

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 17, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2001-0417 to 2001-0437
ORDINANCES 2001-0341 to 2001-0352
RESOLUTIONS 2001-0015 to 2001-0019

2001-0416-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Bell

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 - APRIL 18, 2001 - 9:00 A. M.

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

HEARINGS

1. Motion 2001-0417 – Close hearing
PUBLIC HEARING relative to **CURFEW ORDINANCE REVIEW - 9:00 A.M.**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 32

ACCEPT WORK – NUMBER 2

2. Motion 2001-0431

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,262,588.49 and acceptance of work on contract with **NBG CONSTRUCTORS, INC** for Construction of San Felipe Widening: Fountainview to Voss, GFS N-0565-01-3 (N-0565-01) - 09.06% under the original contract amount - **DISTRICT G - KELLER**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 9

3. Motion 2001-0418

AMEND MOTION #99-1991, 11/17/99, to DECLARE **AMERICAN SAFETY PRODUCTS** in default and hold them non-responsible for two years for failure to deliver on their bid for Safety Equipment Part II for Various Departments

4. Motion 2001-0419

ARROW SERVICES, INC for Emergency Asbestos and Lead Abatement Services for Parks & Recreation Department - \$26,200.00 and contingencies for an amount not to exceed \$27,510.00 General Fund

5. Motion 2001-0432

PROMAXIMA MFG., LTD for Exercise Equipment for Houston Police Department - \$17,284.00 Police Special Services Fund

6. Motion 2001-0433

HOBAS PIPE USA, INC for Emergency Purchase of Sewer Pipe For Department of Public Works & Engineering - \$25,551.17 - Enterprise Fund

7. Motion 2001-0434

MUNICIPAL PIPE & FABRICATING COMPANY for Fire Hydrants Contract for Department of Public Works & Engineering - \$677,339.00 - Enterprise Fund

8. Motion 2001-0420

REX SUPPLY COMPANY for One Engine Lathe for Solid Waste Management Department \$31,511.00 - Solid Waste Consolidated Construction Fund

9. Motion 2001-0435

AMEND MOTION #98-690, 4/22/98, TO EXTEND expiration date for two months from April 21, 2001 to June 20, 2001, awarded to **GATEWAY SAFETY PRODUCTS** and **EMERGENCY & SAFETY PRODUCTS, E.S.P., INC** for Red Highway Flares for Various Departments

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 32

Motion 2001-0430 – Suspend rules to consider Items 10, 11 and 12 out of order

10. Resolution 2001-0017

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds, Series 2001 (Ginnie Mae Collateralized Mortgage Loan-Newport Apartments Project) and approving the Preliminary Official Statement with respect to such bonds - **DISTRICT F - ELLIS**

RESOLUTIONS AND ORDINANCES - continued

11. Resolution 2001-0018

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds, (Cullen Park Apartments) Series 2001A and Taxable Multifamily Housing Revenue Bonds (Cullen Park Apartments) Series 2001B and approving the Preliminary Official Statement with respect to such bonds - **DISTRICT D - BONEY**

12. Council Member Boney tagged

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (Bellfort Pines Apartments) Series 2001 - **DISTRICT D - BONEY**

13. Ordinance 2001-0347

ORDINANCE issuing a permit to **3100 TRAVIS, L.P.** for maintaining, using, occupying, operating, and repairing a basement, under, over and within a portion of Elgin Street, abutting Block 47, S.S.B.B.; being under, over and within the 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 - CASTILLO**

14. Ordinance 2001-0348

ORDINANCE issuing a permit to **TEXAS MEDICAL CENTER** for constructing, maintaining, using, occupying, operating and repairing two 2-inch conduits for communication cable under and within the street at 1702 Colonnade Drive, such area being within 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 - BONEY**

15. Council Members Sanchez, Parker and Quan tagged

ORDINANCE approving and authorizing a Houston Enhanced Enterprise Community Web Portal Grant in the amount of \$75,000.00 to **HOUSTON EDUCATION RESOURCE NETWORK** for the Enhanced Enterprise Community Technology Program - **DISTRICTS B - GALLOWAY; D - BONEY; H - VASQUEZ and I - CASTILLO**

16. Ordinance 2001-0341

ORDINANCE authorizing payment to the **UNITED STATES INTERNAL REVENUE SERVICE** of an Arbitrage Rebate not to exceed \$96,948.34 relating to the City's Public Improvement Refunding Bonds, Series 1996A and 1996B - General Debt Service Administration Fund

17. Pulled - Not Considered

ORDINANCE making a general appropriation of certain Revenues of the City in support of the annual budgets for Fiscal Year 2001; authorizing transfers from the General Fund General Government Budget; relinquishing a Capital Projects Reserve

18. Ordinance 2001-0349

ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **CARRIER CORPORATION** - \$23,687.15 - Enterprise Fund

