

AGENDA - COUNCIL MEETING - TUESDAY - MAY 15, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2001-0503 to 2001-0529
ORDINANCES 2001-0416 to 2001-0435
RESOLUTION - None

2001-0502-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Galloway

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 16, 2001 - 9:00 A. M.

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

MAYOR'S REPORT - Briefing on Bus Operations System Safety Program by representatives of the Metropolitan Transit Authority

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2001-0507

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the award by the Coastal Water Authority to **BOYER, INC** for the Expansion of the Bayer Culvert on the Cedar Point Lateral Canal System

2. Motion 2001-0508

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds over \$15,000.00 for Water & Sewer Accounts for various customers - \$68,269.10 Enterprise Water & Sewer Fund

ACCEPT WORK - NUMBERS 3 through 5

Motion 2001-0511-1 – Suspend rules to hear Mr. Bill Calderon

Motion 2001-0512 – Call the question on Item 3

3. Motion 2001-0513

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,576,953.94 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Reconstruction of Hidalgo Street from Chimney Rock to Yorktown; Yorktown from Richmond to West Alabama; Fairdale from Lampassas to Yorktown, GFS N-0672-01-3 - 02.82% over the original contract amount - **DISTRICT C - GOLDBERG**

4. Motion 2001-0514

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,860,170.43 and acceptance of work on contract with **JALCO, INC** for Installation and Relocation of Emergency Generators at Various Ground Water Pumping Stations, GFS S-0700-02-3 (10447-2) - 00.66% under the original contract amount - **DISTRICTS B - GALLOWAY; C - GOLDBERG and D - BONEY**

5. Motion 2001-0515

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,709,674.64 and acceptance of work on contract with **WM. H. GRAY CONSTRUCTION CO., INC** for Construction of 84" Water Main along Kashmere, Collingsworth and Lockwood, GFS S-0900-31-3 (9744) - 01.07% under the original contract amount **DISTRICTS B - GALLOWAY and H - VASQUEZ**

PROPERTY – NUMBER 6

6. Motion 2001-0516

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from George T. Sharman of Sharman Construction Company, Inc., on behalf of Venetian Blind & Floor Covering Shop, Inc., (Bill Gaul, president) for abandonment and sale of a 12-foot wide alley, located from Lester Street to Reinerman Street, in exchange for the conveyance to the City of a 12-foot wide sanitary sewer easement, between Lots 6 through 9 and Lots 10 through 13, then along west line of Lot 13 and connecting to Lillian Street, all within Block 3, Settegast and Dodge Addition, Parcels SY1-055, SYI-069, SYI-070, SYI-071, SYI-072, DYI-023, DYI-024, DYI-025, DYI-026 and DYI-027 - **STAFF APPRAISERS - DISTRICT H - VASQUEZ**

PURCHASING AND TABULATION OF BIDS – NUMBERS 7 through 17

7. Motion 2001-0517

SCANLIN SIGN SERVICE, INC to Furnish and Install Exterior Sign Frames with Overhead Lighting System for the Convention and Entertainment Facilities Department - \$37,656.00 Enterprise Fund

8. Motion 2001-0518

B P EQUIPMENT, CO. to Furnish and Install a Cashier Booth for the Health and Human Services Department - \$18,400.00 - General Fund

9. Motion 2001-0519

AMEND MOTION #98-1754, 11/4/98, TO EXTEND expiration date for an additional nine

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months from November 3, 2001 to July 20, 2002 for Diagnostic Test Kits Part II for Health & Human Services Department, awarded to **ORGANON TEKNIKA CORPORATION**

