

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 26, 2000 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2000-1170 to 2000-1199
ORDINANCES 2000-0845 to 2000-0869
RESOLUTION 2000-0045

2000-1169-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Goldberg

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 2000-1170 - Suspend rules to add Mr. Ted Crandell to speakers list for one (1) minute

Motion 2000-1171 - Suspend rules to hear Mr. Michael Thibodeaux after Ms. Sherry Roussel

Motion 2000-1172 - Suspend rules to hear from Mr. Johnny Mata at this time

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 27, 2000 - 9:00 A. M.

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

HEARINGS - 9:00 A. M.

1. Motion 2000-1173 - Close hearing

PUBLIC HEARING for the City of Houston and **BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes all of the area in Baybrook Municipal Utility District No. 1
DISTRICT E - TODD

2. Motion 2000-1174 - Close hearing

PUBLIC HEARING on the proposed annexation of two areas in the vicinity of the intersection of El Dorado Boulevard and Interstate Highway 45 and in the vicinity of the intersection of Bay Area Boulevard and Glenwest Drive in Harris County, Texas - **DISTRICT E - TODD**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 42

MISCELLANEOUS - NUMBERS 3 through 6

Motion 2000-1185 - Withdraw nomination and Item 3 postponed one (1) week to repost for nominations on Agenda of next week

3. CONFIRMATION of the appointment of **MS. SHERRY FERGUSON** to Position 3 of the **ANIMAL SHELTER ADVISORY PANEL OF THE ANIMAL SHELTER ADVISORY COMMITTEE** for a two year term to expire December 31, 2001

4. Motion 2000-1177

REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON CLEAN CITY COMMISSION**:

Position 12 - **MR. JIM HORTENSTINE**, to complete an unexpired term ending 2/1/2002

Position 13 - **MS. CHARLOTTE ANN HAYNES**, to complete an unexpired term ending 2/1/2001

Position 30 - **MR. WILLIAM CECIL LINTHICUM**, for a term to expire 2/1/2002

5. Motion 2000-1178

REQUEST from Mayor for confirmation of the reappointment of the following to the **PLANNING COMMISSION**, for terms to expire September 30, 2002:

Position Four - **MR. M. MARVIN KATZ**

Position Eleven - **MS. JAN KISH**

Position Eighteen - **MR. CARLOS GARZA**

6. Motion 2000-1179

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY CONSTABLE PRECINCT 5** and the **TWO WORLDS COOK ROAD RESIDENTS ASSOCIATION, INC** for Law Enforcement Services of 1 Sergeant - **DISTRICT C - GOLDBERG**

PROPERTY - NUMBERS 7 and 7A

7. Ordinance 2000-0858

ORDINANCE appropriating \$1,333,140.00 out of Airport System Commercial Paper Series A, C (AMT) Number 537 to pay the amount of the Award of Special Commissioners and all costs of Court in connection with the eminent domain proceeding styled City of Houston v. George H. Bishop, et al, to acquire Parcel Numbers EY1-007 and EY1-008, for **RUNWAY 8L LAND ACQUISITION PROJECT**, GFS/CIP Number A-0024 - **DISTRICT B - GALLOWAY**

a. Motion 2000-1187

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceeding styled City of Houston v. George Bishop, et al, Cause Number 734,883; for acquisition of Parcels EY1-007 and EY1-008 for **RUNWAY 8L LAND ACQUISITION PROJECT**, GFS/CIP Number A-0024 - **DISTRICT B - GALLOWAY**

ACCEPT WORK - NUMBERS 8 through 10

8. Motion 2000-1186

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$268,360.47 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for Accessibility Compliance and Renovation for Fleet Management at Teague and Burress Sites, GFS R-0521-06-3 (4291-4) - 04.02% over the original contract

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amount Enterprise Fund - **DISTRICTS A - TATRO and H - VASQUEZ**

