

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 21, 2006 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS 2006-0144 to 2006-0161  
ORDINANCES – 2006-0169 to 2006-0194  
RESOLUTION – None

2006-0143-1

**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

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 22, 2006 - 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 48**

**MISCELLANEOUS** - NUMBERS 1 through 5

**1. Motion 2006-0144**

REQUEST from Mayor for confirmation of the reappointment of the following to the **GREATER GREENSPPOINT MANAGEMENT DISTRICT OF HARRIS COUNTY BOARD OF DIRECTORS**, for terms to expire June 1, 2009:

Position One - **MS. MICHELLE YBARRA**  
Position Two - **MR. ALAN S. FINGER**  
Position Three - **MR. JOHN D. FIELDS**  
Position Four - **MS. KAREN D. MARSHALL**  
Position Seven - **MR. CHARLES R. LOPEZ**  
Position Eight - **MR. TOM WUSSOW**  
Position Ten - **MR. ADAM RUIZ, JR.**  
Position Eleven - **DR. ROSARIO MARTINEZ**

**MISCELLANEOUS** - continued

**2. Motion 2006-0145**

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Montie Beach Park, GFS F-504A-18-3 - **DISTRICT H - GARCIA**

**3. Council Member Wiseman tagged**

RECOMMENDATION from City Attorney for allocation of additional funds in the amount of \$25,000.00 for Legal Services Agreement with **COATS ROSE YALE RYMAN & LEE P. C.** in connection with construction close out issues for the expansion of the George R. Brown Convention Center - Enterprise Fund

**4. Motion 2006-0146**

RECOMMENDATION from Chief of Police for Injury on Duty leave extension for Police Officer **RONALD REEDY**

**5. Motion 2006-0152**

RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Account of Harris County Precinct 1 - \$47,102.54 - Enterprise Fund

**ACCEPT WORK** - NUMBERS 6 through 10

**6. Motion 2006-0147**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$357,460.60 and acceptance of work on contract with **SILVA, INC** for Runway 9-27 Repair, Project No. 603A, CIP A-0451 at George Bush Intercontinental Airport/Houston (IAH) - 05.78% under the original contract amount - **DISTRICT B - JOHNSON**

**7. Motion 2006-0148**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$622,573.63 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Safe Sidewalk Program B2 Project, GFS N-0610A-B2-3 (SB9113-02) - 04.97% over the original contract amount - **DISTRICTS A - LAWRENCE and D - EDWARDS**

**8. Motion 2006-0149**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$958,079.18 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Washington at Westcott Intersection Improvements, GFS N-0741-01-3 (SB9092) - 00.33% over the original contract amount - **DISTRICTS G - HOLM and H - GARCIA**

**9. Motion 2006-0153**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,795,062.93 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Infrastructure Improvements in the St. George Place Subdivision, GFS N-1033-03-3 (N-1033-03) - 02.32% under the original contract amount **DISTRICT C - CLUTTERBUCK**

**10. Motion 2006-0150**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,932,450.24 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Biosolid Improvements at Beltway, Chocolate Bayou, Greenridge, Intercontinental Airport and Northgate Wastewater Treatment Plants; GFS R-0265-23-3 (4289-6) 00.59% over the original contract amount - **DISTRICTS B - JOHNSON; D - EDWARDS and F - KHAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 15

**11. Motion 2006-0154**

**MED-ENG, INC** for Explosive Ordnance Disposal Suits and Helmets for the Mayor's Office Division of Homeland Security - \$74,304.00 - Grant Fund

**12. Motion 2006-0155**

**M & M WATERPROOFING & RESTORATION** for Painting and Power Washing Buildings for Parks & Recreation Department - \$69,150.00 and contingencies for a total amount not to exceed \$72,607.50 - General Fund

**13. Council Members Wiseman, Berry and Sekula-Gibbs tagged**

**AMEND MOTION #2001-1102, 10/3/01, as amended by MOTION #2004-822 and 2005-321, TO INCREASE** spending authority from \$12,475,677.50 to \$15,594,596.88 for Water Meters, Cold Water Contract for Department of Public Works & Engineering, awarded to **BADGER METER, INC** - \$3,118,919.38 - Combined Utility System General Purpose Fund

**14. Motion 2006-0151**

**ALTIVIA CORPORATION** for spending authority for Emergency Purchase of Chemicals, Caustic Soda for Department of Public Works & Engineering - \$2,678,400.00 - Enterprise Fund

**15. Motion 2006-0156**

**ADA RESOURCES, INC (Bid #3)** for Automotive Lubricants for Various Departments - \$2,091,411.10 minus a commission fee for internet-based reverse auction services for a net award amount not to exceed \$2,071,411.10 - General and Enterprise Funds