19. Council Member Sanchez tagged

ORDINANCE appropriating \$167,300.00 out of Fire Department Fund 48A; approving and authorizing contract between the City and **RELIANT ENERGY, INCORPORATED** for Installation of Fiber Optic Communications Network Cabling Consistent with Franchise Agreement No. 57929 **DISTRICT I - CASTILLO**

RESOLUTIONS AND ORDINANCES - continued

20. Council Member Goldberg tagged

ORDINANCE amending Ordinance No. 95-953 to increase the maximum contract amount to contract between the City of Houston and **WORLDWIDE SECURITY ASSOCIATES, INC, formerly known as AKAL SECURITY, INC** for Security Guard Services for the Houston Police Department - \$324,868.00 - General Fund

21. Ordinance 2001-0344

ORDINANCE appropriating \$83,586.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **URS GREINER WOODARD CLYDE SOUTHWEST, INC** for professional engineering services at William P. Hobby Airport, Project No. 563, CIP A-0380 - **DISTRICT E - TODD**

22. Ordinance 2001-0350

ORDINANCE approving and authorizing a treated water supply contract between the City of Houston and the **CITY OF BUNKER HILL VILLAGE** - Revenue

23. Ordinance 2001-0342

ORDINANCE approving and authorizing an untreated water supply contract between the City of Houston and **D.B. WESTERN - TEXAS, INC** - Revenue

24. Ordinance 2001-0343

ORDINANCE approving and authorizing an untreated water supply contract between the City of Houston and **STOLTHAVEN HOUSTON, INC** - Revenue

Motion 2001-0428 – Suspend rules to consider Items 25, 27 and 28 out of order

25. Council Members Tatro and Keller tagged

ORDINANCE awarding construction contract to **TROY CONSTRUCTION, L.L.P.** on low bid of \$2,816,231.91 for Water Line Repair by Point Repair Method, approving and authorizing professional services contract for engineering testing services with **HTS, INC, CONSULTANTS** in the amount of \$84,000.00 - (Project No. 10697) - Total \$2,900,231.91 - Enterprise Fund

Motion 2001-0429 – Suspend rules to hear from Mr. Tom Rolan and Ms. Bea Link

26. Pulled - Not Considered

ORDINANCE awarding construction contract to **TROY CONSTRUCTION, L.L.P.** on low bid of \$2,712,625.58 for Water Line Repair by Point Repair Method, approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$81,000.00 - (Project No. 10698) - Total \$2,793,625.58 - Enterprise Fund

27. Council Members Tatro and Keller tagged

ORDINANCE awarding construction contract to **TROY CONSTRUCTION, L.L.P.** on low bid of \$2,790,394.92 for Water Line Repair by Point Repair Method, approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** in the amount of \$83,000.00 - (Project No. 10701) - Total \$2,873,394.92 Enterprise Fund

RESOLUTIONS AND ORDINANCES - continued

28. Council Member Tatro tagged

ORDINANCE appropriating \$1,248,726.56 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TROY CONSTRUCTION, L.L.P.** on low bid of \$1,147,408.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGIES, INC** in the amount of \$21,000.00 for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-20-3 (4235-10); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

29. Ordinance 2001-0351

ORDINANCE appropriating \$312,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** on low bid of \$276,550.00 and approving and authorizing professional services contract for engineering testing services with **HTS, INC, CONSULTANTS** in the amount of \$8,500.00 for Parkway Plaza Lift Station Rehabilitation, GFS R-0267-62-3 (4276-24); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER**

30. Ordinance 2001-0352

ORDINANCE appropriating \$2,000,300.00 out of Water & Sewer System Consolidated Construction Fund awarding contract to **INTRA CONSTRUCTION CORPORATION** on low bid of \$1,754,634.00 and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** in the amount of \$54,000.00 for Water Line Replacement in Bruner Subdivision, GFS-S-0035-46-3 (10546); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS G - KELLER and H - VASQUEZ**

31. Not Received - Not Considered

ORDINANCE appropriating \$5,274,530.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$4,517,048.20; approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF AND ASSOCIATES** in the amount of \$140,000.00; approving an amendment to an agreement (approved by Ordinance No. 99-1141) between the City of Houston and the **CITY OF SPRING VALLEY** for the proposed 54-inch water line along Westview from Moritz to Campbell, Contract 47A-2, GFS S-0900-45-3 (WA10601); and providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

32. Not Received - Not Considered

ORDINANCE approving the de-appropriation of funds from Contract No. C52144 and appropriating such funds to Contract No. 039759 for a Program Management Services Contract between the City of Houston, Texas and **SUNLAND ENGINEERING COMPANY** in connection with the Parks to Standard Program-Phase II, CIP F-0363-01-2; previously approved by Ordinance No. 2000-1003

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 33 through 39

33. Motion 2001-0436

MOTION by Council Member Sanchez/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$4,250,111.78 and acceptance of work on contract with **RAMEX CONSTRUCTION COMPANY, INC** for Market Street Lift Station and Force Main, GFS R-1228-08-3 (4458NS1B-1) - 04.99% over the original contract amount - **DISTRICT I - CASTILLO**
TAGGED BY COUNCIL MEMBER KELLER
This was Item 14 on Agenda of April 11, 2001

