

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 14, 2001 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS 2001-1217 to 2001-1245
ORDINANCES 2001-1027 to 2001-1052
RESOLUTION - None

No. 2001-1216-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Bell

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

HEARINGS - 9:00A.M.

1. Motion 2001-1217 – 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 2001-1218 – 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

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

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 3 through 48

MISCELLANEOUS - NUMBERS 3 and 3-1

3. Motion 2001-1221

RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **BILLY G. WILLOUGHBY**

MISCELLANEOUS - continued

3-1 Motion 2001-1222

RECOMMENDATION from Director Department of Human Resources to increase funding for current contract between the City and **METRO** for purchase of Employee Transit Passes - \$16,000.00 - Disaster Recovery Fund

ACCEPT WORK - NUMBER 4

4. Council Member Keller tagged

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,488,138.62 and acceptance of work on contract with **A-TEC ENGINEERS AND CONTRACTORS, INC** for New Fire Station No. 15, GFS G-0059-01-3 - 10.29% over the original contract amount - CDBG and General Improvements Consolidated Construction Funds **DISTRICT H - VASQUEZ**

PROPERTY - NUMBERS 5 through 9

5. Motion 2001-1223

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Lin, Lin Engineering, Inc., on behalf of Scott Street Limited Partnership [Scott Street Group, LLC (Pamela Barineau, president), managing general partner] and Missionary Village Apartments Company (John N. Barineau, II, Marilyn Whitehurst, Evelyn Quinn, and Barineau Investments, LP, a family trust (John N. Barineau, III and Marilyn Whitehurst, trustees), general partners], for abandonment and sale of a portion of a utility easement, located within Lots 5 through 8, Block 1, Biamonte Addition, and Mt. Pleasant Street, from Lot 7, Block 1, Biamonte Addition to its cul-de-sac terminus, in exchange for the conveyance for a corner clip, a new cul-de-sac, a water line easement and a utility easement, Parcels SY2-018A, SY2-018B, SY2-022, AY2-147A, AY2-147B, KY2-035, KY2-036 and VY2-006 - **DISTRICT D - BONEY**

6. Motion 2001-1224

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel A99-111, located 72 feet south of Wilburforce Street, owned by Rudolph Norris, for the **ELLABOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY**

7. Motion 2001-1234

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel AY1-9, located in the 12,800 block of High Star, owned by Anrem Corporation, a Texas corporation, Robert Kirchner, Assistant Vice President, for the **HIGH STAR LIFT STATION PROJECT**, CIP R-0267-05-2 - **DISTRICT F - ELLIS**

8. Motion 2001-1225

RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel CY1-1, located in the 9000 block of Kirby Drive, owned by Marinter USA, Inc., a Texas corporation, and American Mutual Properties, Inc., a Texas corporation, George Anthoulis, President, for the **KIRBY #3 LIFT STATION PROJECT**, CIP R-0267-65-1 - **DISTRICT D - BONEY**

PROPERTY - continued

9. Motion 2001-1226

RECOMMENDATION from Director Department of Public Works & Engineering for purchase of Parcel KYO-101, located at the northwest corner of the Sam Houston Parkway and Clarborough Place, owned by Metropolitan Transit Authority of Harris County, a public body corporate and politic organized and existing under Chapter 451, Texas Transportation Code, Shirley Taliaferro, Director of Real Estate, for the **KATY-ADDICKS WATERLINE EASEMENTS PROJECT**, CIP S-0900-47-2 - \$45,139.00 - Enterprise Fund - **DISTRICT A - TATRO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 19

10. Motion 2001-1235

TOTAL RECALL CORP. for CCTV Components, Parts & Repairs Contract for Aviation and Police Departments - \$391,000.00 - General and Enterprise Funds

11. Motion 2001-1236

AAR, INC for Mold Remediation and Demolition Services for the Building Services Department \$38,900.00 and contingencies for an amount not to exceed \$41,895.00 - Fire Department Revolving Fund

12. Motion 2001-1227

SOUTHERLAND CONSTRUCTION COMPANY for Door Replacement Project at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department \$161,699.00 and contingencies for a total amount not to exceed \$169,783.95 - Enterprise Fund

