

AGENDA - COUNCIL MEETING - TUESDAY - MAY 8, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2001-0480 to 2001-0502
ORDINANCES 2001-0395 to 2001-0415
RESOLUTION 2001-0023

2001-0479-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Todd

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 2001-0480 – Suspend rules to add Mr. Bryant Osborn to speakers list at the end of 3 minute speakers

Motion 2001-0481 – Suspend rules to add Mr. Robert Horton to the speakers list

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 9, 2001 - 9:00 A. M.

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

HEARINGS

- 1. Motion 2001-0482 – Close hearing**
PUBLIC HEARING relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 29

MISCELLANEOUS - NUMBERS 2 through 5

2. Motion 2001-0486

RECOMMENDATION from Finance & Administration Department for approval of Individual Fidelity Bond Form for **PHILIP B. SCHEPS, Ph.D, DIRECTOR OF FINANCE AND ADMINISTRATION** in the amount of \$25,000.00 as required by the City Charter and the Code of Ordinances - \$87.50 - Insurance Management Fund

3. Motion 2001-0487

RECOMMENDATION from Director Finance & Administration to establish a taxicab permit application filing fee of \$105.00

Motion 2001-0488 – Suspend rules to hear a representative of Building Services

4. Ordinance 2001-0399

ORDINANCE appropriating \$376,382.23 out of General Improvements Consolidated Construction Fund as an additional appropriation for Construction of Denver Harbor Multi-Service Center under construction contract with **CONSTRUCTION, LTD**, GFS D-0077-01-3; approved by Ordinance No. 99-668 - **DISTRICT I - CASTILLO**

a. Motion 2001-0489

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 10 in the amount of \$392,292.76 on contract with **CONSTRUCTION, LTD** for Denver Harbor Multi-Service Center, GFS D-0077-01-3 - **DISTRICT I - CASTILLO**

5. Motion 2001-0483

RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **J. F. DELACERDA, JR.**

ACCEPT WORK - NUMBERS 6 through 9

6. Motion 2001-0490

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,220,917.29 and acceptance of work on contract with **CONRAD CONSTRUCTION COMPANY, INC** for Reconstruction of South Post Oak from Allum to West Orem, GFS N-0636-03-3 (N-0636-3) - 04.07% over the original contract amount - **DISTRICT D - BONEY**

7. Motion 2001-0484

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,126,371.67 and acceptance of work on contract with **C AND C SERVICES** for Construction of Kashmere Gardens Water Main Replacement, GFS S-0469-01-3 (10399) - 12.87% under the original contract amount - **DISTRICT B - GALLOWAY**

8. Motion 2001-0491

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,729,062.02 and acceptance of work on contract with **PAS-KEY CONSTRUCTION SERVICES, INC** for Construction of Water Services for the Moonshine Hill Area, GFS S-0531-MH-3 (10300-2) - 00.62% under the original contract amount - **DISTRICT E - TODD**

ACCEPT WORK - continued

9. Motion 2001-0492

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,101,416.32 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, INC** for Demolition and Replacement of Four Ground Storage Tanks at Four Pumping Stations, GFS S0600-19-3 (10521-19) - 02.74% under the original contract amount - **DISTRICTS B - GALLOWAY; F - ELLIS and G - KELLER**

PROPERTY - NUMBERS 10 and 11

10. Motion 2001-0493

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ernest Roth of Terra Surveying Company, Inc, on behalf of Houston Independent School District (HISD), for abandonment and sale of a 5-foot wide utility easement, located within Lots 5 and 6, Block 4, Subdivision of Tract 5, Dixieland Subdivision, and a right of entry for Houston Independent School District, Parcel SY1-060 - **STAFF APPRAISERS - DISTRICT I - CASTILLO**

11. Motion 2001-0485

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Megan R. Sigler, Perry Homes, on behalf of Perry Homes, a Joint Venture {Perry-Houston Interests, Ltd., a Texas limited partnership [PH Financial, L.L.C., a Texas Limited Liability Company (Gerald W. Noteboom, executive vice president), general partner], managing venturer}, for abandonment and sale of three 5-foot wide utility easements and a 10-foot-wide utility easement in exchange for the conveyance to the City of a 20-foot-wide utility easement and a utility easement that transitions from 20 to 5 feet wide, all located within the Obedience Smith Survey, South Side Buffalo Bayou, Parcel SY1-058A, SY1-058B, SY1-058C, SY1-058D, VY1-002A and VY1-002B - **STAFF APPRAISERS - DISTRICT D - BONEY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 14

