

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 17, 2001 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action

MOTIONS 2001-0040 to 2001-0059
ORDINANCES 2001-0056 to 2001-0082
RESOLUTION 2001-0001

2001-0039-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Goldberg

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. M. - PUBLIC

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2001-0044

REQUEST from Mayor for confirmation of the appointment of **MR. THOMAS M. BUCHANAN** as Director of the Department of Solid Waste Management

Motion 2001-0045 - Suspend rules to hear from Mr. Thomas Buchanan

2. Motion 2001-0046

REQUEST from Mayor for confirmation of the appointment of **MR. PHILIP B. SCHEPS** as Director of the Department of Finance and Administration

Motion 2001-0047 - Suspend rules to hear from Mr. Philip Scheps

ACCEPT WORK - NUMBERS 3 and 4

3. Motion 2001-0048

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$60,793.37 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for construction of Water Main Replacement on Hollister Road from Hammerly to Proetzel Creek, GFS S-0521-BG-3 (10228) - 05.32% under the original contract amount - Enterprise Fund - **DISTRICT A- TATRO**

ACCEPT WORK - continued

4. Council Members Quan and Keller tagged

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$767,754.01 and acceptance of work on contract with **F. W. WALTON** for Roof Replacement and Waterproofing of Exterior Walls for the Julia Ideson Building, GFS E-0081-01-3 10.07% over the original contract amount - Public Library Consolidated Construction Fund
DISTRICT I - CASTILLO

PROPERTY - NUMBERS 5 and 6

5. Motion 2001-0049

RECOMMENDATION from Director Department of Public Works & Engineering declaring that the City of Houston does not need for road purposes two 40-foot wide right of way easements, containing ?0.22975 acre (12,960 square feet) and ?0.0784 acre (3,416 square feet), located at the southwest corner of Interstate 45 and Demontrond Drive, Pierce Sullivan Survey, A-750, so that the State of Texas can sell the property to the underlying fee owner, George A. Demontrond, ???, Trustee - **DISTRICT B - GALLOWAY**

6. Pulled - Not Considered

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A95-80A, located in the 8600 block of South Kirkwood Road, owned by Harris County Flood Control District, a Body Politic and Corporate, for the **KIRKWOOD ROAD PAVING PROJECT from Bissonnet Street to Alief-Clodine Road**, CIP N-0575-00-1 - \$200.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT F - ELLIS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 11

LOW BIDS

7. Motion 2001-0050

MCHENRY MECHANICAL, INC in the amount of \$104,778.00 and contingencies for an amount not to exceed \$110,016.90 to Install HVAC System for the 3-1-1 Call Center at the Lanier Building for the Building Services Department - Equipment Acquisition Consolidated Fund

8. Motion 2001-0051

UNDERGROUND, INC for Portable Water Jetters for the Department of Public Works & Engineering - New - \$73,575.00 - Enterprise Fund

OTHER

9. Motion 2001-0041

BRINKMANN INVESTMENTS, INC for Emergency Roof Repair for the Department of Aviation \$24,097.00 - Enterprise Fund

10. Motion 2001-0042

ALL PLAY, INC - \$60,971.10; **HUNTER-KNEPSHIELD OF TEXAS** - \$73,212.00; **MIRACLE RECREATON EQUIPMENT COMPANY** - \$30,982.00; **STRENGER'S dba TEXAS ATHLETIC SUPPLY** - \$15,275.00 and **THOMPSON RECREATION PRODUCTS** - \$15,105.00 for Replacement Playground Equipment for Parks & Recreation Department - \$195,545.10 - General Fund

11. Motion 2001-0043

G.T. DISTRIBUTORS, INC for Apparel, Holsters-Handguns Contract for the Police Department \$275,496.39 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 40

12. Ordinance 2001-0067

ORDINANCE amending **CHAPTER 23 (Lake Houston) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the restriction of recreational activities in the Cove on which the Lake Houston Patrol Facility is located; containing other provisions relating to the foregoing subject; providing for severability; and declaring an emergency - **DISTRICT E - TODD**

13. Council Members Boney, Galloway and Quan tagged

ORDINANCE amending **CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to actions of former City Officials; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency

14. Council Members Boney, Quan and Galloway tagged

ORDINANCE amending **SECTION 18-71 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Lobbying; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency

15. Pulled - Not Considered

ORDINANCE approving Rules and Regulations for Article V of Chapter 40 of the Code of Ordinances regarding Excavations in the Public Way; containing other provisions relating to the foregoing subject; providing for severability

16. Ordinance 2001-0068

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portions of the Hamilton Street, Lamar Avenue, McKinney Avenue, Chenevert Street, Dallas Avenue, and Walker Avenue Street Rights-of-way, all located within south side Buffalo Bayou, an unrecorded subdivision in Houston, Harris County, Texas; vacating and abandoning said tracts of land to the City of Houston, fee owner; reserving temporary utility easements within the abandoned portions of Walker Avenue, Dallas Avenue and Hamilton Street to allow relocation of existing utilities on or before July 31, 2001 - **DISTRICT I - CASTILLO**

17. Ordinance 2001-0069

ORDINANCE approving and authorizing the execution of Airport Use And Lease Agreements at George Bush Intercontinental Airport/Houston with **AMERICAN AIRLINES, INC; DELTA AIRLINES, INC** and **SOUTHWEST AIRLINES COMPANY** - Revenue - **DISTRICT B - GALLOWAY**

18. Ordinance 2001-0056

ORDINANCE appropriating \$13,250.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON AMT) and approving the purchase of Lot 43, Lakeview Park Subdivision out of the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas for the expansion of Bush Intercontinental Airport; CIP A-0024; and approving a Purchase & Sale Agreement with **Michael Eugene and Josephine Ann Faas** to acquire the land for a purchase price, including title insurance and closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

19. Ordinance 2001-0057

ORDINANCE appropriating \$157,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of Lot 8, Lakeview Park, an unrecorded subdivision in the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, and the improvements located thereon, for the expansion of Bush Intercontinental Airport; CIP A-0024, and approving a Purchase & Sale Agreement with **Hector Yanez and Diamantina G. Estrada** to acquire the land for a purchase price, including title insurance and closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

20. Ordinance 2001-0058

ORDINANCE appropriating \$188,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON AMT) and approving the purchase of Lots 29, 30, 31 and 32, Lakeview Park out of the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas and the improvements located thereon, for the expansion of Bush Intercontinental Airport; CIP A-0024; and approving a Purchase & Sale Agreement with **Andres J. and Tommie Deleon** to acquire the land and improvements thereon, for a purchase price, including title insurance and closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

21. Ordinance 2001-0059

ORDINANCE appropriating \$2,154,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase 60.31 acres out of the Amos Barber Survey, Abstract 125, Houston, Harris County, Texas, and the improvements located thereon, for the expansion of Bush Intercontinental Airport; CIP A-0024, and approving a Purchase & Sale Agreement with **Jerry R. Hamilton** to acquire the land and improvements thereon for a purchase price, including title insurance and closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

Motion 2001-0040 - Suspend rules to consider Item 22 out of order

22. Council Members Boney, Parker and Robinson tagged

RESOLUTION authorizing the Mayor to file a request with the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** asking for amendment to the City's Section 108 Loan and EDI Grant Programs

23. Ordinance 2001-0060

ORDINANCE approving and authorizing second contract amendment between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION** to extend the contract term and provide an additional \$1,738,000.00 of Community Development Block Grant Funds for the continuation of an Emergency Home Repair Program

24. Ordinance 2001-0070

ORDINANCE appropriating \$50,000.00 out of the Housing Special Revenue Fund and approving and authorizing contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for the administration of a Program to assist very low income elderly and disabled persons with the construction of new homes

25. Ordinance 2001-0061

ORDINANCE approving and authorizing Occupancy Agreement between **EDUCATIONAL LEARNING AND ENRICHMENT CENTER, INC** as occupant, and the City of Houston, Texas, as owner, for space in the Fifth Ward Multi-Service Center - **DISTRICT B - GALLOWAY**

26. Ordinance 2001-0071

ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS FOREST SERVICE** relating to an interdepartmental Forester Position; authorizing one new Forester Position to be funded by the grant