**ORDINANCES** - NUMBERS 16 through 48

**16. Council Members Holm and Garcia tagged**

ORDINANCE approving and authorizing distribution of the Preliminary Official Statement related to the City of Houston, Texas Taxable Pension Obligation Bonds, Series 2006A; City of Houston, Texas Public Improvement Refunding Bonds, Series 2006B; City of Houston, Texas Certificates of Obligation, Series 2006C; approving or declaring other matters incidental to the issuance and sale of such bonds; making various findings and provisions related thereto; and declaring an emergency

**17. Council Members Wiseman, Johnson, Edwards, Garcia, Holm, Sekula-Gibbs and Khan tagged**

ORDINANCE relating to Healthcare, Dental and Supplemental Insurance Benefits for City Employees, Retirees, Deferred Retirees, Survivors and certain dependents; approving and authorizing various plans and agreements regarding Health Care, Dental, Supplemental Insurance, including flexible spending arrangements, for the aforementioned beneficiaries

**18. Council Member Wiseman tagged**

ORDINANCE consenting to the addition of 174.9161 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 172**, for inclusion in its district

**19. Council Member Wiseman tagged**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 470**

**20. Council Member Wiseman tagged**

ORDINANCE consenting to the addition of 12.314 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

**ORDINANCES** - continued

**21. Council Member Wiseman tagged**

ORDINANCE consenting to the addition of 367.672 acres of land to **TIMBER LANE UTILITY DISTRICT**, for inclusion in its district

**22. Ordinance 2006-0169**

ORDINANCE establishing the south side of the 600 block of Byrne 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**

**23. Ordinance 2006-0170**

ORDINANCE establishing the south side of the 600 and 700 blocks of Marshall 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**

**24. Ordinance 2006-0171**

ORDINANCE establishing the north side of the 4600-4800 blocks of Rusk 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 I - ALVARADO**

**25. Ordinance 2006-0182**

ORDINANCE approving and authorizing agreement between the City of Houston and **ROSALINDA R. TORO** for Professional Art Restoration and Replacement Services related to the artwork "Witness to Freedom"; accepting the restored artwork into the City's permanent art collection - \$52,000.00 - **DISTRICT H - GARCIA**

**26. Ordinance 2006-0183**

ORDINANCE approving and authorizing first amendment to grant agreement between the City of Houston and **A CARING SAFE PLACE, INC** for Construction of a New Transitional Housing Facility to be located at 1804 Carr Street - **DISTRICT B - JOHNSON**

**27. Ordinance 2006-0184**

ORDINANCE approving and authorizing \$75,207.00 Consulting Contract between the City of Houston and **DENNISON ASSOCIATES, INC** to provide technical assistance pursuant to cost sharing arrangement with the United States Department of Housing and Urban Development HOME Grant Fund

**28. Council Members Khan and Garcia tagged**

ORDINANCE approving and authorizing second amendment to contract #C52180 between the City of Houston and **ELECTRONIC DATA SYSTEMS CORPORATION** to provide Burglar Alarm Billing Services

**29. Ordinance 2006-0185**

ORDINANCE approving and authorizing contract between the City of Houston and **SIVELL CORPORATION** for Hosting the Interactive Inspection Process System Server Software Application for Public Works & Engineering Department; providing a maximum contract amount 3 Years with two one-year options - \$786,220.00 - Building Inspection Fund

**30. Ordinance 2006-0186**

ORDINANCE approving and authorizing Advance Funding Agreement between the City and **TEXAS DEPARTMENT OF TRANSPORTATION** for Replacement of North Wayside Bridge at Halls Bayou; GFS N-0611-50-3 (SB9247) - **DISTRICT B - JOHNSON**

**ORDINANCES** - continued

**31. Ordinance 2006-0187**

ORDINANCE approving and authorizing Advance Funding Agreement between the City and **TEXAS DEPARTMENT OF TRANSPORTATION** for Replacement of South Jensen Bridge at Buffalo Bayou; GFS N-1323-01-3 (SB9249) - **DISTRICTS B - JOHNSON and H - GARCIA**

**32. Ordinance 2006-0188**

ORDINANCE appropriating \$1,710,462.80 out of Water & Sewer System Consolidated Construction Fund, \$5,525,045.71 out of Street & Bridge Consolidated Construction Fund, and approving and authorizing Advanced Funding Agreement and second amendment to the interlocal agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Central Street Extension over Manchester Train Yard, GFS N-0676-01-3, R-0521-A3-3 & S-0521-A3-3 (N-0676-01) - **DISTRICT I - ALVARADO**

**33. Ordinance 2006-0189**

ORDINANCE appropriating \$87,348.10 out of Water & Sewer System Consolidated Construction Fund and appropriating \$120,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **WATERWAY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Three the Pierce Junction Village Subdivision, CIP S-0800-19-3 and R-0800-19-3 - **DISTRICT D - EDWARDS**

**34. Ordinance 2006-0190**

ORDINANCE approving and authorizing acceptance of contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and acceptance of grant funds for the FY06 Education and Training Grant provided in support of increasing recycling awareness and participation - \$60,293.00 - Grant Fund