12. Motion 2001-0494

DTC COMMUNICATIONS, INC for Surveillance Equipment for Houston Police Department \$23,120.00 - Asset Forfeiture Fund

13. Motion 2001-0495

PHILPOTT FORD SALES for One Cab and Chassis with Service Body for Police Department \$37,654.00 - Grant Fund

14. Omitted

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 29

15. Ordinance 2001-0400

ORDINANCE authorizing the issuance of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2001 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2001, and ending June 30, 2002; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of the Preliminary Official Statement to provide for the competitive sale of the Notes; authorizing Paying Agent/Registrar Agreement and other agreements relating thereto; approving Co-Bond Counsel, and Paying Agent/Registrar for such Notes; making other provisions relating to such Notes including use of the proceeds thereof, and matters incident thereto

RESOLUTIONS AND ORDINANCES - continued

a. Ordinance 2001-0401

ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas, Tax and Revenue Anticipation Note, Series 2001A to provide for payment of current expenses of the City for a portion of Fiscal Year 2002; authorizing repayment of the principal and interest on such Note; authorizing the procedure for determining the terms and conditions of such Note as evidenced by Note Purchase Agreement; authorizing execution of a Co-Bond Counsel Agreement; making other findings and provisions related to the subject

16. Ordinance 2001-0402

ORDINANCE approving and authorizing an Occupancy Agreement between the **HOUSTON AREA PARKINSON SOCIETY**, as occupant, and the City of Houston, Texas, as owner, for space in the Metropolitan Multi-Service Center - **DISTRICT D - BONEY**

17. Ordinance 2001-0403

ORDINANCE approving and authorizing contract between the City and **HEIGHTS AUDIOLOGY & HEARING AIDS** for Hearing Services for the Elderly; providing a maximum contract amount \$62,500.00 - Grant Fund

18. Ordinance 2001-0404

ORDINANCE relating to boundaries of **REINVESTMENT ZONE NUMBER EIGHTEEN CITY OF HOUSTON, TEXAS (FIFTH WARD)** amending Ordinance No. 1999-766 to clarify the boundary description; reducing the boundaries of the zone - **DISTRICTS B - GALLOWAY and H - VASQUEZ**

a. Resolution 2001-0023

RESOLUTION approving the creation of the **FIFTH WARD REDEVELOPMENT AUTHORITY**; approving the articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICTS B - GALLOWAY and H - VASQUEZ**

19. Ordinance 2001-0405

ORDINANCE approving and authorizing contracts between the City and **REGAL FOOD SERVICE, INC** in the estimated amount not to exceed \$1,452,204.04 and the City and **EDUCATIONAL CATERING, INC** in the estimated amount not to exceed \$382,842.31 for the 2001 Summer Food Service Program - Grant Fund

20. Ordinance 2001-0415

ORDINANCE approving and authorizing lease agreement between the City of Houston, Texas, as landlord, and **MCDONALD'S CORPORATION**, as tenant, for space in the Houston Police Department Building located at 1200 Travis - **DISTRICT A - TATRO**

21. Ordinance 2001-0406

ORDINANCE appropriating \$7,486,923.00 out of Airport System Consolidated 2000 AMT Construction Fund and approving and authorizing a Pipeline Reimbursement Agreement and an easement by and between the City of Houston and **SEAWAY PRODUCTS PIPELINE COMPANY** at George Bush Intercontinental Airport/Houston, Project No. 999, CIP A-0024-30 - **DISTRICT B - GALLOWAY**

22. Ordinance 2001-0407

ORDINANCE approving and authorizing settlement agreement between the City of Houston and the **SHAW GROUP, INC; SWINK ACQUISITION FOUR, INC., STONE & WEBSTER INCORPORATED** and **ENCLAVE PARKWAY REALTY, INC** settling a lawsuit and terminating a tax abatement agreement - **DISTRICT A - TATRO**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2001-0408

