

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 27, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2001-0212 to 2001-0240
ORDINANCES 2001-0185 to 2001-0204
RESOLUTION 2001-0009

2001-0211-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Vasquez

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 2001-0212 - Suspend rules to hear from Mr. Brian Cweren out of order

Motion 2001-0213 - Suspend rules to hear a representative of the Houston Police Department

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 28, 2001 - 9:00 A. M.

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

MAYOR'S REPORT

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CONSENT AGENDA NUMBERS 1 through 33

MISCELLANEOUS - NUMBERS 1 through 8

1. Motion 2001- 0223

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**:

- Position Two - **MR. CARY D. WINTZ**, reappointment, for a term to expire March 1, 2002
- Position Four - **MR. MANUEL FLORES**, reappointment, for a term to expire March 1, 2002
- Position Five - **MR. ALBERT WONG**, appointment, to complete an unexpired term ending March 1, 2001
- Position Six - **MR. W. M. AKALOU**, appointment, for a term to expire March 1, 2002
- Position Seven - **MR. J. KYLE LeFEVERS**, appointment, to complete an unexpired term ending March 1, 2001
- Position Eight - **MS. LYDIA ZERMENO**, reappointment, for a term to expire March 1, 2002

2. Motion 2001-0214

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON MEDIASOURCE BOARD OF DIRECTORS**:

- Position 1 - **MR. JAY MALHOTRA**, appointment, for a term to expire 12/31/2002
- Position 2 - **MR. JAVIER WEITZMAN**, appointment, for a term to expire 12/31/2001
- Position 3 - **MS. MYRLEEN KNOTT**, reappointment, for a term to expire 12/31/2002
- Position 4 - **MR. EDWARD YBARRA**, appointment, for a term to expire 12/31/2001
- Position 5 - **MS. BARBARA BARUCH**, reappointment, for a term to expire 12/31/2002
- Position 6 - **MS. CLAUDIA BALDERAS**, reappointment, for a term to expire 12/31/2001
- Position 7 - **MR. LOUIS GREGORY**, reappointment, for a term to expire 12/31/2002
- Position 8 - **MR. GEORGE NWANGUMA**, reappointment, for a term to expire 12/31/2001
- Position 9 - **MS. SANDRA FRIEDEN**, reappointment, for a term to expire 12/31/2002
- Position 10 - **MR. CARLOS SERA**, reappointment, for a term to expire 12/31/2001
- Position 11 - **MR. MARK D. LEE**, reappointment, for a term to expire 12/31/2002
- Position 12 - **MS. SYLVIA LOUIE**, reappointment, for a term to expire 12/31/2001
- Position 13 - **MS. JUDITH BRUNI**, reappointment, for a term to expire 12/31/2002
- Position 14 - **MR. ERNEST M. MCMILLAN**, reappointment, for a term to expire 12/31/2001
- Position 15 - **MR. FREDERICK FERGUSON**, reappointment, for a term to expire 12/31/2002

3. Motion 2001-0224

REQUEST from Mayor for confirmation of the reappointment of the following to the **HOUSTON PARKS BOARD OF DIRECTORS**, for terms to expire January 1, 2004:

- Position One - **MR. MICHAEL TYSON**
- Position Two - **MS. ELEANOR TINSLEY**
- Position Three - **MS. EDITH PERSONETTE**
- Position Ten - **MR. JIM ELKINS**
- Position Thirteen - **MS. YOLANDA BLACK NAVARRO**
- Position Sixteen - **MS. NANCY REYNOLDS**

4. Council Members Todd and Quan tagged

RECOMMENDATION from City Attorney for supplemental allocation of \$41,200.00 for legal services contract with **OLSON & OLSON** for legal representation of the City in an eminent domain lawsuit filed by the State of Texas and involving a portion of MacGregor Park - Property & Casualty Fund - **DISTRICT D - BONEY**

5. Motion 2001-0215

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **SPRING MEADOWS PROPERTY OWNERS ASSOCIATION** and

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WESTBRANCH COMMUNITY ASSOCIATION for Law Enforcement Services of 1 Deputy
from Constable Precinct 5 - **DISTRICT A - TATRO**