ACCEPT WORK - continued

9. Motion 2000-1188

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,626,455.66 and acceptance of work on contract with **BOYER, INC** for Construction of Plant 3 and Intertie Switchgear Electrical System Improvements at the East Water Purification Plant, GFS S-0056-22-3 (10430-1) - 01.59% under the original contract amount - Enterprise Fund

10. Motion 2000-1189

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,036,557.42 and acceptance of work on contract with **COLT UTILITIES, INC** for Construction of Drainage and Paving at Acres Homes, Braes Utility District, District 51-2 and Interwood and Installation of Emergency Power Generators for District 123 and Ridgemont Water Plants, GFS S-1000-02-3 (10433) - 04.49% over the original contract amount - Enterprise Fund - **DISTRICTS B - GALLOWAY; D - BONEY; F - ELLIS and G - KELLER**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 17A

LOW BIDS

11. Motion 2000-1180

CHARLOTTE'S SADDLERY, INC for Mounted Patrol Equipment and Supplies Contract for Police Department - \$65,991.80 - General Fund

OTHER

12. Motion 2000-1181

UNITED MEDICAL SUPPLY - \$281,728.66 and **DIVERSIFIED MEDICAL SVCS (Bid No. 1)** \$21,240.00 for Vacutainer Tubes for Health and Human Services and Fire Departments - General and Grant Funds

13. Motion 2000-1190

VESCO, INC for Computer Furniture from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for the Finance & Administration Department - \$55,147.00 - Revolving Fund

14. Motion 2000-1182

TURF INDUSTRIES for Perennial Rye Grass Seeds for Parks & Recreation Department \$58,935.00 - General and Parks Special Revenue Funds

15. Motion 2000-1183

LARGE SYSTEMS CONFIGURATIONS, INC (LSC) for Hardware and Software Upgrades for the Integrated Data Server for Planning & Development - \$111,716.93 - Building Inspection Fund

16. Motion 2000-1191

ALFA-LAVAL SEPARATION, INC for Rotating Assemblies Preventative Maintenance Service for Department of Public Works & Engineering - \$92,470.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

OTHER - continued

17. Ordinance 2000-0845

ORDINANCE appropriating \$516,200.00 out of Water & Sewer System Consolidated Construction Fund, \$444,000.00 payable to **T & C CONSTRUCTION, INC** for construction services, related to Sims Bayou South Wastewater Treatment Plant Temporary Lift Station Improvements, GFS R-0265-16-3 (WW4800); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - CASTILLO**

a. Motion 2000-1184

T & C CONSTRUCTION, INC for Emergency Purchase for Sims South Wastewater Treatment Plant Temporary Lift Station Improvements - \$444,000.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 42

Motion 2000-1192 - Postpone Item 18 to the end of the Agenda

Motion 2000-1198 - Amend Item 18 as follows:

Change Paragraph 1 in this manner:

Whereas, the City of Houston has the largest and most diverse population of any city in Texas, and the City's business and social interactions have been carried out in ~~English, Spanish, and~~ a multiplicity of languages since the time of the city's founding; and

Change Paragraph 2 in this manner:

Whereas, the City and the people of Houston take pride in the extraordinary and friendly relations ~~that they enjoy with Spanish speaking people of Mexico and Latin America, as well as with people who speak Vietnamese and other languages and other regions of the world;~~ and the peoples of diverse heritage and cultures; and

And change Section 1 in this manner:

Section 1. That the City of Houston ~~will encourage and support a~~ embraces and appreciates a multilingual environment wherein persons of ~~all ethnicities and races will not be discouraged from~~ multiple languages feel free to speaking the languages of their choice

Motion 2000-1199 - Amend Item 18 as follows:

Section 2. That the City Council encourages application of the foregoing policy to City employees in the workplace, subject to deviations in a manner consistent with business necessity and applicable federal laws and regulations."