ORDINANCE approving and authorizing first amendment to Ordinance No. 96-506 to contract between the City of Houston and **STOCKHAUSEN, INC** for purchase of Liquid Polymer Flocculent and related chemicals for the Public Works & Engineering Department

24. Council Members Robinson and Keller tagged

ORDINANCE approving and authorizing the restated and amended Cost Sharing agreement for the Southeast Water Purification Plant between the City of Houston and **THE GULF COAST WATER AUTHORITY, THE CLEAR LAKE CITY WATER AUTHORITY, THE CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT, THE LA PORTE AREA WATER AUTHORITY, THE HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55, THE CITY OF PASADENA, THE CITY OF SOUTH HOUSTON, THE CITY OF WEBSTER, THE CITY OF FRIENDSWOOD** and the **BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1**

25. Ordinance 2001-0395

ORDINANCE approving and authorizing a Treated Water Sales Contract between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENTS DISTRICT NO. 96**

26. Ordinance 2001-0396

ORDINANCE appropriating \$17,274.35 out of Water and Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **STEPHENS/TINGLEY, L.P.**, for the construction of sanitary sewer line in Briargate, Section 18, CIP R-0800-36-3 - **DISTRICT D - BONEY**

27. Ordinance 2001-0397

ORDINANCE appropriating \$77,518.35 out of Water and Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **CYPRESS-INDUSTRIAL CO-INVESTMENT, L.P.**, for the construction of sanitary sewer lines along Homestead Road, CIP R-0800-37-3 - **DISTRICT B - GALLOWAY**

28. Council Member Tatro tagged

ORDINANCE appropriating \$1,890,924.00 out of Fund No. 49F; C. O. Series 2001A; \$386,897.00 out of Water & Sewer System Consolidated Construction Fund; \$215,059.00 out of Storm Sewer Consolidated Construction Fund; and \$129,800.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing third amendment to contract between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for Phase II Design of the Cotswold Project, GFS I-2000-01-2

29. Ordinance 2001-0398

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 **DEMOPULOS AND FERGUSON, INC** for Design of Lift Station Renewal/Replacements, CIP R-0267-65-2 (WW4816); 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 - NUMBERS 30 through 33

MISCELLANEOUS

30. Pulled - Not Considered

MOTION to set a date not less than seven (7) days from May 9, 2001 to receive nominations for Positions Nine and Eleven of the **ARCHAEOLOGICAL AND HISTORICAL COMMISSION** with terms to expire two years from date of appointment

31. Motion 2001-0496

MOTION to set a date not less than seven (7) days from May 9, 2001 to receive nominations for Position 20 of the **HOUSTON READ COMMISSION**, the three year term to expire January 1, 2004

32. Pulled - Not Considered

MOTION to set a date not less than seven (7) days from May 9, 2001 to receive nominations for Position Five of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD** with terms to expire two years from the date of the appointment

PURCHASING AND TABULATION OF BIDS

33. Motion 2001-0497

RECOMMENDATION from Department of Finance & Administration to make the following awards for Traffic Safety Devices for Various Departments - \$820,232.14 - General, Enterprise and METRO Funds:

SECURITY SAFETY & SUPPLY - \$268,625.37

WATER FILLED BARRIER SYSTEMS OF HOUSTON, INC, Bid No. 2 - \$260,500.00

TRANTEX, INC - \$155,935.37 and

CM TRAFFIC SYSTEMS - \$131,971.40

COUNCIL DRAW LOTS

ITEM NO. 20 due to receiving identical bids from **CM TRAFFIC SYSTEMS** and **SECURITY SAFETY & SUPPLY** in the amount of \$3,200.00

SECURITY SAFETY & SUPPLY drawn for award

MATTERS HELD - NUMBERS 34 through 44

34. Motion 2001-0498

MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt a motion approving the Harris County-Houston Sports Authority's issuance of bonds and obligations for the completion of the financing of Reliant Stadium and the development and financing of the new downtown multi-purpose arena - **TAGGED BY COUNCIL MEMBER CASTILLO**