27. Ordinance 2001-0062

ORDINANCE approving and authorizing an agreement terminating a Tax Abatement Agreement between the City of Houston and **HEALTH JET, INC doing business as CHUNG'S GOURMET FOODS** - **DISTRICT E - TODD**

28. Omitted

RESOLUTIONS AND ORDINANCES - continued

29. Ordinance 2001-0072

ORDINANCE appropriating \$264,985.69 out of Harris County Utility District No. 4 Fund 77 G and approving payment to **HOLLEY-GUNIGANTI DEER RIDGE LTD.** pursuant to contract with the former Harris County Utility District No. 4 for construction of certain utility facilities serving the Deer Ridge Estates - **DISTRICT E - TODD**

30. Ordinance 2001-0079

ORDINANCE amending agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for McGowen Street from Scott Street to U. S. Highway 59 increasing state funding; amending an agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for Dowling Street from Elgin Street to McGowen Street decreasing state funding - **DISTRICT I - CASTILLO**

31. Ordinance 2001-0063

ORDINANCE appropriating \$592,350.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for the Design of Neighborhood Street Reconstruction Project 441, CIP N-0374-02-2 (SB9054); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - BONEY; E - TODD and I - CASTILLO**

32. Ordinance 2001-0080

ORDINANCE appropriating \$96,000.00 out of Storm Sewer Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **MANLEY CONSULTANTS, INC** for Design of Lakeview/Hibury Relief Storm Sewer; CIP M-0231-04-2 (M-231-04); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund **DISTRICT G - KELLER**

33. Ordinance 2001-0064

ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **OTHON, INC** for Design of Neighborhood Sewer Systems Improvements, CIP R-2011-18-2 (WW4809); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

34. Ordinance 2001-0065

ORDINANCE approving and authorizing first amendment to professional engineering services contract between the City and **BINKLEY AND BARFIELD, INC** for Neighborhood Sewer Rehabilitation/Replacement, CIP R-0266-92-2 (WW4762)

35. Ordinance 2001-0066

ORDINANCE appropriating \$330,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **MALCOLM PIRNIE, INC** for Design of Improvement of Disinfection Facilities to comply with the Safe Drinking Water Act Requirements and Solutions to Water Quality Issues, CIP S-0533-03-2 (WA10674); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; F - ELLIS and G - KELLER**

RESOLUTIONS AND ORDINANCES - continued

36. Ordinance 2001-0073

ORDINANCE appropriating \$322,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **BROOKS AND SPARKS, INC** for Design of Water Wells and Well Collection Lines in the Willowbrook Service Area; CIP S-0110-12-2 (WA10673); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

37. Ordinance 2001-0082

ORDINANCE awarding contract to **KINSEL INDUSTRIES, INC** on low bid of \$5,837,641.50 for Construction of Repair and Replacement of Concrete Pavement, Sidewalks, Driveways, and Wheelchair Ramps and Mudjacking of Pavement; providing engineering and contingencies relating to construction and repair and replacement of concrete pavement financed by Funds 224 and 227 - \$6,421,405.70 Total contract amount

38. Ordinance 2001-0081

ORDINANCE appropriating \$225,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, INC** on low bid of \$198,700.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$5,000.00 for McCarty #1 Lift Station Rehabilitation, GFS R-0267-24-3 (4275-12); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidation Construction Fund - **DISTRICT B - GALLOWAY**

39. Ordinance 2001-0074

ORDINANCE appropriating \$366,900.00 out of Convention & Entertainment Construction Fund, awarding construction contract to **TURNER PAVING AND CONSTRUCTION, INC** on low bid of \$324,059.00 and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** in the amount of \$12,000.00 for Renovation of Parking Lot "H", CIP B-0018-01-3; providing funding for contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund **DISTRICT H - VASQUEZ**

40. Pulled - Not Considered

ORDINANCE appropriating \$344,268.00 out of Parks Consolidated Construction Fund, awarding construction contract to **PARALLAX BUILDERS, INC** on low bid of \$935,000.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$22,500.00 for Parks to Standard Program - Phase II, Clinton Park, F-0363-40-3; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - \$700,000.00 - CDBG Fund - **DISTRICT I - CASTILLO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. Motion 2001-0052 - Grant appeal

REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Paul C. (Pat) Murphy IV, Wilshire Scott & Dyer on behalf of **DEMO & COSTA PROPERTIES, INC** regarding Application for Automotive Storage Lot License #607101200

MATTERS HELD - NUMBERS 42 through 48

42. Resolution 2001-0001

RESOLUTION recognizing **REVEREND LEON H. SULLIVAN** for his contributions on behalf of Universal Human Rights and for his development and implementation of the Global Sullivan Principles Of Corporate Social Responsibility; and encouraging the adoption of such principles by Domestic and International Companies

POSTPONED BY MOTION #2001-0020

This was Item 54 on Agenda of January 3, 2001

43. Motion 2001-0053

MOTION by Council Member Boney/Seconded Council Member Vasquez to adopt the recommendation from City Attorney for settlement of lawsuit styled **FELICIANO MORUA, et al** v. City of Houston, et al; Cause No. 96-5088: in the 133rd Judicial District Court of Harris County, Texas - \$41,500.00 - Property and Casualty Fund - **TAGGED BY COUNCIL MEMBER TODD**

This was Item 2 on Agenda of January 10, 2001

44. Motion 2001-0055

MOTION BY Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation from Finance Administration for sole source purchase of **CRASH RESCUE EQUIPMENT SERVICE, INC** for Airport Crash Rescue Truck Repair Service for the Fire Department - \$48,506.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 7 on Agenda of January 10, 2001

Motion 2001-0054 - Suspend rules to hear from Mr. Steven Williams

Motion 2001-0056 - Suspend rules to hear from Chief Connealy on Item 45

Motion 2001-0057 - Call the question on Item 45 - "FAILED"

45. Ordinance 2001-0075

ORDINANCE appropriating \$406,995.00 out of Accumulated Unexpended Fund, transferring such funds to the Fire Special Acquisition Fund, appropriating \$406,995.00 from the Fire Special Acquisition Fund for expenses relating to the purchase of fifteen (15) Utility Vehicles for the Fire Department - **TAGGED BY COUNCIL MEMBER TATRO**

MATTERS HELD - continued

a. Motion 2001-0058

MOTION by Council Member Vasquez/Seconded by Council Member Castillo to adopt recommendation from Finance & Administration Department to award to **PHILPOTT MOTORS, LTD** - \$3,699,586.25, **LAWRENCE MARSHALL CHRYSLER, L.P.** - \$1,264,980.00, **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$480,065.00, **LAWRENCE MARSHALL CHEVROLET, L.P.** - \$1,301,567.50 for Automobiles, Vans, Utility Vehicles and Pickup Trucks for Various Departments - \$6,746,198.75 - Grant, Enterprise, Building Inspection, Equipment Acquisition Consolidated, Fire Special Acquisition, Street & Drainage Maintenance, Sign Administration and Workers Compensation Administration Funds - **TAGGED BY COUNCIL MEMBER PARKER**

These were Items 12 and 12A on Agenda of January 10, 2001

Motion 2001-0059 - Motion to substitute revised Ordinance for Item 46

46. Ordinance 2001-0076 - Revised Ordinance adopted

ORDINANCE amending **SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to construction of water and wastewater mains by Developers under Developer Contracts; containing other provisions relating to the foregoing subject; providing for severability

TAGGED BY COUNCIL MEMBERS BONEY AND CASTILLO

This was Item 13 on Agenda of January 10, 2001

47. Ordinance 2001-0077

ORDINANCE appropriating \$836,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **RATNALA & BAHL, INC** for Design of Columbia Tap Rail to Trail, CIP N-0420-22-2 (N-0420-22); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - BONEY and I - CASTILLO**

TAGGED BY COUNCIL MEMBER KELLER

This was Item 23 on Agenda of January 10, 2001

48. Ordinance 2001-0078

ORDINANCE awarding contract to **HOUSTON INSTALLATION SERVICES, INC** for Furniture Relocation Services for Various Departments; providing a maximum contract amount - 2 Years with one option year - \$942,793.13 - General, Enterprise and METRO Funds

TAGGED BY COUNCIL MEMBER VASQUEZ

This was Item 36 on Agenda of January 10, 2001

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

AGENDA - JANUARY 17, 2001 - PAGE 10

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

01/17/01 - All Present