

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 11, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2001-1002 to 2001-1014
ORDINANCES 2001-0832 to 2001-0850
RESOLUTION – None

No. 2001-1001-1

Tuesday's session postponed until Wednesday

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Quan

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
Speakers heard on Wednesday, September 12, 2001

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 12, 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 26

MISCELLANEOUS - NUMBER 1

1. **Motion 2001-1006**
RECOMMENDATION from Fire Chief for Extension of Injury Leave for **BRIAN GAEKE**

DAMAGES – NUMBER 2

2. **Motion 2001-1008**

AGENDA - SEPTEMBER 12, 2001 - PAGE 2

RECOMMENDATION from City Attorney for settlement of lawsuit styled **JOSE SORTO** v. The City of Houston; in the 400th Judicial District Court of Fort Bend County, Texas, Cause No. 108,783 - \$165,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBER 3

3. Motion 2001-1009

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$14,358,569.74 and acceptance of work on contract with **REDDY ENGINEERS AND CONTRACTORS, INC** for Expansion of Southwest Water Plant, GFS S-1003-00-3 (10402) - 01.55% over the original contract amount - **DISTRICT C - GOLDBERG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 7A

4. Motion 2001-1007

REGAL PLASTIC COMPANY, INC for Plastic Baggage Tub for Aviation Department \$69,600.00 - Enterprise Fund

5. Motion 2001-1010

ROQUEMORE'S DIRT AND TRUCKING CO. - \$26,400.00, **TXI OPERATIONS, LP (Bid #2)** \$334,500.00 and **DDS AGGREGATES, INC** - \$58,500.00 for Red Clay/Sand Mixture and Top Dressing Sand Mixtures for Parks & Recreation Department - \$419,400.00 - General and Park Special Revenue Funds

6. Motion 2001-1011

REJECT bid of **FORD CONSTRUCTION COMPANY, INC** as being non-responsive on bid for Sanitary Sewer Rehabilitation Cured-In-Place Pipe (CIPP) Method for Department of Public Works & Engineering

a. Ordinance 2001-0837

ORDINANCE appropriating \$3,861,990.59 out of Water and Sewer System Consolidated Construction Fund, awarding construction contract to **GARVER CONSTRUCTION, LTD, BRH-GARVER, INC** and approving and authorizing professional services contract for engineering testing services with **HTS, INC, CONSULTANTS** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe (CIPP) Method, GFS R-0266-17-3 (4258-9); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund

7. Motion 2001-1012

REJECT bid of **SHE-CO, INC OF HOUSTON** as being non-responsive on bid for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method for Department of Public Works & Engineering

a. Ordinance 2001-0838

ORDINANCE appropriating \$778,698.20 out of Water and Sewer Consolidated Construction Fund, awarding construction contract to **PHOCO, INC d/b/a TELEPHONE COMPANY OF HOUSTON** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-21-3 (4277-7); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund

ORDINANCES - NUMBERS 8 through 26

8. Council Members Ellis, Sanchez and Tatro tagged

ORDINANCE ordering a Special Election to be held jointly on November 6, 2001, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition for the amendment of the City Charter relating to future METRO Rail Projects; making findings and containing other provisions related to the subject; containing a severability clause

ORDINANCES - continued

9. Ordinance 2001-0839

ORDINANCE providing a maximum contract amount for contract between the City of Houston and **JOHN HANCOCK LIFE INSURANCE COMPANY** (as approved by Ordinance No. 98-866) for Basic and Voluntary Life Insurance for City Employees, Retirees, and eligible dependents \$3,358,379.00 - Health Benefits Fund

10. Council Member Keller tagged

ORDINANCE amending Ordinance Number 98-333 to increase the maximum contract amount of contract between the City and **WATSON WYATT AND COMPANY** for Benefits Consulting Services - \$546,000.00 - Health Benefits and Workers' Compensation Funds

11. Ordinance 2001-0833

ORDINANCE consenting to the addition of 0.384 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 47**, for inclusion in its district

12. Ordinance 2001-0840

ORDINANCE authorizing the City of Houston to impose covenants providing for passive use restrictions on a 177 acre tract of land (Parcel No. B89-9C), being a portion of Cullinan Park at Oyster Creek, situated in the M. M. Battle League, Abstract 9 and the Alexander Hodge League, Abstract 32, Fort Bend County, Texas