This was Item 3 on Agenda of May 2, 2001

35. Motion 2001-0499

MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Building Services Department for approval of final contract amount of \$2,706,758.51 and acceptance of work on contract with **MISSION CONSTRUCTORS, INC** for Construction of Clear Lake Police Station, GFS G0056-01-3 - 03.35% over the original contract amount - **DISTRICT E - TODD** - **TAGGED BY COUNCIL MEMBER SANCHEZ**

This was Item 7 on Agenda of May 2, 2001

MATTERS HELD – continued

36. Motion 2001-0500 – Postpone two (2) weeks

MOTION by Council Member Castillo/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Cassandra M. Washington, on behalf of Thomas G. Richard, for encroachment of a two-story brick building into Wentworth Avenue and South Main Street and a one-story metal building into Wentworth Avenue, adjacent to Block 10, MacGregor's Blodgett Addition, Parcels ENY1-04A and ENY1-04B - **DISTRICT D - BONEY TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 11 on Agenda of May 2, 2001

37. Motion 2001-0501

MOTION by Council Member Boney/Seconded by Council Member Tatro to adopt recommendation to award to **U. S. FILTER DISTRIBUTION** for Plastic Meter Boxes for Department of Public Works & Engineering - \$3,492,880.38

TAGGED BY COUNCIL MEMBER SANCHEZ

This was Item 21a on Agenda of May 2, 2001

38. Motion 2001-0502

MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation to award to **ARROWLIFT SYSTEMS, INC** for One Forklift for Solid Waste Management Department \$15,541.00 - Grant Fund - **TAGGED BY COUNCIL MEMBER QUAN**

This was Item 23 on Agenda of May 2, 2001

39. Ordinance 2001-0409

ORDINANCE continuing the City's Juvenile Curfew Ordinance; containing findings and other provisions relating to the foregoing subject; providing for severability

TAGGED BY COUNCIL MEMBER VASQUEZ

This was Item 31 on Agenda of May 2, 2001

40. Ordinance 2001-0410

ORDINANCE approving and authorizing an application for grant assistance from the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, for the establishment of a Distance Learning Center as part of the Campus Park Development in the Stella Link Community; declaring the City's eligibility for such grant; authorizing the Director of the Houston Public Library to act as the City's representative in the application process; authorizing the Director of the Houston Public Library to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 34 on Agenda of May 2, 2001

41. Ordinance 2001-0411

ORDINANCE approving and authorizing amendment to the agreement between the City of Houston, the **GULFGATE REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER EIGHT, CITY OF HOUSTON, TEXAS (GULFGATE ZONE)** in connection with the City's Reinvestment Zone Number Eight over the Gulfgate Area - **DISTRICT I- CASTILLO**

TAGGED BY COUNCIL MEMBER SANCHEZ

This is was Item 36 on Agenda of May 2, 2001

MATTERS HELD – continued

42. Ordinance 2001-0412

ORDINANCE approving and authorizing contract between the City and the **UNIVERSITY OF HOUSTON (College of Optometry)** for Vision Screening Services; providing a maximum contract amount - 5 Years - \$90,000.00 - General Fund

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 37 on Agenda of May 2, 2001

43. Ordinance 2001-0413

ORDINANCE appropriating \$2,000,000.00 out of Airport System Bonds 1998C NON-AMT Construction Fund and approving and authorizing amendment No. 1 to contract between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for construction of Terminal A/B Parking Garage at George Bush Intercontinental Airport/Houston, Project No. 533B; CIP A-0351; authorizing the Director of Aviation to approve subsequent change orders - **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER TATRO**

TAGGED BY COUNCIL MEMBER TATRO

This was Item 39 on Agenda of May 2, 2001

44. Ordinance 2001-0414

ORDINANCE appropriating \$448,000.00 out of Public Library Consolidated Construction Fund and awarding construction contract to **R.T.G. BUILDING COMPANY** on bid of \$1,296,882.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING AND TESTING, INC** in the amount of \$40,000.00 for Renovation of Kashmere Gardens Branch Library, CIP E-0056-01-3; providing funding for construction management and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

TAGGED BY COUNCIL MEMBERS ELLIS and CASTILLO

This was Item 44 on Agenda of May 2, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Keller 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

**05/08/01 – Council Member Boney absent on City business
Council Member Todd absent on personal business**

05/09/01 – All Present