

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 7, 2001 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS 2001-1192 to 2001-1216
ORDINANCES 2001-1009 to 2001-1026
RESOLUTION - None

No. 2001-1191-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Castillo

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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

HEARINGS - 9:00A.M.

1. Motion 2001-1192 – Close Hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 344** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes all of the area in Harris County Municipal Utility District No. 344

2. Motion 2001-1193 – Close Hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 361** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to disannex all of the area in Harris County Municipal Utility District No. 361 to annex such area for limited purposes

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 3 through 34

MISCELLANEOUS – NUMBER 3

Motion 2001-1204 – Suspend rules to hear from Judge Berta Mejia on Item 3

3. Motion 2001-1196

REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **MUNICIPAL COURTS**:

JUDGE BERTA A. MEJIA, as Presiding Judge for a term to expire 5/29/2003

Position 2 - **JUDGE FAD WILSON, JR.**, reappointment, for a term to expire 7/1/2003

Position 3 - **JUDGE GORDON MARCUM**, appointment, for a term to expire 11/15/2003

Position 9 - **JUDGE LEIGH F. SAINT-GERMAIN**, reappointment, for a term to expire 7/1/ 2003

Position 11 - **JUDGE HECTOR M. HERNANDEZ**, reappointment, for a term to expire 5/29/2003

Position 12 - **JUDGE ELAINE M. TIMBERLAKE**, reappointment, for a term to expire 7/1/2003

ACCEPT WORK – NUMBER 4

4. Motion 2001-1197

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,527,920.86 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation in Northside Phase II, GFS R-1024-01-3 (4735-1) - 13.44% under the original contract amount - Enterprise Fund - **DISTRICTS A - TATRO and H - VASQUEZ**

PROPERTY - NUMBERS 5 through 10

5. Motion 2001-1198

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel A99-107, located 167 feet north of Homer Street, owned by Cynthia V. Jetson, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY**

6. Motion 2001-1199

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel A99-130, located 210 feet south of Melon Street, owned by Will Brown or his unknown heirs, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY**

7. Motion 2001-1200

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel A99-135, located 60 feet north of Melon Street, owned by James Harrison or his unknown heir(s), for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY**

8. Motion 2001-1201

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel C97-6, located in the 11000 block of Dumas Street, owned by Edward Wister McCarthy, Del McCarthy, Elva McDonald Sanders, Dorothy C. McDonald, Doyle McDonald; and Charles B. Sanders and Elva Sanders Weatherford, Individually and as Independent Executors of the Estate of Elva McDonald Sanders, Deceased, for the **DUMAS**

PROPERTY - continued

9. Motion 2001-1202

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel DYO-38, located in the 7700 block of Sam Houston Parkway, owned by John B. Brent, for the **SANITARY SEWER EASEMENT IN CONNECTION WITH ROARK #4 LIFT STATION PROJECT, CIP R-0267-A3-3 - DISTRICT F - ELLIS**

10. Motion 2001-1203

RECOMMENDATION from Director Department Public Works & Engineering to purchase Parcel A91-135, located at 6811 Wheatley Street, owned by Betty Jo Trahan and husband, William H. Trahan, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York, CIP N-0546 - DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 17

11. Motion 2001-1209

AMEND MOTION #99-39, 1/13/99, as previously amended by Motion #99-1978 and 2001-310, **TO INCREASE** quantity by six Additional Modular Ambulance Bodies for Fire Department, and award to **FRAZER, INC** - \$264,000.00 - Equipment Acquisition Consolidated Fund

12. Motion 2001-1210

AMEND MOTION #98-1927, 12/2/98, TO EXTEND expiration date for three months from December 1, 2001 to March 2, 2002, for Medical, Vitamins Prenatal for Health & Human Services Department, and award to **DIVERSIFIED MEDICAL SERVICES INTERNATIONAL (DMSI) (Bid No. 1)**

13. Motion 2001-1205

ESCALANTE CONSTRUCTION, INC for Emergency Repair of a Well Collection Line for Department of Public Works & Engineering - \$94,000.00 - Enterprise Fund

14. Motion 2001-1206

J. T. B. SERVICES, INC for Demolition Services for Department of Public Works & Engineering \$90,390.00 and contingencies for a total amount not to exceed \$94,909.50 - Dangerous Building Consolidated Fund

15. Motion 2001-1207

ANWAR AHMED AND COMPANY for Metal, Detector/Locator for Department of Public Works & Engineering - \$60,401.97 - Enterprise Fund

16. Motion 2001-1208

ALSTOM POWER, INC for Replacement Parts for Five Flash Dryer Paddle Mixers for Department of Public Works & Engineering - \$136,458.00 - Enterprise Fund

