

AGENDA - COUNCIL MEETING - TUESDAY - JULY 24, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2001-0807 to 2001-0853
ORDINANCES 2001-0680 to 2001-0704
RESOLUTION – 2001-0032

2001-0806-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Castillo

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 2001-0807 – Suspend rules to hear Ms. Michelle Marks in place of Ms. Joann Randle

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 25, 2001 - 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 49

MISCELLANEOUS - NUMBERS 1 through 9

1. Motion 2001-0808

REQUEST from Mayor for confirmation of the reappointment of the following to the **AUTOMOTIVE BOARD**, for terms to expire January 2, 2002:

Position 8 - **MR. PHILLIP A. GEBHART**

Position 9 - **MR. TIM STRANEY**

2. Motion 2001-0809

REQUEST from Mayor for confirmation of the reappointment of **MS. LUECRETIA DILLARD** to Position 1 of the **CIVIL SERVICE COMMISSION**, for a term to expiring June 14, 2004

MISCELLANEOUS - continued

3. Motion 2001-0816

CONFIRMATION of the appointment by the Fire Chief of the following to the Position of **ASSISTANT FIRE CHIEF** of the Houston Fire Department:

**MICHAEL V. IVY
WILLIAM P. LITTLE
RAUL REYES, JR.
GARY M. VINCENT**

4. Motion 2001-0810

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for terms ending June 1, 2005:

Position 1 - **MR. ROBERT JACKSON**, appointment
Position 2 - **MR. REX MORAN**, reappointment
Position 3 - **MR. SAMUEL DIAZ**, reappointment
Position 4 - **MR. MIKE GARVER**, reappointment
Position 5 - **MS. YOLANDA BLACK NAVARRO**, reappointment
Position 6 - **MR. JOE LYNCH**, reappointment
Position 7 - **MR. ANDREW PEREZ**, reappointment

5. Motion 2001-0811

CONFIRMATION of the appointment of **MR. KASE LAWAL** to Position Three of the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY** for a term to expire two years from date of appointment

Motion by Council Member Vasquez/Seconded by Council Member Keller to amend the C.I.P. as follows:

Below are described proposed amendments to the 2002-2006 CIP for District H. The added project is in support of the three existing economic redevelopment contracts underway in the Near Northside. The proposed amendments require no additional funding.

COUNCIL MEMBER ROBINSON TAGGED

Motion by Council Member Keller/Seconded by Council Member Quan to amend the CIP as follows:

Amend the Street & Traffic Control Candidate Projects, to include Westpark Extension from Eldridge to State HWY 6, which would conform with the 2000 Major Thoroughfare and Freeway Plan and provide a parallel arterial to the Westpark Toll Road.

COUNCIL MEMBER ROBINSON TAGGED

6. Council Members Robinson, Boney and Tatro tagged

RECOMMENDATION from Director Department of Finance & Administration to approve proposed Fiscal Year 2002-2006 Capital Improvement Plan and establish a charge of \$25.00 plus tax and postage for the approved CIP documents

7. Motion 2001-0851

RECOMMENDATION from Director Parks & Recreation Department for annual supplemental allocation of \$490,000.00 to **EPIC SPECIAL EVENTS** for the Funday in the Park! - General Fund

MISCELLANEOUS - continued

8. Motion 2001-0817

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2001 through September 30, 2002, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements

9. Motion 2001-0812

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds over \$15,000.00 for Water & Sewer Accounts for various customers - \$71,850.93 Enterprise Water & Sewer Fund

DAMAGES - NUMBERS 10 through 12

10. Motion 2001-0818

RECOMMENDATION from City Attorney for settlement of lawsuit styled **GEORGE C. CABALLERO** v. the City of Houston; Cause No. 99-22132; in the 127th Judicial District Court of Harris County, Texas - \$140,000.00 - Property and Casualty Fund

11. Motion 2001-0819

RECOMMENDATION from City Attorney for settlement of lawsuit styled **LAZELL-MOSIER** v. the City of Houston; Cause No. 97-51214; in the 113th Judicial District Court of Harris County, Texas \$25,000.00 - Property and Casualty Fund