18. Resolution 2000-0045 - Adopt as amended

RESOLUTION relating to supporting an English Plus Environment

RESOLUTIONS AND ORDINANCES - continued

19. Ordinance 2000-0846

ORDINANCE consenting to the addition of 42.7603 acres of land to **NORTH BELT UTILITY DISTRICT** for inclusion in its district

20. Ordinance 2000-0847

ORDINANCE consenting to the addition of 27.418 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5** for inclusion in its district

21. Ordinance 2000-0859

ORDINANCE amending **CHAPTER 15 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new article concerning the Debarment of certain persons from contracting or subcontracting with the City on Public Works contracts; containing findings and other provisions relating to the subject; providing for severability

22. Ordinance 2000-0860

ORDINANCE amending **CHAPTER 42, CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the subdivision and development of property; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability

23. Ordinance 2000-0861

ORDINANCE approving and authorizing contract between the City and the **ARTS COUNCIL OF HOUSTON/HARRIS COUNTY REGION** for Promotion of the Arts

24. Ordinance 2000-0848

ORDINANCE appropriating \$201,000.00 out of Airports Improvement Fund and approving the purchase of approximately 0.5747 acre of land, and the improvements located thereon, out of the Peter Mann Survey, Abstract 562, Houston, Harris County, Texas, for the expansion of the William P. Hobby Airport, CIP A-0170, and approving a purchase and sale agreement with Investment Capital Corporation to acquire the land and improvements for a purchase price, including Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT E - TODD**

25. Ordinance 2000-0849

ORDINANCE with respect to the issuance of Special Facilities Revenue Bonds to finance cargo improvements to be undertaken by **MLR EAST CARGO, LLC** at George Bush Intercontinental Airport; authorizing a Public Hearing - **DISTRICT B - GALLOWAY**

26. Ordinance 2000-0850

ORDINANCE with respect to the issuance of Special Facilities Revenue Bonds to finance cargo improvements to be undertaken by **LYNXS HOUSTON CARGO PORT, LLC** at George Bush Intercontinental Airport; authorizing a Public Hearing - **DISTRICT B - GALLOWAY**

27. Ordinance 2000-0851

ORDINANCE with respect to the issuance of Special Facilities Revenue Bonds to finance cargo improvements to be undertaken by **TCC/AMB AVIATION IAM, LP, a Delaware Limited Partnership** at George Bush Intercontinental Airport; authorizing a Public Hearing - **DISTRICT B - GALLOWAY**

28. Ordinance 2000-0862

ORDINANCE approving and authorizing an occupancy agreement between the **ACRES HOMES COMMUNITY DEVELOPMENT CORPORATION**, as occupant, and the City of Houston, Texas, as owner, for Space in the Acres Homes Multi-Service Center - Revenue - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

29. Ordinance 2000-0863

ORDINANCE amending Ordinance Nos. 97-1133, 97-1629, 97-1132, 97-1131 and 99-171 to increase the maximum contract amounts for contracts between the City of Houston and the **CITY OF DEER PARK, the CITY OF SOUTH HOUSTON, THE FOUNDATION INTERFAITH RESEARCH AND MINISTRY, THE UNIVERSITY OF TEXAS, and CAGE'S MEDICAL SERVICES** for providing services to the elderly

30. Ordinance 2000-0852

ORDINANCE appropriating \$300,000.00 out of Homeless and Housing General Obligation Commercial Paper Fund; approving and authorizing an application to the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** for the Lead-based Paint Hazard Reduction Control Grant Program; declaring the City's eligibility for such grants; authorizing the Director of the Houston Department of Health and Human Services to accept and expend such grant funds and to accept and expend subsequent awards, if any - \$3,000,000.00 - Grant Fund

31. Ordinance 2000-0853

ORDINANCE approving and authorizing contract between the City and the **HOUSTON GALVESTON AREA COUNCIL** for a Neighborhood Environmental Education Training Program \$84,000.00 - Grant Fund

32. Ordinance 2000-0864

ORDINANCE authorizing payment to the **UNITED STATES INTERNAL REVENUE SERVICE** of an Arbitrage Rebate not to exceed \$543,588.67 relating to the City's Tax and Revenue Certificates of Obligation, Series 1995B