17. Motion 2001-1211

UNDERGROUND, INC - \$592,898.00, **KINLOCH EQUIPMENT & SUPPLY, INC** - \$552,610.00 and **SRECO-FLEXIBLE, INC** - \$80,086.00 for Equipment, Sewer Cleaning Replacement Parts for Various Departments - General and Enterprise Funds

ORDINANCES - NUMBERS 18 through 34

18. Ordinance 2001-1009

ORDINANCE approving and authorizing a consent to encroach, allowing certain improvements owned by Everitt Fernando Antonio Soliz and Itze Olga Maria Soliz, the abutting owners, to encroach 30 square feet, more or less, into the City's street right of way for Kyle Street, adjacent to Lot 1, Block 5, Roseland Addition, Harris County, Texas; subject to the terms and conditions of the consent to encroach

19. Ordinance 2001-1016

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 14-foot wide utility easement, a 10-foot drainage easement, and a 15-foot wide sanitary sewer easement, containing an aggregate of 13,828 square feet of land, more or less, all being located within Block 4, Deer Ridge Estates, Section One, Partial Replat and Extension, Harris County, Texas; vacating and abandoning said tracts of land to Jack and Lynn Fields, the abutting owners, in consideration of owners' payment of \$23,853.00 and other consideration to the City - **DISTRICT E - TODD**

20. Council Members Castillo and Quan tagged

ORDINANCE issuing a permit to **BPP-1, L.P.**, for building, constructing, using, operating, maintaining and repairing a building retention system within portions of Preston Avenue, Crawford Street and Prairie Avenue abutting Block 50, S.S.B.B.; 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 - **DISTRICT I - CASTILLO**

21. Ordinance 2001-1010

ORDINANCE approving an application to the **TEXAS DEPARTMENT OF HEALTH** for the HIV/STD Prevention and Control Program; declaring the City's Eligibility for such grants; authorizing the Director of the Houston Department of Health and Human Service to accept and expend such grant funds for the January 1, 2002 through December 31, 2002 period, and to accept and expend subsequent awards, if any, during the project period

22. Ordinance 2001-1017

ORDINANCE approving and authorizing a sixth contract amendment between the City of Houston and **RECOVERY CAMPUS OF HOUSTON, INC**, to provide an extension of such contract and additional funding in the amount of \$260,000.00 from the Community Development Block Grant Program to assist in the cost of leasing St. Elizabeth Hospital, which leased facility is utilized to provide substance abuse treatment for the addicted indigent population - **DISTRICT B - GALLOWAY**

23. Ordinance 2001-1018

ORDINANCE approving and authorizing tenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON, INC** to provide an extension of such contract and additional funding in the amount of \$815,000.00 from the Community Development Block Grant Program for the Administration of a Juvenile Delinquency Prevention Program

24. Ordinance 2001-1019

ORDINANCE approving and authorizing ninth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON, INC** to provide an extension of such contract and additional funding in the amount of \$895,000.00 from the Community Development Block Grant Program for the Administration of a Child Care Program

ORDINANCES - continued

25. Ordinance 2001-1020

ORDINANCE approving and authorizing ninth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON, INC** to provide an extension of such contract and additional funding in the amount of \$1,934,000.00 (\$1,234,000.00 from the Emergency Shelter Grants Program and \$700,000.00 from the Community Development Block Grant Program) for the Administration of an Emergency Shelter Grants Program

26. Ordinance 2001-1021

ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC** providing up to \$1,424,750.00 in Housing Opportunities for Persons with Aids ("HOPWA") Funds for Administrative Costs, Housing Assistance, Supportive Services and Short-Term Rent, Mortgage and Utility Assistance, which sum includes a limitation of additional funding in the amount of \$712,375.00 - **DISTRICT I - CASTILLO**

27. Ordinance 2001-1023

ORDINANCE appropriating \$110,650.00 out of Parks Special Fund (Edwin Allday Trust Account) for, and approving and authorizing the purchase from **FRIENDSWOOD DEVELOPMENT COMPANY, LTD.**, a Texas Limited Partnership, of a tract of land located in the 3900 block of Rustic Woods, and Title/Policy Services connected therewith, for and in connection with the City of Houston Kingwood Park Acquisition Project; Parcel Number by 1-003; CIP Number F-0206-61-1 - **DISTRICT E - TODD**

28. Ordinance 2001-1011

ORDINANCE appropriating \$92,444.91 out of General Improvement Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **CHARLES D. GOODEN CONSULTING ENGINEERS, INC** for the Renovation of Multi-use Pavilions at Joplin Street, Clinton and Gutierrez Parks, CIP F-0466-01-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT I - CASTILLO**

29. Ordinance 2001-1022

ORDINANCE awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** and approving and authorizing professional services contract for engineering testing service with **TOLUNAY-WONG ENGINEERS, INC** for construction of City of Houston's National Pollution Discharge Elimination System - Storm Water Pollution Minimization Plan - 8430 New Castle, GFS M-0126-50-3 (SM-5022) - \$842,000.00 - Street & Drainage Maintenance Fund - **DISTRICT C - GOLDBERG**