12. Motion 2001-0820

RECOMMENDATION from City Attorney for settlement of lawsuit styled **MARGUERITA F. SEMIEN** v. the City of Houston; Cause No. 98-43357; in the 127th Judicial District Court of Harris County, Texas - \$175,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 13 through 22

13. Council Members Quan and Keller tagged

ORDINANCE appropriating \$27,879.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Renovation of Health & Human Services Maintenance Building, CIP H-0022-01-3, under construction contract (approved by Ordinance No. 99-135) between the City of Houston and **R. T. G. BUILDING COMPANY - DISTRICT H - VASQUEZ**

a. Council Members Quan and Keller tagged

RECOMMENDATION of the Building Services Department for approval of Change Order No. 6. in the amount of \$34,699.00, final contract amount of \$609,994.00 and acceptance of work on contract with **R. T. G. BUILDING COMPANY** for Renovation of Health & Human Services Maintenance Building, 3026 Berry Road, GFS H-0022-01-3 - 10.03% over the original contract amount - **DISTRICT H - VASQUEZ**

14. Motion 2001-0821

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$335,692.28 and acceptance of work on contract with **JOHN G. HOLLAND CONSTRUCTION CO., INC** for Construction of Hiburly Relief Storm Sewer, GFS M-0231-02-3 (M-0231-02) - 00.79% under the original contract amount - **DISTRICT G - KELLER**

ACCEPT WORK - continued

15. Motion 2001-0822

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$323,111.19 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0610A-Q4-3 (N-0610A-5) - 02.71% over the original contract amount - **DISTRICT C - GOLDBERG**

16. Motion 2001-0823

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$1,432,954.58 and acceptance of work on contract with **BROWN & ROOT, INC** for Construction of Neighborhood Street Overlay Project in Council District E (OL-239-97), GFS Q-1139-01-3 (Q-1139) - 00.73% under the original contract amount **DISTRICT E - TODD**

17. Motion 2001-0824

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$232,335.00 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Briarwillow Lift Station Rehabilitation, GFS R-0267-35-3 (4275-23) - 04.33% under the original contract amount - **DISTRICT B - GALLOWAY**

18. Motion 2001-0825

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$2,453,706.59 and acceptance of work on contract with **BRH GARVER, INC** for Sanitary Sewer Rehabilitation in Northwest - CIP/RR, GFS R-1034-06-3 (4260-10) 02.40% over the original contract amount - **DISTRICTS A - TATRO and B - GALLOWAY**

19. Motion 2001-0826

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$234,031.00 and acceptance of work on contract with **BORCO OF TEXAS, INC** for Water Well Collection Line between Katy Addicks Water Well No. 12 and 16-inch Water Main west of Upland Rd., GFS S-0100-WC-3 (10449-2) - 11.14% under the original contract amount - **DISTRICT A - TATRO**

20. Motion 2001-0813

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$3,479,880.98 and acceptance of work on contract with **ALSAY, INCORPORATED** for Rehabilitation of Existing Water Wells, GFS S-0200-10-3 (10562) 00.14% under the original contract amount

21. Motion 2001-0827

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$7,025,725.00 and acceptance of work on contract with **JALCO, INC** for Construction of 48" Water Main Along Clinton, Lathrop and Majestic, GFS S-0900-35-3 (10506) 04.05% over the original contract amount - **DISTRICTS H - VASQUEZ and I - CASTILLO**

22. Motion 2001-0814

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$857,301.26 and acceptance of work on contract with **LEM CONSTRUCTION COMPANY, INC** for Construction of Various Improvements to Ground Water Pumping Station (Job 1), GFS S-1000-SE-3 (10263-1a) - 02.12% under the original contract amount - **DISTRICT D - BONEY**