PURCHASING AND TABULATION OF BIDS - continued

10. **Motion 2001-0509**
PROJECT DEVELOPMENT GROUP, INC for Asbestos and Lead Abatement Services for the Library Department - \$27,227.00 and contingencies for an amount not to exceed \$28,588.35 General Fund
11. **Motion 2001-0520**
PERKINELMER INSTRUMENTS for Purchase and Installation of X-Ray Security Equipment for Municipal Courts Administration Department - \$50,028.00 - Municipal Courts Building Security Fund
12. **Motion 2001-0521**
LIVING EARTH TECHNOLOGY CO., INC for Surface Material, Playground for the Parks and Recreation Department - \$154,612.80 - General Fund
13. **Motion 2001-0510**
CONTROL CONCEPTS, INC to Furnish and Install Centrifuge Starters for the Department of Public Works and Engineering - \$74,400.00 - Enterprise Fund
14. **Motion 2001-0522**
TROY CONSTRUCTION, L.L.P. for De Leon Street Storm Sewer Rehabilitation for the Department of Public Works and Engineering - \$258,742.00 and contingencies for a total amount not to exceed \$271,679.10 - Street and Drainage Maintenance Fund
15. **Motion 2001-0523**
AMEND MOTION #2001-106, 1/31/01, TO INCREASE quantity and amount to purchase one additional Asphalt Paver for \$186,058.00 for Department of Public Works and Engineering, awarded to **R. B. EVERETT & COMPANY**
16. **Motion 2001-0511**
KENNY INDUSTRIAL SERVICES, LLC for Sewer Cleaning Services for Department of Public Works and Engineering - \$315, 540.00 - Enterprise Fund
17. **Omitted**

ORDINANCES – NUMBERS 18 through 40

18. **Ordinance 2001-0424**
ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the Park Row Street right-of-way containing 1,437 square feet of land, more or less; being located in the David Middleton Survey, A-535, Harris County, Texas; vacating and abandoning said tract of land to GPI Development, Ltd., the abutting owner, in consideration of the owner's dedication back of the abandonment tract to the City as an easement for waterline and storm sewer purposes containing 1,437 square feet of land, more or less and payment of \$718.00 and other consideration to the City - **DISTRICT A - TATRO**
19. **Ordinance 2001-0419**
ORDINANCE consenting to the addition of 5.028 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23**, for inclusion in its district
20. **Ordinance 2001-0420**

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ORDINANCE consenting to the addition of 308.7605 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 196**, for inclusion in its district

ORDINANCES - continued

21. Ordinance 2001-0425

ORDINANCE approving and authorizing an occupancy agreement between the **SISTERHOOD OF FAITH IN ACTION, INCORPORATED**, as occupant, and the City of Houston, Texas, as owner for space in the Acres Homes Multi-Service Center - **DISTRICT B - GALLOWAY**

Motion 2001-0524 – Suspend the rules to hear from Ms. Margie Bingham relative to Item 22

22. Ordinance 2001-0426

ORDINANCE approving and authorizing an agreement between the City of Houston and **COMMONWEALTH TEXAS (GARDEN CITY), LLC** to provide a loan of Federal “Home” Funds in the amount of \$1,300,000.00 to pay eligible costs in connection with the acquisition and rehabilitation of the Garden City Apartments to provide housing to Low-income persons; making various findings and provisions relating to the subject - **DISTRICT B - GALLOWAY**

Motion 2001-0525 – Suspend rules to hear from Mr. Robert Litke relative to Item 23

Motion 2001-0526 – Call the question on Item 23

23. Council Member Sanchez tagged

ORDINANCE authorizing acceptance of a grant from the **UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION** and approving and authorizing an Interlocal agreement between the City and the Midtown Redevelopment Authority for the renovation of the 410 Pierce building for use as a High Tech/Bio-Medical Business Incubator; declaring the City’s eligibility for such grant; authorizing the Director of the Planning and Development Department to act as the City’s representative and to accept such grant funds and all subsequent awards, If any pertaining to the project - **DISTRICTS D - BONEY and I - CASTILLO**

24. Ordinance 2001-0427

ORDINANCE approving and authorizing first amended interlocal agreements between the City and the **HARRIS COUNTY DISTRICT ATTORNEY’S OFFICE** and the **DEPARTMENT OF PUBLIC SAFETY** for Automobile Theft Prevention Authority/Major Accessory Shop Enforcement Grants

25. Ordinance 2001-0428

ORDINANCE appropriating \$3,590,455.00 out of the Water and Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Reconstruction of South Main Street (U. S. Highway 90A) between Hiram Clarke and Beltway 8, CIP S-0521-M1; providing funding for contingencies relating to construction of facilities financed by the Water and Sewer Consolidated Construction Fund - **DISTRICT D - BONEY**