13. Motion 2001-1228

TEXAS DEPARTMENT OF HEALTH for Certification and Re-certification Testing of Emergency Medical Technicians and Paramedics for Fire Department - \$90,750.00 - General Fund

14. Council Member Quan, Robinson and Keller tagged

POM, INC for Electronic Parking Meters for Municipal Courts - \$501,101.70 - Equipment Acquisition Consolidated Fund

15. Motion 2001-1229

FLUID CONSERVATION SYSTEMS, INC for a Leak Detector Correlator System for Department of Public Works & Engineering - \$39,250.00 - Enterprise Fund

16. Motion 2001-1230

LAY-SU & ASSOCIATES, INC - \$99,200.00 and **PTI, INC** - \$99,090.00 for Structural Analysis Services for Department of Public Works & Engineering - Dangerous Building Consolidated Fund

17. Motion 2001-1231

TROY CONSTRUCTION, L.L.P. for Emergency Repair of Sanitary Sewer Line for Department of Public Works & Engineering - \$218,373.10 - Disaster Recovery Fund

18. Motion 2001-1232

HAHN & CLAY for Emergency Repair of Two Centrifuges for Department of Public Works & Engineering - \$35,092.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

19. Motion 2001-1233

FLEET SAFETY EQUIPMENT, INC for Automotive, Whelen Light Bars and Parts for Various Departments - \$2,516,023.00 - General, Enterprise and Fleet Management Funds

ORDINANCES - NUMBERS 20 through 48

20. Ordinance 2001-1039

ORDINANCE amending **SECTION 24-6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to eliminating fees for Library Borrower's Cards; containing other provisions relating to the foregoing subject; providing for severability

21. Ordinance 2001-1040

ORDINANCE approving and authorizing a consent to encroach, allowing certain improvements owned by Bayou Park Limited, the abutting owner, to encroach an aggregate of 3,203 square feet, more or less, into the Bagby, Franklin, and Washington Street rights of way, adjacent to Lot 10 and Tracts 1A, 2A, 9 and 11A, Block 45B, North Side Buffalo Bayou, Harris County, Texas; subject to the terms and conditions of the consent to encroach - **DISTRICT H - VASQUEZ**

22. Ordinance 2001-1028

ORDINANCE consenting to the addition of 33.09 acres of land to **REMINGTON MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district

23. Ordinance 2001-1041

ORDINANCE establishing the south side of the 1300 block of Edwards Street within the City of Houston as a Special Building Line Requirement Area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT H - VASQUEZ**

24. Ordinance 2001-1029

ORDINANCE approving and authorizing contract between the City and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Safe Schools/Health Students Initiative Program \$49,920.00 - Grant Fund

25. Ordinance 2001-1051

ORDINANCE approving and authorizing Public Improvement Development Agreement between the **CITY OF HOUSTON, TEXAS, REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**, and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** for the Design, Construction and Acquisition of certain public improvements in the Old Sixth Ward Zone; providing for the reimbursement of previously expended or committed project costs - \$112,660.00 - TIRZ Fund 918 - **DISTRICT H - VASQUEZ**

26. Ordinance 2001-1030

ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, **OFFICE DEPOT, INC** and **OPUS SOUTH CORPORATION** to **OFFICE DEPOT OF TEXAS, L.P.** - **DISTRICT A - TATRO**

27. Ordinance 2001-1042

ORDINANCE establishing precincts and designating polling places for the City of Houston, Texas, Runoff Election to be held on December 1, 2001

ORDINANCES - continued

28. Ordinance 2001-1043

ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston Runoff Election to be held on December 1, 2001; prescribing the maximum number of election clerks for each voting precinct

29. Ordinance 2001-1044

ORDINANCE approving and authorizing an application to the **U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION** for a Continuing, non-competing grant for the City's Immunization Field and Program Services; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health & Human Services 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; authorizing nine (9) new staff positions to be funded by the Grant \$2,347,564.00 - Grant Fund