Motion 2000-1193 - Postpone Item 33 to the end of the Agenda

33. Ordinance 2000-0869

ORDINANCE authorizing payment to the **UNITED STATES INTERNAL REVENUE SERVICE** of an Arbitrage Rebate not to exceed \$23,529.27 relating to the City's Public Improvement Refunding Bonds, Series 1995C

34. Pulled - Not Considered

ORDINANCE approving and authorizing contract between the City of Houston and **GRAY'S TOWING SERVICE** for Removal and Disposal of Junked Motor Vehicles for Public Works & Engineering Department - 3 Years with two one-year options - \$40,250.00 - Revenue

35. Ordinance 2000-0865

ORDINANCE awarding contract to **VANKIRK COLLISION SERVICES, INC** for Vehicle Body Repair Services for the Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$899,750.00 - General Fund

36. Ordinance 2000-0868

ORDINANCE amending Ordinance No. 98-513 to increase the maximum contract amount to contract between the City of Houston and **MAYOR, DAY, CALDWELL & KEETON, L.L.P.** for Legal Services relating to lawsuit styled Maguire Oil v. City of Houston, Case No. 9355813, in the 55th Judicial District Court of Harris County, Texas - \$150,000.00 - Enterprise Fund

37. Ordinance 2000-0866

ORDINANCE approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the maintenance of a Bayou Marker and Illumination System - **DISTRICT I - CASTILLO**

RESOLUTIONS AND ORDINANCES - continued

38. Ordinance 2000-0854

ORDINANCE approving and authorizing a Utility Service contract by and between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 132 - DISTRICT B - GALLOWAY**

39. Ordinance 2000-0855

ORDINANCE amending Ordinance Number 95-950 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **AIR PRODUCTS AND CHEMICALS, INC** for Operation and Maintenance of Oxygen Plant at the City of Houston 69th Street Wastewater Treatment Facility - \$325,000.00 - Enterprise Fund

40. Ordinance 2000-0856

ORDINANCE approving and authorizing the second contract amendment to professional environmental consulting services contract between the City of Houston and **HARDING LAWSON ASSOCIATES, INC** for the Brownfields Redevelopment Program, CIP I-0042-01-2

41. Pulled - Not Considered

ORDINANCE appropriating \$55,000.00 out of General Improvements Consolidated Construction Fund 441 as an additional appropriation to professional environmental consulting services contract with **ENVIRONMENTAL CONSULTING SERVICES, INC**, GFS I-0053-AS-2, (approved by Ordinance No. 1999-1036 dated 09/29/99 and Ordinance 2000-0083 dated 02/02/00 \$41,000.00 - Enterprise Fund - **DISTRICTS C - GOLDBERG; D - BONEY; E - TODD; H - VASQUEZ and I - CASTILLO**)

42. Ordinance 2000-0857

ORDINANCE appropriating \$2,012,460.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON CONSTRUCTION, L.P.** on low bid of \$1,786,000.00 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF & ASSOCIATES, INC** in the amount of \$30,000.00 for Miscellaneous Improvements at East Water Purification Plant, GFS S-0056-WP-3 (10211-23); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 43 through 48

43. Motion 2000-1194 - Adopt with Position 2 deleted

MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt request from Mayor for confirmation of the reappointment of the following to the **REINVESTMENT ZONE NUMBER 11 (GREATER GREENSPPOINT AREA)**:

Position 1 – **MR. WILLIE COLEMAN, JR**, for a term ending 8/25/2002

~~Position 2 – **MR. MICHAEL FRAZIER**, for an unexpired term ending 8/25/2001~~

Position 3 – **MR. WILLIAM B. DEANE**, for a term ending 8/25/2002 and as Chair, for a term ending 8/25/2001

Position 4 – **MS. EILEEN SUBINSKY**, for an unexpired term ending 8/25/2001

Position 5 – **MR. RICHARD AGUIRRE**, for a term ending 8/25/2002

POSTPONED BY MOTION #2000-1152, 9/20/00

This was Item 5 on Agenda of September 20, 2000

MATTERS HELD – continued

44. Motion 2000-1195 - Adopt with Position 2 deleted

MOTION by Council Member Robinson/Seconded by Council Tatro to adopt request from Mayor for confirmation of the appointment or reappointment of the following to the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY**:

Position 1 – **MR. WILLIE COLEMAN, JR.**, reappointment, for a term ending 8/25/2002

~~Position 2 – **MR. MICHAEL FRAZIER**, reappointment, for an unexpired term ending 8/25/2001~~

Position 3 – **MR. WILLIAM B. DEANE**, reappointment, for a term ending 8/25/2002 and as Chair, for a term ending 8/25/2001

Position 4 – **MS. EILEEN SUBINSKY**, reappointment, for an unexpired term ending 8/25/2001

Position 5 – **MR. RICHARD AGUIRRE**, reappointment, for a term ending 8/25/2002

Position 6 – **MR. ELVIN FRANKLIN, JR.**, appointment, representing the Harris County for an unexpired term ending 8/25/2001

Position 7 – **MS. SANDRA MCMULLAN**, appointment, representing North Harris County Montgomery Community College, for a term ending 8/25/2002

Position 8 – **MR. ALLYN R. SKELTON, II**, appointment, representing Spring Independent School District, for an unexpired term ending 8/25/2001

Position 9 – **MR. DALE BOWMAN**, appointment, representing Aldine Independent School District, for a term ending 8/25/2002

POSTPONED BY MOTION #2000-1153, 9/20/00

This was Item 6 on Agenda of September 20, 2000

Motion 2000-1196 - Suspend rules to hear from someone who can answer questions on Item 45

45. Council Member Goldberg tagged

ORDINANCE appropriating \$2,050,000.00 out of Airport System Commercial Paper Series A, C (AMT), CIP A-0063, \$1,050,000.00 out of Airport Renewal and Replacement Fund, CIP A-0366, \$2,635,202.00 out of Airport System Commercial Paper Series A, C (AMT) CIP A-0392, and \$3,000,000.00 out of Airport System Commercial Paper Series A, C (AMT) CIP A-0416, awarding construction contract to **CHAMPAGNE-WEBBER, INC, TEXAS** on low bid and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$236,000.00 for Airfield Pavement Repair and Drainage Improvements at George Bush Intercontinental Airport/Houston (IAH), Project No. 541

DISTRICT B - GALLOWAY - TAGGED BY COUNCIL MEMBER BONEY

This was Item 34 on Agenda of September 20, 2000

46. Ordinance 2000-0867

ORDINANCE appropriating \$500,000.00 out of General Improvements Consolidated Construction Fund for Labor costs and other expenses related to In-House Capital Improvement Projects for Buildings operated and maintained by the Building Services Department ("Department"), CIP D-0106-01-3; declaring the Department's intent to reimburse the General Fund for expenditures related to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT I - CASTILLO**

TAGGED BY COUNCIL MEMBER PARKER and TATRO

This was Item 36 on Agenda of September 20, 2000

Motion 2000-1175 - Suspend rules to consider Item 47 out of order

47. Motion 2000-1176 - Refer back to the Administration

RECEIVE nominations for Positions Eight and Nine on the **CIVIC ART COMMISSION** for terms to expire two years from date of appointment - **POSTPONED BY MOTION #2000-1164, 9/20/00**

This was Item 37 on Agenda of September 20, 2000

MATTERS HELD – continued

48. Motion 2000-1197

RECEIVE nominations for Positions One, Two and Four of the **ANIMAL SHELTER ADVISORY PANEL OF THE ANIMAL SHELTER ADVISORY COMMITTEE** for two year terms to expire December 31, 2001 - **POSTPONED BY MOTION #2000-1166, 9/20/00**

This was a portion of Item 38 on Agenda of September 20, 2000

Mr. Mark D. Purser nominated for Position 1

Mr. Burnis E. Travis nominated for Position 2

Mr. Sean M. Hawkins nominated for Position 4

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Vasquez 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

**9/26/00 - Council Member Boney out of the City on personal business
Council Member Keller absent on personal business**

9/27/00 - Council Member Boney out of the City on personal business