30. Ordinance 2001-1012

ORDINANCE appropriating \$2,592,800.00 out of Water and Sewer Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** for Water Line Replacement in the Paul Quinn Gardens and Noble Subdivisions, GFS S-0035-61-3 (WA10588); providing funding for construction of facilities financed by the Water and Sewer Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

31. Ordinance 2001-1013

ORDINANCE appropriating \$754,400.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** for Water Main Replacement in Cloverland Subdivision, GFS S-0035-63-3 (WA10587); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT D - BONEY**

32. Ordinance 2001-1014

ORDINANCE appropriating \$1,119,600.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **EXCALIBUR CONSTRUCTION, LTD** and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** for Lake Houston Dam Rehabilitation of Erosion Control Structure No. 1, GFS S-0890-BV-3 (WA10567-1); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT E - TODD**

33. Ordinance 2001-1015

ORDINANCE appropriating \$630,000.00 out of the Street and Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** for construction of Safe Sidewalk Program, GFS N-0610A-G7-3 (SB9007-3); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - TATRO**

34. Not Received - Not Considered

ORDINANCE appropriating \$1,045,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION CO., INC** and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** for construction of Northcourt Road Paving: Guhn Road to 800 feet east of Alamo Road, GFS N-0740-01-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 35 through 38

35. Motion 2001-1212 – Postpone one (1) week

ORDINANCE approving and authorizing on contract between the City and **PATTON BOGGS LLP** for Federal Representation; providing a maximum contract amount - 3 Years - \$953,000.00 General Fund - **POSTPONED BY MOTION #2001-1148, 10/24/01**
This was Item 45 on Agenda of October 24, 2001

MATTERS HELD - continued

36. Motion 2001-1213 – Postpone one (1) week

ORDINANCE approving and authorizing the conveyance by the City of a tract of land out of Willow Creek Estates to the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for use as a Detention Basin; Parcel Number SY1-088; subject to the terms and conditions of the conveyance **DISTRICT C - GOLDBERG** - **TAGGED BY COUNCIL MEMBER GOLDBERG**
This was Item 41 on Agenda of October 31, 2001

37. Motion 2001-1214

RECOMMENDATION from Director Department Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Shirley A. Hopkins, on behalf of Charles G. Shears, Trustee, for abandonment and sale of Englemohr Street (formerly Amos Street) and Sarah Avenue, from Fannin Street to Daniel Street, Knights Main Street Addition, Parcels SY2-009A and SY2-009B – **(Charles Rincher and Travis Cooper, Appointed)** - **APPRAISERS - DISTRICT D - BONEY**
POSTPONED BY MOTION #2001-1184, 10/31/01
This was Item 60 on Agenda of October 31, 2001

Motion 2001-1194 – Suspend rules to consider Item 38 out of order

38. Motion 2001-1195 - Adopt

MOTION by Council Member Vasquez/Seconded by Council Member Castillo to adopt recommendation from Director Municipal Courts for approval of Convenience Fee for Traffic, Non-traffic and Parking Tickets paid through the Online Ticket Payment Application
POSTPONED BY MOTION #2001-1189, 10/31/01
This was Item 64 on Agenda of October 31, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Robinson first

CITY COUNCIL RECESS TO 9:30 A.M. - FRIDAY - NOVEMBER 9, 2001

ELECTION MATTERS

39. Ordinance 2001-1024

ORDINANCE canvassing the returns of the City of Houston General Election held on November 6, 2001; counting the votes cast; making various findings and provisions related to the subject; determining the official results of the General Election; and declaring the emergency

40. Ordinance 2001-1025

ORDINANCE canvassing the returns of the City of Houston Special Election held on November 6, 2001, for the purpose of submitting to the qualified electors of the City of Houston, Texas certain propositions for the issuance of Public Improvement Bonds for various purposes; counting the votes cast; making various findings and provisions related to the subject; declaring the official results of the Special Election; and declaring an emergency

ELECTION MATTERS - continued

41. Ordinance 2001-1026

ORDINANCE canvassing the returns of the City of Houston Special Election held on November 6, 2001, for the purpose of submitting to the qualified voters of the City of Houston, Texas three propositions for the amendment of the City Charter; counting the votes cast; making various findings and provisions related to the subject; declaring the official results of the Special Election; and declaring an emergency

Motion 2001-1215 – Suspend rules to hear from Mr. Ernest Franklin and Ms. Victoria Collins

Motion 2001-1216 – Suspend rules to add two (2) speakers to speakers list

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

11/7/01 – All Present

11/9/01 – Council Members Keller, Sanchez and Bell absent