PROPERTY - NUMBERS 23 through 25

23. Motion 2001-0815

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Julie Doan, on behalf of Chau Thanh Lap, for abandonment and sale of a portion of Tasco Street, from Coyle Street east ±150 feet to its dead-end terminus, between Blocks 1 and 8, Townsite of Jeannetta, Parcel SY1-056 - **STAFF APPRAISERS - DISTRICT C - GOLDBERG**

24. Motion 2001-0828

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Adell Bradly Jr., on behalf of Braulio Frank Gallegos, for abandonment and sale of a portion of a 10-foot wide easement, located within Lots 1, 2, 16 and 17, in exchange for the conveyance to the City of a 10-foot-wide sanitary sewer easement located within Lot 17, both within Block 1, Golfview Manor Addition, Parcels SY1-068 and DY1-033 - **STAFF APPRAISERS - DISTRICT I - CASTILLO**

25. Motion 2001-0829

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY0-70, located at 2402 Telephone Road, owned by Thuc Thi Nguyen, and husband, Phuong Phi Nguyen, for the **TELEPHONE ROAD RECONSTRUCTION PROJECT from Lawndale to Gulf Freeway**, CIP N-0611A-40-1 - **DISTRICT I - CASTILLO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 26 through 27

26. Motion 2001-0830

DECLARE **HBS NATIONAL CORPORATION** non-responsible for a period of 12 months

Motion 2001-0831 – Postpone Item 26a to the end of the Agenda

a. Ordinance 2001-0700

ORDINANCE awarding the contract to **RICHWIN, INC** for Cleaning & Janitorial Services for Houston Airport Services Complex/Remote Buildings at George Bush Intercontinental Airport/Houston and facilities at Ellington Field; providing a maximum contract amount - 3 Years with two one-year options - \$636,180.40 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD**

27. Motion 2001-0832

HUITT-ZOLLARS, INC - \$80,000.00 and **BROWN & GAY ENGINEERS, INC** - \$80,000.00 for Professional Services to Perform Damage Assessments for Homes within Houston - Disaster Recovery Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 28 through 49

28. Resolution 2001-0032

RESOLUTION authorizing certain Police Department Administrators to obtain regular exempt license plates on certain Police Vehicles

29. Council Member Galloway tagged

ORDINANCE amending **ARTICLE VI OF CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the regulation of the location of the Hotels; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability

RESOLUTIONS AND ORDINANCES - continued

30. Ordinance 2001-0682

ORDINANCE consenting to convert Porter Water Supply Corporation, a Non-Profit Rural Water Supply Corporation, to a Special Utility District pursuant to Chapter 65 of the Texas Water Code to be known as the **PORTER SPECIAL UTILITY DISTRICT**

31. Ordinance 2001-0683

ORDINANCE approving and authorizing lease agreement between **HOUSTON WAYSIDE BUSINESS CENTER, LTD.**, as landlord, and the City of Houston, Texas, as tenant, for space at 4300 S. Wayside, Houston, Texas, for use by the Department of Public Works and Engineering **DISTRICT I - CASTILLO**

32. Ordinance 2001-0680

ORDINANCE approving and authorizing lease agreement between **WEINGARTEN REALTY INVESTORS**, as landlord, and the City of Houston, Texas, as tenant, for space at 4363 West Fuqua, Houston, Texas, for use by the Houston Police Department - **DISTRICT D - BONEY**

33. Ordinance 2001-0681

ORDINANCE amending Ordinance Number 99-0064 to increase the maximum contract amount for a contract between the City and the **UNIVERSITY OF TEXAS M. D. ANDERSON CANCER CENTER** for Cancer Prevention Services - \$48,420.00 - Grant Fund

34. Ordinance 2001-0684

ORDINANCE approving and authorizing agreement terminating a Tax Abatement Agreement between the City of Houston and **PRISM PRODUCTS, INC** and **ACPI, LTD.** - **DISTRICT I - CASTILLO**