26. Ordinance 2001-0421

ORDINANCE approving and authorizing an amendment to the contract between the City and **CARTER & BURGESS, INC** for the design of Westview Paving; Shadowdale to Gessner and Brittmore to Beltway, GFS N-0549-02-2 (SB9022) - **DISTRICT A - TATRO**

27. Council Members Quan, Tatro and Keller tagged

ORDINANCE approving and authorizing contract between the City and **CAMP DRESSER & MCKEE INC** for Energy Deregulation and Energy Conservation Consulting Services; providing a maximum contract amount, BSD 01-0739-25003 - \$650,000.00 - General and Enterprise Funds

ORDINANCES - continued

28. Ordinance 2001-0475

ORDINANCE appropriating \$281,325.00 out of Public Library Consolidated Construction Fund and awarding construction contract to **R. HASSELL BUILDERS, INC** on bid of \$1,475,000.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$35,000.00 for Renovation of Walter Branch Library, CIP E-0026-01-3; providing funding for construction management and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund \$1,365,555.00 CDBG Fund - **DISTRICT F - ELLIS**

29. Ordinance 2001-0429

ORDINANCE appropriating and transferring \$2,384,635.00 out of Accumulated Unexpended Fund to the Storm Sewer Control Fund, appropriating \$2,384,635.00 from the Storm Sewer Control Fund, and appropriating \$112,365.00 from the Water and Sewer System Consolidated Construction Fund, awarding contract to **JFT CONSTRUCTION, INC** on low bid of \$2,096,519.79 and approving and authorizing professional services contract for engineering testing services with **FURGO SOUTH, INC** in the amount of \$65,000.00 for Frostwood West Drainage Improvements, GFS M-1001-01-3 (SM5008); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Control Fund and the Water and Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER**

30. Ordinance 2001-0422

ORDINANCE awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$593,840.00 and approving and authorizing professional services contract for engineering services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$18,000.00 for construction of IRA Street Storm Sewer Outfall, GFS M-0126-13-3 (M-0126-13) - \$678,000.00 Street & Drainage Maintenance Fund - **DISTRICT H - VASQUEZ**

31. Ordinance 2001-0430

ORDINANCE appropriating \$1,159,500.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$1,053,702.00 and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** in the amount of \$32,000.00 for Hidden Echo Lift Station, GFS R-0267-36-3 (4275-24); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT E - TODD**

32. Ordinance 2001-0423

ORDINANCE appropriating \$1,018,000.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** on low bid of \$925,203.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$28,000.00 for Westbury Village Lift Station Replacement, GFS R-0267-39-3 (4275-27); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT D - BONEY**

33. Omitted

ORDINANCES - continued

34. Ordinance 2001-0431

ORDINANCE appropriating \$3,049,300.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$2,675,000.00 and approving and authorizing professional services contract for engineering testing services with **HERCULES ENGINEERING AND TESTING SERVICES, INC** in the amount of \$80,000.00 for Waterline Replacement in the Scenic Woods Subdivision, GFS S-0035-71-3 (WA10580); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

35. Ordinance 2001-0432

ORDINANCE appropriating \$1,278,000.00 out of Water and Sewer System Consolidated Construction Fund, awarding a contract to **D. L. ELLIOTT ENTERPRISES, INC** on low bid of \$1,120,845.00 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF & ASSOCIATES, INC** in the amount of \$33,000.00 for Water Main Replacement in Broadmoor Subdivision, GFS S-0035-68-3 (WA10584); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT I - CASTILLO**

36. Pulled - Not Considered

ORDINANCE appropriating \$1,286,550.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **BLASTCO INCORPORATED** on low bid of \$1,056,406.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** in the amount of \$20,000.00 for construction of two Five (5) Million Gallon Water Storage Tanks at the Spring Branch Pumping Station, GFS S-0600-24-3 (WA10596-24); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

37. Ordinance 2001-0433

ORDINANCE appropriating \$2,161,640.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **TEJAS CONSTRUCTION COMPANY** on low bid of \$1,877,605.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$20,000.00 for construction of an Eight (8) Million Gallon Water Storage Tanks at the Southwest Pumping Station, GFS S-0610-23-3 (WA10597-23); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG**