30. Ordinance 2001-1050

ORDINANCE appropriating \$56,350.00 out of Park Consolidated Construction Fund No. 421 and approving and authorizing application for grant assistance from the U.S. Department Of Interior, for Rehabilitation of Swiney Park; declaring the City's eligibility for such grant; authorizing the Director of Parks and Recreation to act as the City's representative in the application process; authorizing the Director of Parks and Recreation to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the Program; approving and authorizing a grant agreement between the City and the **U.S. DEPARTMENT OF INTERIOR DISTRICT B - GALLOWAY**

31. Ordinance 2001-1052

ORDINANCE approving and authorizing contract between the City and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the purchase of Employee Transit Passes - \$715,851.00 - General, Grant, Enterprise and Other Funds

32. Ordinance 2001-1301

ORDINANCE appropriating \$1,145,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of 34.75 acres out of the T. S. Roberts Survey, Abstract 659, Houston, Harris County, Texas, and the improvements located thereon, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving and authorizing Purchase and Sale Agreement with Ronald Andrews, M.D., Naomi Cox Andrews, Cheryl G. Jones, Reginold M. Jones, and Howard Reiner to acquire the land and improvements thereon for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

33. Ordinance 2001-1032

ORDINANCE appropriating \$1,725,970.00 out of GRB Consolidated Construction Fund for, and approving and authorizing purchase from Frank L. Dailing and Rosemary Dailing, both individually and as trustees of their respective trusts, and Leo J. Dailing of a tract of land, improvements and Title Policy/Services, for and in connection with the extension of Avenida de las Americas Project; being out of portions of Lots 4 and 11, and all of Lot 5, Block 119, S.S.B.B., Houston, Harris County, Texas; Parcel Number AY1-046; CIP B-0069-00-1 - **DISTRICT I - CASTILLO**

ORDINANCES - continued

34. Ordinance 2001-1033

ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **HOUSTON MARINE SERVICES, INC** - Through December 31, 2020

35. Council Member Tatro tagged

ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **COASTAL TECHNICAL SERVICES, L.L.C.**, to settle a claim - \$56,800.00 Disaster Recovery Fund

36. Omitted

37. Ordinance 2001-1045

ORDINANCE approving and authorizing amendment No. 1 to contract between the City of Houston and **ALWAYS IN SEASON DECORATING SERVICES, INC** for the Rental of Holiday Decorations for George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - \$104,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD**

38. Ordinance 2001-1034

ORDINANCE approving and authorizing professional services contract between the City of Houston and **CONWAY CONSULTING, LTD.** for Airport Consulting Services for George Bush Intercontinental Airport/Houston and William P. Hobby Airport - \$110,000.00 - Enterprise Fund **DISTRICTS B - GALLOWAY and E - TODD**

39. Ordinance 2001-1035

ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing professional engineering services contract between the City of Houston and **TRAFFIC ENGINEERS, INC** for City-Wide On-Call Transportation Engineering Services, CIP N-0650-06; providing a maximum contract amount

40. Ordinance 2001-1046

ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional environmental consulting services contract between the City of Houston and **ENVIROSTUDY INTERNATIONAL, INC**, CIP D-0073-08-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund

41. Council Member Tatro tagged

ORDINANCE appropriating \$22,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Environmental Site Assessment Phase I & II Studies at Clay Brittmore Street Detention Pond Site under professional Environmental Consulting Services contract with **ROY F. WESTON, INC** (approved by Ordinance No. 99-0557), CIP S-0019-02-2 and D-0076-02-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

42. Ordinance 2001-1036

ORDINANCE appropriating \$12,100.00 out of Public Health Consolidated Construction Fund and approving and authorizing amendment to professional engineering contract (approved by Ordinance No. 99-0696) between the City of Houston and **DABNEY ENGINEERING LLC** for Design of Cooling Tower Replacement and New Fire Alarm System at North Stadium Drive Building, CIP H-0046-01-2 and H-0031-01-2 - **DISTRICT D - BONEY**