35. Council Members Ellis, Castillo and Parker tagged

ORDINANCE approving and authorizing first amendment to Rehab Loan Agreement between the City and **BEECHNUT ASSOCIATES, L.P.**, et al., approved by Ordinance No. 97-758, such amendment to allow a sale of five Rehabilitated Apartment Projects to Goodson Drive, LLC upon terms and conditions provided in the amendment - **DISTRICTS B - GALLOWAY and F - ELLIS**

36. Ordinance 2001-0685

ORDINANCE amending Ordinance Number 00-0686 to increase the maximum contract amount for the Temporary Service between the City and **A-TEMPS, INC, A1 PERSONNEL, INC, ACCURATE PERSONNEL, INC, ALL TEMPS PERSONNEL SERVICE, INC, BESTSTAFF SERVICES, INC, EDUCATIONAL LEARNING AND ENRICHMENT CENTER, INC, EXCLUSIVE TEMPORARIES, INC, EXECUTEAM CORPORATION, G & A STAFFSOURCHING, INC, JUANELL STEELE & ASSOCIATES PERSONNEL SERVICE, INC, MODERN TEMPS, INC, SILVER & ASSOCIATES, INC, BERGAILA ASSOCIATES, INC, CRINER-DANIELS & ASSOCIATES, INC, DATALOGIC, INC, ELITE COMPUTER CONSULTANTS, INC, JEFFERSON ASSOCIATES, INC, AND MANPOWER PROFESSIONAL SERVICES, INC**, containing provisions relating to the subject - \$9,000,000.00 - Central Service Revolving Fund

37. Ordinance 2001-0686

ORDINANCE approving and authorizing a lease agreement between the City of Houston and **SG/TRANSWESTERN, LTD.**, for unimproved land at Ellington Field; containing provisions relating to the subject - **DISTRICT E - TODD**

RESOLUTIONS AND ORDINANCES - continued

Motion 2001-0833 – Suspend rules to hear Mr. Richard Vacar on Item 38

38. Council Members Tatro and Robinson tagged

ORDINANCE approving and authorizing agreement between the City of Houston, Texas and **AIRPORT DEVELOPMENT CORPORATION** to Facilitate Participation by the Department of Aviation in submitting a bid for Privatization of the current Airport and the proposed Airport in Quito, Ecuador; providing for authorization of the Mayor to execute other related documents; authorizing the formation of a non-profit corporation

Motion 2001-0834 – Suspend rules to hear Mr. Hank Coleman on Item 38

39. Ordinance 2001-0687

ORDINANCE appropriating \$67,100.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for design of the Inflow/Infiltration Source Corrections for Fresh Water Supply District #23 and Red Gully Service Area under a professional engineering services contract with **ROY F. WESTON, INC**, CIP R-2014-01-2 (4795); (approved by Ordinance No. 00-0630); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

40. Ordinance 2001-0688

ORDINANCE authorizing the issuance, sale and delivery of City of Houston, Texas, Airport System Special Facilities Revenue Bonds (Continental Airlines, Inc Terminal E Project), Series 2001; approving the form and substance of a Trust Indenture, Special Facilities Lease Agreement, a bond purchase agreement, and official statement; authorizing and ratifying other action; making certain findings with respect thereto; containing other provisions relating to the subject - **DISTRICT B - GALLOWAY**

41. Ordinance 2001-0689

ORDINANCE approving and authorizing agreement for professional services between the City of Houston, Texas and **HOUSTON INTERNATIONAL INITIATIVES** for International Economic Development at the Houston Airport System - 1 year - \$60,000.00 - General and Enterprise Funds

42. Ordinance 2001-0690

ORDINANCE appropriating \$159,422,097.00 out of George R. Brown Consolidated Construction Fund and \$500,000.00 out of Police Consolidated Construction Fund, awarding construction contract to **SWINERTON BUILDERS** and approving and authorizing professional services contracts for Material Testing Services with **PROFESSIONAL SERVICE INDUSTRIES, INC, LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC** and **GEOTEST ENGINEERING** related to the Expansion of the George R. Brown Convention Center; providing funding for the Civic Art Program, Construction Management, and Impact Fees relating to construction of facilities financed by the George R. Brown Consolidated Construction Fund and the Police Consolidated Construction Fund - **DISTRICT I - CASTILLO**