38. Ordinance 2001-0434

ORDINANCE appropriating \$1,154,300.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **E. P. BRADY, INC** on low bid of \$977,588.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** in the amount of \$30,000.00 for 48-inch Waterline along Westview from Wisterwood to Gessner, GFS S-0900-48-3 (WA10613); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

ORDINANCES - continued

39. Council Member Goldberg tagged

ORDINANCE appropriating \$1,671,200.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION COMPANY, INC** on low bid of \$1,359,250.00 and approving and authorizing professional services contract for engineering testing services with **ATSER, LP** in the amount of \$40,000.00 for Pressure Reducing Valve Station Improvements Package #1, GFS S-0900-76-3 (WA10658); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - BONEY; E - TODD and I - CASTILLO**

40. Council Member Keller tagged

ORDINANCE appropriating \$1,071,869.00 out of Water and Sewer System Consolidated Construction Fund, as an additional appropriation for the Construction Management Services Contract with **LOCKWOOD, ANDREWS & NEWNAM, INC**, approved by Ordinance No. 99-312 CIP S-0900-43-3 (10448-2)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA – NUMBERS 41 through 43

MISCELLANEOUS

41. Motion 2001-0527

MOTION to set a date not less than seven (7) days from May 16, 2001 to receive nominations for Positions Nine and Eleven of the **ARCHAEOLOGICAL AND HISTORICAL COMMISSION** with two year terms to expire March 1, 2003
SET NEXT WEDNESDAY, MAY 23, 2001

42. Motion 2001-0528

MOTION to set a date not less than seven (7) days from May 16, 2001 to receive nominations for Position 5 of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD** for a term to expire March 1, 2003
SET NEXT WEDNESDAY, MAY 23, 2001

43. Motion 2001-0529 – Close nominations

RECEIVE nominations for Position 20 of the **HOUSTON READ COMMISSION**, the three year term to expire January 1, 2004
Mr. Onne Jeu nominated

MATTERS HELD - NUMBERS 44 through 47

Motion 2001-0504 – Suspend rules to consider Item 44 out of order

44. Ordinance 2001-0417

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**
TAGGED BY COUNCIL MEMBERS ROBINSON and KELLER

This was Item 24 on Agenda of May 9, 2001

MATTERS HELD - continued

Motion 2001-0505 – Suspend rules to consider Item 45 out of order

Motion 2001-0506 – Suspend rules to hear from Mr. Bob Eury relative to Item 45

45. Ordinance 2001-0418

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 - **TAGGED BY COUNCIL MEMBER TATRO**

This was Item 28 on Agenda of May 9, 2001

Motion 2001-0503 – Suspend rules to consider Items 46, 27 and 28 out of order

46. Ordinance 2001-0416

ORDINANCE authorizing \$56,900,000.00 out of Airport System Special Facilities Taxable Revenue Bonds (CRCF), CIP A-0026, \$250,000.00 out of Airport System Special Facilities Taxable Revenue Bonds (CRCF), CIP A-0422 for compliance with the Civic Art Program, awarding construction contract to **THE MORGANTI GROUP, INC** and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston (IAH), Project 444B - **DISTRICT B - GALLOWAY** **POSTPONED BY MOTION # 2001-457, 5/2/01**

This was Item 51 on Agenda of May 2, 2001

47. Not Received - Not Considered

NOTE: The following is a new item and an alternative to Item 46 and shall not be considered if Item 46 is adopted

ORDINANCE authorizing \$58,608,409.00 out of Airport System Special Facilities Taxable Revenue Bonds (CRCF) CIP A-0026 and \$250,000.00 out of Airport System Special Facilities Taxable Revenue Bonds (CRCF) CIP A-0422 for compliance with the Civic Art Program, awarding construction contract to **MANHATTAN CONSTRUCTION COMPANY** and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** for the Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston (IAH), Project No. 444B - **DISTRICT B - GALLOWAY**

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Boney 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

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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

**5/15/01 – Council Members Boney, Todd and Sanchez absent on City business
Council Members Keller and Bell absent on personal business
Council Member Quan out of the City on City business**

5/16/01 – Council Member Todd absent on City business