MISCELLANEOUS - continued

6. Motion 2001-0216

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **WESTBURY CIVIC CLUB, INC** for Law Enforcement Services of 4 Deputies from Constable Precinct 5 - **DISTRICT C - GOLDBERG**

7. Motion 2001-0225

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$608,328.00 permit fee to the **HARRIS-GALVESTON COASTAL SUBSIDENCE DISTRICT** for Calendar Year 2001 Ground Water Withdrawal - Enterprise Fund

8. Motion 2001-0226

RECOMMENDATION from Director Department of Public Works & Engineering for approval of payment of \$112,256.51 to **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION** for 2000 Water System Fees - Enterprise Fund

PROPERTY - NUMBERS 9 through 11

9. Motion 2001-0217

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of a 1/2 interest in Parcels A95-80B and A95-99, (the remaining 1/2 interest is to be acquired by purchase), located in the 8600 block of Kirkwood Road, owned by Dorothy Brackman, formerly known as Dorothy Chaiton (as to a 1/4 interest); and Diana Brackman, Independent Executrix of the Estate of Albert Wiesenthal (as to a 1/4 interest), in connection with the **KIRKWOOD ROAD PAVING PROJECT from Bissonnet Street to Alief-Clodine Road**, CIP N-0575-00-1 **DISTRICT F - ELLIS**

10. Motion 2001-0218

RECOMMENDATION from Director Department of Public Works & Engineering to purchase a 1/2 interest in Parcels A95-80B and A95-99, (the remaining 1/2 interest is to be acquired by condemnation), located in the 8600 block of Kirkwood Road, owned by The Chase Manhattan Bank, Guardian of the Estate of Ruth Kreisler (as to a 1/2 interest), Angie Scallan, Assistant Vice President, in connection with the **KIRKWOOD ROAD PAVING PROJECT from Bissonnet Street to Alief-Clodine Road**, CIP N0575-00-1 - \$2,421.50 - Street & Bridge Consolidated Construction Fund - **DISTRICT F - ELLIS**

11. Omitted

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15

LOW BIDS

12. Motion 2001-0227

WINGO SERVICE CO., INC to Furnish and Install Carbon Monoxide Detection System for Convention and Entertainment Facilities Department - \$29,494.00 - Enterprise Fund

13. Motion 2001-0228

BASELINE PAVING & CONSTRUCTION, INC for Construction of Communication Equipment Housing Units for Fire Department - \$51,800.00 and contingencies for an amount not to exceed \$54,390.00 - Fire Department Revolving Fund

PURCHASING AND TABULATION OF BIDS - continued

OTHER

14. Motion 2001-0219

INTERNATIONAL TRUCKS OF HOUSTON for One Aerial Manlift Truck Body for Department of Public Works & Engineering - Replacement - \$52,492.00 - Equipment Acquisition Consolidated Fund

15. Motion 2001-0229

HOUSTON FREIGHTLINER, INC - \$543,532.00 and **RUSH TRUCK CENTER HOUSTON** \$124,240.00 for Eleven Cabs and Chassis and Four Heavy-Trash Trailers for Solid Waste Management Department - Replacement - Equipment Acquisition Consolidated Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 33

Motion 2001-0220 - Suspend rules to consider Items 16 and 35 out of order

Motion 2001-0221 - Suspend rules to hear from Chief Richard relative to Item 35

16. Resolution 2001-0009

RESOLUTION in support of the designation of a portion of State Highway 225 between Houston and LaPorte as the **JUAN N. SEGUIN MEMORIAL HIGHWAY**

17. Ordinance 2001-0193

ORDINANCE approving and authorizing Lease Agreement and a Maintenance Agreement for the Doppler Very High Frequency Omnidirectional Range/Distance Measuring Equipment Facility at William P. Hobby Airport by and between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - TODD**

18. Ordinance 2001-0185

ORDINANCE approving and authorizing lease agreement between **CENTERAMERICA CAPITAL PARTNERSHIP, L.P.**, as landlord, and the City of Houston, Texas, as tenant, for space at 10966 North Freeway, in the North 45 Shopping Center Houston, Texas, for use by the Houston Police Department - **DISTRICT B - GALLOWAY**