43. Ordinance 2001-0701

ORDINANCE issuing a permit to **HOUSTON CONVENTION CENTER HOTEL CORPORATION**, A Texas Non-Profit, Local Government Corporation, for constructing, maintaining, using, occupying, operating and repairing certain subsurface vault space and aerial encroachments adjacent to Blocks 278, 279 and 288, S.S.B.B., and within portions of Polk Avenue, Clay Avenue, Avenida de Las Americas and Chenevert Street, such space being 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

RESOLUTIONS AND ORDINANCES - continued

44. Ordinance 2001-0702

ORDINANCE awarding construction contract to **D. L. ELLIOTT ENTERPRISES, INC** on low bid of \$2,225,644.84 for Water Line Repair by Point Repair Method, and approving and authorizing professional services contract for engineering testing services with **ASSOCIATED TESTING LABORATORIES, INC** in the amount of \$65,000.00 - (WA10713) - \$2,446,439.97 - Enterprise Fund

45. Ordinance 2001-0703

ORDINANCE awarding construction contract to **PHOCO, INC DBA TELEPHONE COMPANY OF HOUSTON** on low bid of \$1,846,228.04 for Water Line Repair by Point Repair Method, and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** in the amount of \$48,000.00 - (WA10709) \$2,023,464.00 - Enterprise Fund

46. Ordinance 2001-0704

ORDINANCE awarding construction contract to **TROY CONSTRUCTION, L.L.P.** on low bid of \$2,071,887.06 for Water Line Repair by Point Repair Method, and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$48,000.00 - (WA10710) - \$2,264,919.15 - Enterprise Fund

Motion 2001-0852 – Suspend rules to hear from Ms. Bea Link

Motion 2001-0853 – Suspend rules to remain in session beyond the scheduled 12 noon recess

RESOLUTIONS AND ORDINANCES - continued

47. Council Member Ellis tagged

ORDINANCE appropriating \$1,639,779.00 out of Street & Bridge Consolidated Construction Fund and \$958,382.00 out of the Water & Sewer System Consolidated Construction Fund for Cost Reimbursement in connection with an Interlocal Agreement with TXDOT for Reconstruction of South Shepherd Drive from U. S. 59 to South Rice (Ord. No. 2000-254), CIP N-0611-02-3 (SB9018); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG**

48. Council Member Tatro tagged

ORDINANCE amending certain prior ordinances with respect to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series C; making certain covenants and agreements in connection therewith

Motion 2001-0835 – Suspend rules to consider Item 48a out of order a this time

a. Council Member Tatro tagged

ORDINANCE authorizing creation of the Series C Commercial Paper Storm Drainage and Overlay Fund

RESOLUTIONS AND ORDINANCES - continued

b. Council Member Tatro tagged

ORDINANCE appropriating \$4,017,189.50 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$1,399,810.50 from the Water and Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** for construction of Central Park Subdivision Storm Sewer Improvements, GFS M-0186-01-3 (M-0186-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - CASTILLO**

c. Council Member Tatro tagged

ORDINANCE appropriating \$1,136,000.00 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$85,000.00 from the Water and Sewer System Consolidated Construction Fund, awarding contract to **INTRA CONSTRUCTION CORPORATION** and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** for construction of Spring Lea Storm Sewer Facilities, GFS M0367-01-3 (M-0367-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

d. Council Member Tatro tagged

ORDINANCE appropriating \$7,526,000.00 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$230,000.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** and approving and authorizing professional services contract for engineering testing services with **MCBRIDE RATCLIFF, INC** for Frostwood East Drainage Improvements, GFS M-1001-02-3 (SM5008-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER**

e. Council Member Tatro tagged

ORDINANCE appropriating \$1,447,500.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **SILVA, INC** and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** for construction of Neighborhoods to Standards Street Overlay Project Generic (Package I), GFS N-1037-22-3 (OL2022); providing funding for contingencies relating to construction of facilities financed by the same fund **DISTRICT C - GOLDBERG**

f. Council Member Tatro tagged

ORDINANCE appropriating \$1,689,200.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **AAA ASPHALT PAVING, INC** and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** for construction of Asphalt Overlay Project in Council District A Neighborhoods to Standards, GFS N-1037-30-3 (OL2030); providing funding for construction management and contingencies relating to construction of facilities financed by the same fund **DISTRICT A - TATRO**