**35. Council Members Wiseman, Khan, Green and Berry tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **XEROX CORPORATION** for Supply, Management and Support of Multifunction Devices for Printing, Copying, Faxing and Scanning; providing a maximum contract amount - 3 Years with two one-year options - \$9,195,777.80 - Central Service Revolving Fund

**36. Ordinance 2006-0172**

ORDINANCE awarding contract to **HYSECO, INC** for Hydraulic Cylinder & Valve Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$223,125.00 - General and Fleet Management Funds

**37. Council Members Clutterbuck and Edwards tagged**

ORDINANCE appropriating \$239,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LANDTECH CONSULTANTS, INC** for Reconstruction of Holmes Road from Main Street to Kirby Drive, GFS N-0590-01-2 (SB9188); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

**38. Council Member Wiseman tagged**

ORDINANCE appropriating \$400,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Design of Safe Sidewalk Program, GFS N-0610A-D0-2 (SB9257); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

**ORDINANCES** - continued

**39. Ordinance 2006-0173**

ORDINANCE appropriating \$989,285.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R.G. MILLER ENGINEERS, INC** for Design of South Braeswood Reconstruction from Kirby to Stella Link, GFS N-0761-01-2 (SB9239); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK**

**40. Ordinance 2006-0174**

ORDINANCE appropriating \$1,782,013.54 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal, GFS S-0035-V6-3 (WA10855-02); 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 services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**41. Ordinance 2006-0175**

ORDINANCE appropriating \$4,752,256.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-F2-3 (WW4257-69); 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

**42. Ordinance 2006-0176**

ORDINANCE appropriating \$1,391,185.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-F4-3 (WW4277-29); 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

**43. Ordinance 2006-0177**

ORDINANCE appropriating \$518,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** for Synott No. 2 Lift Station Rehabilitation, GFS R-0267-85-3 (WW4861-06); 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**ORDINANCES** - continued

**44. Ordinance 2006-0178**

ORDINANCE appropriating \$864,800.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R&B GROUP, INC** for Ridgecreek Lift Station Replacement, GFS R-0267-87-3 (WW4861-04); 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

**45. Ordinance 2006-0179**

ORDINANCE appropriating \$4,110,996.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE-TEXAS, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0295-07-3 (WW4258-21); 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

**46. Ordinance 2006-0180**

ORDINANCE appropriating \$5,974,219.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-2013-15-3 (WW4258-22); 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

**47. Ordinance 2006-0181**

ORDINANCE appropriating \$5,984,541.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-2013-16-3 (WW4258-23); 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

**48. Ordinance 2006-0191**

ORDINANCE appropriating \$9,918,000.00 out of Public Library Consolidated Construction Fund; awarding construction contract to **3D/INTERNATIONAL, INC** for Construction of Jesse H. Jones Central Library Renovation, GFS E-0011-01-3; Carnegie Regional Branch Library Renovation, GFS E-0142-01-3, Marston Administration Building Renovation, GFS E-0158-01-3, providing a maximum contract amount; providing funding for engineering and testing, Civic Art Program, and contingencies relating to construction of facilities financed by Public Library Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - ALVARADO**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 49

**MISCELLANEOUS**

**Motion 2006-0157 – Postpone Position Four for one (1) week – Item 49**

49. 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**  
**Motion 2006-0158 – Close Position Five – Council Member Holm nominated Mr. Rick Cagney**  
**Motion 2006-0159 – Close Position Six – Council Member Khan nominated Mr. Nomaan K. Husain**  
**Motion 2006-0160 – Close Position Seven – Council Member Clutterbuck nominated Mr. John Jay Douglass**

**MATTERS HELD** - NUMBERS 50 through 53

**50. Ordinance 2006-0192**

ORDINANCE declaring the suspension or interruption of service by a regulated private water utility in violation of law to be a nuisance pursuant to Chapter 217 of the Local Government Code and authorizing the City Attorney to enforce the ordinance to prevent and summarily abate and remove such nuisance for all customers of any such utility within the City of Houston, Texas

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 14 on Agenda of February 15, 2006

**51. Ordinance 2006-0193**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 462 - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 20 on Agenda of February 15, 2006

**52. Ordinance 2006-0194**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 463 - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 21 on Agenda of February 15, 2006

**53. Motion 2006-0161 – Postpone one (1) week**

ORDINANCE approving and authorizing contract between the City of Houston and **FELDMAN & ROGERS, LLP**, for Legal Services to include representation and counsel to the City of Houston relating to Thomas P. Nixon v City of Houston and Harold Hurtt; providing a maximum contract amount - \$100,000.00 - Property and Casualty Fund

**TAGGED BY COUNCIL MEMBERS GREEN and KHAN**

This was Item 24 on Agenda of February 15, 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

**2/21/2006 – Council Member Wiseman absent due to being ill**

**2/22/2006 – All Present**