes abutting Lot 12, Block 2, Tierwester Oaks across and under Canfield Street, within and being 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 D - EDWARDS** - **TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 12 on Agenda of February 18, 2004

**35. Ordinance 2004-0143 – Adopt**

ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty

**TAGGED BY COUNCIL MEMBER EDWARDS**

This was Item 13 on Agenda of February 18, 2004

**36. Council Member Wiseman tagged**

ORDINANCE awarding contract to **DIAMOND CARWASH SALES & SERVICE** for Vehicle Car Wash Services for the Houston Police Department; providing a maximum contract amount 3 years with two one-year options - \$584,923.00 - General Fund

**TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 14 on Agenda of February 18, 2004

**37. Ordinance 2004-0144**

ORDINANCE appropriating \$3,000,000.00 out of Series E Commercial Paper Metro Projects Fund and \$1,033,547.22 out of Street & Bridge Consolidated Construction Fund and \$191,339.59 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **SOUTH COAST CONSTRUCTION, INC** for Old Westheimer Reconstruction from Brays Bayou to Westheimer, GFS N-0749-01-3 (SB9075); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund and the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**TAGGED BY COUNCIL MEMBER HOLM**

This was Item 17 on Agenda of February 18, 2004

**38. Motion 2004-0219 – Postpone one (1) week**

ORDINANCE appropriating \$1,357,521.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **ALLCO, INC** for Wastewater Collection System Rehabilitation and Renewal, GFS R-0266-T1-3 (WW4235-18); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 18 on Agenda of February 18, 2004

**MATTERS HELD** – continued

**39. Motion 2004-0220 – Adopt**

MOTION by Council Member Alvarado/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department to award to **XL PARTS, LLC (Bid Nos. 3 and 2)** for Automotive Bearings and Power Transmission Components for Various Departments - \$105,045.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$3,151.35 for a net award amount not to exceed \$101,893.65 General, Enterprise and Fleet Management Funds

**POSTPONED BY MOTION #2004-196, 2/18/04**

This was Item 20 on Agenda of February 18, 2004

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

**2/24/2004 – Council Member Ellis out of the City on personal business**

**2/25/2004 – Council Member Ellis out of the City on personal business**