RESOLUTIONS AND ORDINANCES - continued

Motion 2001-0836 – Suspend rules to consider Item 48g out of order

g. Council Member Tatro tagged

ORDINANCE appropriating \$1,908,400.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **ANGEL BROTHERS ENTERPRISES LTD.** and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** for construction of Street Overlay Project Generic Package IV - Council District E, GFS N-1037-34-3 (OL2034); providing funding for construction management and contingencies relating to construction of facilities financed by same fund
DISTRICT E - TODD

h. Council Member Tatro tagged

ORDINANCE appropriating \$516,000.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund as an additional appropriation for Design of Storm Drainage Improvements in the Wilchester Subdivision, under a Design contract with **R. G. MILLER ENGINEERS, INC** (approved by Ordinance No. 99-1195), CIP M-0126-33-2 (SM5005); providing funding for contingencies relating to construction of facilities financed by the Series C Commercial Paper Storm Drainage and Overlay Fund - **DISTRICT G - KELLER**

i. Council Member Tatro tagged

ORDINANCE appropriating \$838,000.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund as an additional appropriation for Design of Nottingham Forest, Memorial Drive Acres and Woodbend on Memorial Drainage Improvements under Design contract with **SES HORIZON CONSULTING ENGINEERS, INC**, (approved by Ordinance No. 99-1198), CIP M-0126-40-2 (M-0126-40-2); providing funding for contingencies relating to construction of facilities financed by the Series C Commercial Paper Storm Drainage and Overlay Fund
DISTRICT G - KELLER

49. Ordinance 2001-0582 – Passed third reading

ORDINANCE No. 2001-582, passed third reading July 3, 2001

ORDINANCE granting authority to **SPRINT COMMUNICATIONS COMPANY, L.P.**, a Delaware Limited Partnership, to encroach upon and use the public way of the City of Houston, Texas, pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using, and operating therein, Telecommunications Facilities for providing authorized Telecommunications Services; providing for related terms and conditions; and making certain findings related thereto

THIRD AND FINAL READING (NOTE this item is being resubmitted for 3rd reading to conform publication with requirements)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 50 through 52

PROPERTY

50. Motion 2001-0837

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert J. Montgomery, on behalf of Metropolitan Transit Authority (METRO), for abandonment and sale of Ruth Avenue, from Main Street to Fannin Street, and Rosewood Street from Fannin Street ±148.88 feet west to its dead-end terminus, located in MacGregor's Blodgett Park Subdivision, Parcels SY1-057A and SY1-057B - **APPRAISERS - DISTRICT C - GOLDBERG**

PROPERTY - continued

51. Motion 2001-0838

RECOMMENDATION from Director Department of Public Works & Engineering to **AMEND MOTION #2000-1054 8/23/00**, which authorized abandonment and sale of a portion of Gulfflow Street and a 1-foot Buffer in exchange for the conveyance to the City of a 15-foot wide sanitary sewer easement, all adjacent to Tracts 24Y and 24K-1, Jacob Thomas Survey, Abstract 74, Parcels SYO-077 and DYO-044 - **TO APPOINT** a replacement **APPRAISER** for Ms. Roberta Conerly who is unavailable to accept the appointment - **DISTRICT I - CASTILLO**

PURCHASING AND TABULATION OF BIDS

Motion 2001-0839 – Procedural motion

Motion 2001-0840 – Procedural motion

52. Motion 2001-0841

RECOMMENDATION from Director of Finance and Administration to **AMEND MOTION #2001-0725 6/27/01**, which authorized issuance of purchase orders to address emergency disaster recovery, to reflect the total amounts payable to the following vendors for mosquito abatement services:

<u>Contractor</u>	<u>Estimated Amount</u>	<u>Final Invoice Amount</u>
End O Pest Coastal	\$ 21,000.00	\$ 43,400.00
ACURID Commercial Svc. by Orkin	\$ 21,000.00	\$ 15,645.00
Gillen Pest Control	\$ 42,000.00	\$ 39,620.00
Cypress Creek Pest Control, Inc.	\$ 105,000.00	\$ 123,900.00
Holders Pest Control Co.	\$ 21,000.00	\$ 12,600.00
ABC Pest, Pool & Lawn Services	\$ 21,000.00	\$ 19,460.00
Pro-Tec Pest Control	\$ 42,000.00	\$ 1,540.00

MATTERS HELD - NUMBERS 53 through 61B

53. Ordinance 2001-0691

ORDINANCE appropriating \$950,000.00 out of Water and Sewer Consolidated Construction Fund, and approving and authorizing compromise and settlement agreement between the City of Houston and **CONSTRUCTORS & ASSOCIATES, INC** to settle a claim arising out of activities financed by the fund

a. Motion 2001-0842

MOTION by Council Member Sanchez/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$38,439,751.11 and acceptance of work on contract with **CONSTRUCTORS & ASSOCIATES, INC** for 611 Walker-Shell, Core and Tenant Improvements, 08.93% over the original contract amount - Enterprise Fund - **TAGGED BY COUNCIL MEMBER KELLER**

These were Items 2 and 2A on Agenda of July 11, 2001

54. Motion 2001-0843

MOTION by Council Member Sanchez/Seconded by Council Member Robinson to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$292,109.84 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0610A-S5-3 (Group 2) - 02.60% over the original contract amount - Street & Bridge Consolidated Construction Fund - **DISTRICT I- CASTILLO** - **TAGGED BY COUNCIL MEMBER CASTILLO**

This was Item 4 on Agenda of July 11, 2001

MATTERS HELD - continued

55. Ordinance 2001-0692

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (i) two portions of the Crawford Street right of way containing an aggregate of 66,405 square feet of land, more or less, Parcels SY1-090A and SY1-091; and (ii) two portions of the Clay Avenue Street right of way containing an aggregate of 40,001 square feet of land, more or less, Parcels SY1-090B and SY1-090C; all Parcels located within South Side Buffalo Bayou, an unrecorded subdivision in Houston, Harris County, Texas; vacating and abandoning Parcels SY1090A, SY1-090B and SY1-090C to the City of Houston, as abutting owner; vacating and abandoning Parcel SY1-091 to Harris County-Houston Sports Authority, as abutting owner, in consideration of its agreement to construct and operate a Downtown Multipurpose Arena and Parking Garage - **DISTRICT I - CASTILLO**

TAGGED BY COUNCIL MEMBERS TODD and CASTILLO

This was Item 17 on Agenda of July 11, 2001

56. Ordinance 2001-0693

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a surplus portion of Main Street Loop Road Street right of way, containing 19,143.9 square feet of land, more or less, located in the B.B.B. & C.R.R. Company Survey, A-1029, Harris County, Texas; vacating and abandoning said tract of land to Brochsteins, Inc., abutting owner, in consideration of owner's payment of \$23,930.00 and other consideration to the City - **DISTRICT C - GOLDBERG** - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 19 on Agenda of July 11, 2001

57. Ordinance 2001-0694

ORDINANCE awarding contract with **ARAMARK FACILITY SERVICES, INC** for Special Events Cleaning for Convention & Entertainment Facilities and Parks & Recreation Departments; providing a maximum contract amount - 3 Years with two one-year options - \$15,457,439.06 General and Enterprise Funds - **DISTRICTS D - BONEY and I - CASTILLO**