ORDINANCES - continued

Motion 2001-1219 – Suspend rules to consider Items 43 and 55 out of order

43. Council Member Tatro tagged

ORDINANCE appropriating \$1,303,684.48 out of City of Houston Airport System Subordinate Lien Revenue Bonds, Series 200B (NON-AMT) Construction Fund, CIP A0475, awarding construction contract to **JERDON ENTERPRISE, L.P.**, and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** for Westside Wetlands Mitigation, Project No. 586 - **DISTRICT B - GALLOWAY**

44. Ordinance 2001-1037

ORDINANCE appropriating \$1,563,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.**, and approving and authorizing professional services contract for engineering testing services with **OC LABORATORIES, INC** for Water Main Replacement in Songwood/Wood Shadows Subdivision, GFS S-0477-01-3 (10480); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - CASTILLO**

45. Ordinance 2001-1038

ORDINANCE appropriating \$1,035,000.00 out of Water & Sewer System Consolidated Construction Fund 755 (Number R-0019-RE-1, \$360,000.00 and Number S-0517-RE-1, \$675,000.00) for the purposes described herein, finding and declaring that public convenience and necessity exist for and require the Capital Improvement Projects identified in this ordinance, and approving and authorizing the purchase of easements and other interests in Real Property and the payment of the costs of such purchases and/or condemnations of such Real Property and associated costs for appraisal fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with Capital Improvement Projects identified herein

46. Ordinance 2001-1047

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 (N-0740-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - TATRO**

47. Ordinance 2001-1048

ORDINANCE appropriating \$352,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CURB PLANET, INC** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for construction of Safe Sidewalk Program, GFS N-0610A-G3-3 (SB9029-3); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - BONEY; F - ELLIS and G - KELLER**

48. Pulled - Not Considered

ORDINANCE amending City Of Houston, Texas Ordinance No. 2000-678 relating to the grant of a Cable Television Franchise to **WESTERN INTEGRATED NETWORKS OF TEXAS OPERATING, L.P.**; containing provisions relating to the subject; making certain findings related thereto; and providing for severability - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 49 through 53

MISCELLANEOUS

49. Motion 2001-1237 – Uphold Automotive Board

REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Gentle Edwards of **G. M. EDWARDS MOTOR SALES** regarding Application for Automotive Repair Facility License #236631201

50. Motion 2001-1238 – Uphold Automotive Board

REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Soroush Sahami of **LONE STAR IMPORTS USED AUTO PARTS** regarding Application for Automotive Rebuilder and Dismantler License #0237651201

51. Motion 2001-1239

SET A PUBLIC HEARING DATE to consider the creation of a Reinvestment Zone for **R&L CARRIERS, INC - DISTRICT I - CASTILLO**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 5, 2001

Motion 2001-1245 – Suspend rules to allow setting date 6 days from 11/14/01 to receive nomination referred to in Item 52

52. Motion 2001-1240

MOTION to set a date not less seven (7) days form November 14, 2001 to receive nominations for Positions A through I of the **HOUSTON CLEAN CITY COMMISSION**, the one year terms to expire February 1, 2002

Motion 2001-1241 – Procedural Motion

Motion 2001-1242 – Procedural Motion

53. Motion 2001-1243

AMEND MOTION #2001-1143, 10/24/01, TO CHANGE the final contract amount from \$2,668,012.56 to \$2,694,962.18 for acceptance of work on contract with **PARALLAX SERVICES, INC** for construction of Fire Station No. 96 - **DISTRICT A - TATRO - REQUIRES THREE MOTIONS**

MATTERS HELD - NUMBERS 54 through 56

54. Motion 2001-1244 – Postpone two (2) weeks

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**
TAGGED BY COUNCIL MEMBERS CASTILLO and QUAN
This was Item 20 on Agenda of November 7, 2001

MATTERS HELD - continued

Motion 2001-1220 – Amend Item 55 to provide that the 1 year renewal shall be contingent upon Council approval

55. Ordinance 2001-1027 – Adopt as amended

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 #2001-1212, 11/7/01**

This was Item 35 on Agenda of November 7, 2001

56. Ordinance 2001-1049 – Adopt

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** - **POSTPONED BY MOTION #2001-1213, 11/7/01**

This was Item 36 on Agenda of November 7, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Quan 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

11/14/01 – All Present