19. Ordinance 2001-0194

ORDINANCE approving and authorizing lease agreement between **WEINGARTEN REALTY INVESTORS**, as landlord, and the City of Houston, Texas, as tenant, for space at 1335 West 43rd Street, Houston, Texas, for use by the Houston Police Department - **DISTRICT A - TATRO**

20. Ordinance 2001-0195

ORDINANCE re-adopting **ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Guidelines and Criteria for Tax Abatements; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability

21. Ordinance 2001-0186

ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **CITY OF BAYTOWN** relating to the Harris County Organized Crime and Narcotics Task Force Grant - \$258,741.00 Criminal Justice Division Fund - \$73,747.00 General Fund \$332,488.00 Total

RESOLUTIONS AND ORDINANCES - continued

22. Ordinance 2001-0196

ORDINANCE approving and authorizing contract between the City of Houston and **THP-ARBOR COURT, L.P.** for reimbursement of certain overtime expenses incurred by the Houston Police Department - **DISTRICT B - GALLOWAY**

23. Ordinance 2001-0197

ORDINANCE establishing the South Side of the 100 through 200 blocks of Portland Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT C - GOLDBERG**

24. Ordinance 2001-0198

ORDINANCE establishing the North and South Sides of the 2400 and 2500 blocks of Watts Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT C - GOLDBERG**

25. Ordinance 2001-0187

ORDINANCE issuing a permit to **HINES 911 WALKER LIMITED PARTNERSHIP** for maintaining, using, occupying, operating and repairing a basement and a building, under, over and within portions of Travis Street, Walker Avenue and Main Street, abutting Block 92, S.S.B.B.; being under, over and within public street rights-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**

26. Ordinance 2001-0199

ORDINANCE approving and authorizing contract between the City of Houston and **WAM FOUNDATION** providing up to \$920,658.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for the Administration of a Long-term and Short-term Rent, Mortgage and Utility Assistance Program, which sum includes a limitation of additional funding in the amount of \$460,329.00

27. Ordinance 2001-0188

ORDINANCE approving and authorizing first amendment to contract between the City and **TEMPERATURE SYSTEMS, INC**, approved by Ordinance No. 96-1372, for services on Refrigeration Equipment for Health & Human Services Department - **DISTRICTS B - GALLOWAY and E - TODD**

28. Ordinance 2001-0189

ORDINANCE approving and authorizing Amendment No. 2 to contract between the City of Houston and **SIEMENS BUILDING TECHNOLOGIES, INC** for HVAC Systems and Equipment Operations and Maintenance Services for Houston Airport System at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

29. Ordinance 2001-0190

ORDINANCE appropriating \$300,000.00 out of Airport System Subordinate Lien Revenue Bond Series 1998B (AMT) and approving and authorizing contract between the City of Houston and **STORK SOUTHWESTERN LABORATORIES, INC** for Professional Materials Engineering Testing associated with Project 527, CIP A-0091 and A-0287 at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

Motion 2001-0230 - Postpone Item 30 to the end of the Agenda

RESOLUTIONS AND ORDINANCES - continued

30. Ordinance 2001-0204

ORDINANCE appropriating \$4,258,000.00 out of Houston Airport System Consolidated 2000 AMT Construction Fund, CIP A-0116, awarding construction contract to **GARVER CONSTRUCTION, LTD.**, on low bid of \$3,913,700.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$97,000.00 for Will Clayton Parkway/Lee Road Improvements at George Bush Intercontinental Airport/Houston (IAH), Project No. 560A - **DISTRICT B - GALLOWAY**

31. Ordinance 2001-0191

ORDINANCE appropriating \$1,637,047.50 out of Water & Sewer System Consolidated Construction Fund and \$83,552.50 out of Street & Bridge Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for construction of Airport Blvd., from Mykawa Road to I. H. 45, CIP N-0611-06-3, S-0521-F3-3 and R-0018-86-3 (SB9033) - **DISTRICTS E - TODD and I - CASTILLO**

32. Council Members Quan, Tatro, Keller and Vasquez tagged

ORDINANCE appropriating \$755,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Street and Bridge Program Management, CIP N-0668-06-2 (SB9061)