TAGGED BY COUNCIL MEMBER QUAN

This was Item 26 on Agenda of July 11, 2001

58. Ordinance 2001-0695

ORDINANCE appropriating \$499,181.46 out of Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone) Tax Increment Fund (Fund 908) for payment to **ENCLAVE PARTNERS, LTD** for Reimbursement of costs associated with Public Improvements in the Village Enclaves Zone pursuant to the Public Improvements Development Agreement between the City, the **VILLAGE ENCLAVES ZONE** and **ENCLAVE PARTNERS, LTD. DISTRICT F - ELLIS**

a. Ordinance 2001-0696

ORDINANCE approving and authorizing Public Improvement Development Agreement between the City of Houston, **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)**, and **ENCLAVE PARTNERS, LTD.**, for the Design, Construction and acquisition of certain Public Improvements and for certain other project costs in the Village Enclaves Zone; providing for the reimbursement of previously expended or committed project costs - **DISTRICT F - ELLIS** - **TAGGED BY COUNCIL MEMBER KELLER**

These were Items 27 and 27A on Agenda of July 11, 2001

MATTERS HELD - continued

59. Ordinance 2001-0697

ORDINANCE appropriating \$346,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing amendment to professional services contract (approved by Ord. 99-0004) between the City of Houston and **WALTER P. MOORE & ASSOCIATES, INC** for the Design of Little York Road Paving from Airline Drive to Hardy Toll Road, CIP N-0531-01; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER KELLER**
This was Item 36 on Agenda of July 11, 2001

Motion 2001-0844 – Remove proposed Motion from main Item 60

60. Withdrawn by Motion 2001-0844

WRITTEN Motion by Council Member Bell to amend Section 2-30 of Item 60A as follows:
Section 2-30. If other travelers accompany a salaried or non-salaried employee or elected official of the city during city business travel, ~~as part of a trade or economic mission and the co-travelers are part of the city coterie~~, then the names of such co-travelers shall be disclosed in the travel expenses report and travel-related log in a separate exhibit entitled, "Accompanying Travelers", which shall be filed in accordance with the applicable administrative procedure requirements for filing expense reports and travel-related logs.
TAGGED BY COUNCIL MEMBER VASQUEZ

Motion by Council Member Sanchez/Seconded by Council Member Boney to amend Item 60a to provide the following:

"That the list be made public or reported was the list of original travelers originating from Houston"

TAGGED BY COUNCIL MEMBER CASTILLO

Motion 2001-0845 – Call the question on Item 60a – Tagged by Council Member Castillo

Motion 2001-0846 – Refer motion to amend Item 60a back to Committee – "FAILED"

Motion 2001-0847 – Call the question on Item 60a

a. Ordinance 2001-0698

ORDINANCE amending **CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Travel by Salaried and Non-Salaried City Employees and Elected Officials; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBER VASQUEZ
This was Item 45A on Agenda of July 11, 2001

61. Motion 2001-0848

WRITTEN Motion by Council Member Parker to amend by striking the words "or any other status" from the first paragraph of the preamble and from the definition of the term *discriminate*, *discriminates*, *discrimination*, as set forth in proposed City Code Section 2-451 of Item 61B below
TAGGED BY COUNCIL MEMBERS ELLIS and TATRO

MATTERS HELD - continued

Motion 2001-0849 – Call the question on Item 61a

a. Motion 2001-0850 – “FAILED”

MOTION by Council Member Sanchez/Seconded by Council Member Todd to amend Item 61B to provide that not only can the City not discriminate against anyone but would treat everyone the same - **TAGGED BY COUNCIL MEMBER CASTILLO**

b. Ordinance 2001-0699

ORDINANCE amending **CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new article prohibiting discrimination by the City in employment, contracting opportunities, facilities use, and services delivery; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS ELLIS and VASQUEZ
This was Item 46A on Agenda of July 11, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Robinson 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

**07/24/01 – Council Member Todd absent due to being ill
Council Members Castillo and Robinson absent on personal business**

07/25/01 – Council Member Goldberg absent on City business