34. Resolution 2001-0019

RESOLUTION in support of Initiatives to simplify Medicaid Enrollment for eligible children
TAGGED BY COUNCIL MEMBER TODD
This was Item 29 on Agenda of April 11, 2001

Motion 2001-0421 – Suspend rules to consider Items 35, 35a, 21, 37, 38 and 39 out of order

35. Not Considered

MOTION by Council Member Robinson/Seconded by Council Member Tatro to amend Item 35A below to delete Section 4c
TAGGED BY COUNCIL MEMBER TODD

Council Member Robinson offered a substitute for Item 35 to amend Item 35a

Motion 2001-0422 – Motion to amend Item 35a to add the following to the end of Section 4(c):

“The requirement that any plan redistrict the entire city does not preclude citizens from proposing that particular voting precincts, neighborhoods, or locations be included in a specific council district.”

a. Resolution 2001-0015

RESOLUTION establishing procedures, criteria and rules for the consideration and establishment of single member district boundaries following receipt of the Year 2000 Decennial Census Count as required by Article V, Section 3 of the Charter of the City of Houston, Texas; calling public hearings at which interested persons shall have an opportunity to be heard; providing for the publication of notice of such hearings and making other provisions related to the subject
TAGGED BY COUNCIL MEMBER TODD
This was Item 33A on Agenda of April 11, 2001

36. Motion 2001-0437 – Refer to Neighborhood Protection Quality of Life Committee

ORDINANCE approving and authorizing contract between the City and **THOMAS MELONCON d/b/a TRUTH PRODUCTIONS** for Production of a Drama to increase Awareness and Educate certain audiences regarding HIV in the African-American Community; providing a maximum contract amount - 3 Years - \$265,000.00 - Grant Fund
TAGGED BY COUNCIL MEMBERS BELL and PARKER
This was Item 38 on Agenda of April 11, 2001

MATTERS HELD – continued

37. Ordinance 2001-0345

ORDINANCE appropriating \$375,000.00 out of Airport System Bonds 2000B NONAMT Construction Fund; CIP A-0222; and \$1,324,374.00 out of Airport System Bonds 2000B NONAMT Construction Fund; CIP A-0284, awarding construction contract to **JERDON ENTERPRISE, INC** and approving and authorizing professional services contract for engineering testing services with **GEOTECH ENGINEERING AND TESTING** for Houston Airport System Administration Building Parking & Utilities and 17725 & 17795 J. F. Kennedy Boulevard Utility Meter Modifications at George Bush Intercontinental Airport/Houston (IAH), Project No. 562A **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER TATRO**
This was Item 43 on Agenda of April 11, 2001

38. Ordinance 2001-0346

ORDINANCE appropriating \$18,760,000.00 out of Airport System Consolidated 2000 AMT Construction Fund, CIP A-0125 and \$200,000.00 out of Airport System Consolidated 2000 AMT Construction Fund, CIP A-422, awarding construction contract to **MANHATTAN CONSTRUCTION CO.** on low bid of \$17,211,926.62 and approving and authorizing professional services contract for engineering testing services with **ATSER, L.P.**, in the amount of \$172,000.00 for Terminal A & B Exterior Upgrades at George Bush Intercontinental Airport/Houston (IAH), Project No. 495 - **DISTRICT B - GALLOWAY**
TAGGED BY COUNCIL MEMBER TATRO
This was Item 44 on Agenda of April 11, 2001

Motion 2001-0423 – Suspend rules to hear from Mr. John Hall on Motion to amend Item 39

Motion 2001-0424 – Call the question on Motion to amend Item 39

Motion 2001-0425 – Divide the question on Motion to amend Item 39

Motion 2001-0426 – Motion to amend Item 39a as follows:

A. The authority granted herein shall be limited to emergency situations. Non-emergency situations shall continue to be brought before City Council for consideration. An “emergency situation” shall be defined as one in which the City Attorney has determined that an action is necessary with respect to legal challenges relating to clean air issues and a decision regarding said action must occur within fourteen (14) days from the date of original notice or shall be rendered moot. – “FAILED”

Motion 2001-0427 – Motion to amend Item 39b as follows:

B. The authority granted herein shall exist for one year from the date of passage. Following the expiration of one year, said authority shall expire unless extended by City Council.

39. Resolution 2001-0016 – Adopt as amended

RESOLUTION authorizing the City Attorney to take appropriate action as he determines necessary with respect to legal challenges relating to Clean Air issues affecting the Houston/Galveston Ozone Nonattainment Area - **POSTPONED BY MOTION #2001-416, 4/11/01**

This was Item 46 on Agenda of April 11, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Quan 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

**04/17/01 – Council Member Boney out of the City on personal business
Council Members Keller and Robinson absent on City business**

04/18/01 – All Present