33. Ordinance 2001-0200

ORDINANCE appropriating \$690,781.72 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **CHIEF CONTRACTORS, INC** on low bid of \$640,917.50 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$5,000.00 for Sanitary Sewer Maintenance Repair Contract by Cleaning and Television with Point Repair, GFS R-0266-14-3 (4277-4); 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

NON CONSENT AGENDA - NUMBER 34

MISCELLANEOUS

34. Motion 2001-0231

MOTION to set a date not less than seven (7) days from February 28, 2001 to receive nominations for Positions 12 and 14 of the **CITY HALL PRESERVATION COMMITTEE** for terms to expire December 31, 2001 and Positions 11, 13 and 15 for terms to expire December 31, 2002

Set to Wednesday, March 7, 2001

MATTERS HELD - NUMBERS 35 through 41

Motion 2001-0222 - Call the question on Item 35

35. Ordinance 2001-0192

ORDINANCE appropriating \$295,000.00 out of Police Consolidated Construction Fund for payment of the cost of Land Purchases/Condemnations, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with the South Central Police Substation Project; Parcel Numbers IYO-002, IYO-003 and IYO-004, CIP G-0058-02-01
DISTRICT I - CASTILLO - POSTPONED BY MOTION #2001-141, 2/7/01
This was Item 38 on Agenda of February 7, 2001

36. Motion 2001-0232

MOTION by Council Member Boney/Seconded by Council Member Tatro to adopt recommendation from Director Building Services Department for approval of final contract amount of \$1,044,235.69 and acceptance of work on contract with **R. H. TONETTI CONSTRUCTION, INC** for Exterior Renovation of the Smith Branch Library, GFS E-0063-01-3 13.75% over the original contract amount - Public Library Consolidated Construction Fund
DISTRICT D - BONEY - TAGGED BY COUNCIL MEMBER KELLER
This was Item 13 on Agenda of February 21, 2001

37. Motion 2001-0233

MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Director Building Services Department for approval of final contract amount of \$561,489.57 and acceptance of work on contract with **R. H. TONETTI CONSTRUCTION, INC** for Interior Renovation of the Smith Branch Library, GFS E-0063-02-3 08.71% over the original contract amount - Public Library Consolidated Construction Fund
DISTRICT D - BONEY - TAGGED BY COUNCIL MEMBER KELLER
This was Item 14 on Agenda of February 21, 2001

38. Ordinance 2001-0201

ORDINANCE appropriating \$650,882.00 out of Homeless and Housing Consolidated Fund and approving and authorizing agreement between the City of Houston and **W. I. MILLER AND ASSOCIATES, INC** to provide a grant to subsidize a portion of the costs to acquire and Rehabilitate the La Fiesta Apartments located at 12845 Market Street, Houston, Texas to house Low To Moderate Income Residents - **DISTRICT E - TODD**
TAGGED BY COUNCIL MEMBER TODD
This was Item 32 on Agenda of February 21, 2001

39. Motion 2001-0234 - Refer back to the Administration

ORDINANCE appropriating \$5,000.00 out of the Projects Fund Mscellaneous Revenue to the Planning and Development Projects Fund No. 12M for the Neighborhood Matching Grants Program - **TAGGED BY COUNCIL MEMBERS PARKER and BELL**
This was Item 36 on Agenda of February 21, 2001

40. Ordinance 2001-0202

ORDINANCE approving and authorizing contract between the City of Houston and **CHICAGO TITLE INSURANCE COMPANY** for City Access to Title Plant Facilities and Data; which contract includes a limitation of additional funding - 5 Years - \$457,200.00
TAGGED BY COUNCIL MEMBER KELLER
This was Item 37 on Agenda of February 21, 2001

MATTERS HELD - continued

41. Ordinance 2001-0203 - Adopt as amended

ORDINANCE amending Ordinance No. 2000-1115, relating to Excavating in the Public Way; approving Rules and Regulations Implementing the Ordinance; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer

TAGGED BY COUNCIL MEMBER TODD

This was Item 50 on Agenda of February 21, 2001

NOTE: Motions 2001-0235 - 0240 are incorporated in Ordinance No. 2001-0203 - available in the Office of the City Secretary, as well as the full content of the motions

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Bell 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

**2/27/01 - Council Member Parker out of the City on City business
Council Member Sanchez absent on personal business**

2/28/01 - All Present