13. Ordinance 2001-0841

ORDINANCE approving and authorizing contract between the City of Houston and **WE CARE ABOUT KIDS KID-CARE** to provide a grant of \$300,000.00 of Federal Community Development Block Grant ("CDBG") Funds in connection with the Renovation of a Neighborhood Facility located at 205 W. Crosstimbers, Houston, Texas - **DISTRICT H - VASQUEZ**

14. Ordinance 2001-0842

ORDINANCE approving and authorizing contract between the City of Houston and **STEVEN'S HOUSE, INC** to provide a grant of up to \$298,000.00 of Federal "HOPWA" Funds, which amount includes a limitation on additional funding in the amount of \$149,000.00, for supportive services and the operation of a Community Residence at 1635 Dunlavy, Houston, Texas, to serve low-income individuals with HIV/AIDS - **DISTRICT D - BONEY**

15. Council Members Tatro and Parker tagged

ORDINANCE approving and authorizing contract between the City and **ZINA GARRISON ALL COURT TENNIS ACADEMY** for a Tennis Program for Youth; providing a maximum contract amount - \$780,000.00 - General Fund

16. Ordinance 2001-0849

ORDINANCE approving and authorizing contract between the City of Houston and the **STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES ("DIR")** for Long Distance Telephone Services and other Communication Services for Various Departments; providing a maximum contract amount - \$420,000.00 - Central Service Revolving Fund

17. Ordinance 2001-0834

ORDINANCE approving and authorizing fourth amendment to contract (approved by Ordinance No. 95-573) between the City of Houston and **AT&T COMMUNICATIONS, INC** for Internet Services for Various Departments

ORDINANCES - continued

18. Council Members Tatro and Keller tagged

ORDINANCE approving and authorizing a Groundwater Reduction Plan Participation Agreement between the City of Houston and **P & B WATER CORPORATION** - Revenue

19. Ordinance 2001-0835

ORDINANCE approving and authorizing an Untreated Water Supply contract between the City of Houston and the **DEER PARK ENERGY CENTER L.P.** - Revenue

20. Ordinance 2001-0850

ORDINANCE appropriating \$6,500,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing second contract amendment between the City of Houston and **MWH AMERICAS, INC** for Neighborhood Sewer System Improvements, CIP R-0544-01-02 (R-0544-03), Project No. 4751

Motion 2001-1002 – Suspend rules to consider Items 21, 27, 33, 34 and 34a out of order

21. Council Members Keller, Castillo, Boney, Tatro and Goldberg tagged

ORDINANCE appropriating \$323,400.00 out of Airports Improvement Fund and approving and authorizing professional services contract between the City of Houston and **UNISON-MAXIMUS, INC** for Concessions Consulting, CIP A-0399 - **DISTRICTS B - GALLOWAY and E - TODD**

22. Ordinance 2001-0836

ORDINANCE appropriating \$82,152.00 out of Airports Improvement Fund and approving and authorizing amendment No. 2 to Reimbursable Agreement SW-419 between the City of Houston and the **DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION** for Relocation of the HUB VOR/DME at William P. Hobby Airport, CIP A-0141.31 - **DISTRICT E - TODD**

23. Ordinance 2001-0843

ORDINANCE appropriating \$500,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **ATC ASSOCIATES, INC** for Professional Environmental Consulting Services for the Houston Airport System, Project No. 580, CIP A-0131 **DISTRICTS B - GALLOWAY and E - TODD**

24. Council Members Keller and Boney tagged

ORDINANCE appropriating \$14,233,375.00 out of Airport System Subordinate Lien Revenue Bonds, Series 2000B (NON-AMT) Construction Fund, CIP A-0008 and \$226,625.00 out of Airport System Subordinate Lien Revenue Bonds, Series 2000B (NON-AMT) Construction Fund, CIP A-0422; awarding construction contract to **STEWART-MATL, LTD.** and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING COMPANY, INC** for Replacement of CFR 54 with two new ARFF Stations at George Bush Intercontinental Airport/Houston, Project 521B; providing funding for the Civic Art financed by Airport System Bonds 2000B NON-AMT Construction Fund - **DISTRICT B - GALLOWAY**

25. Ordinance 2001-0844

ORDINANCE appropriating \$28,891,361.00 out of Airport System Consolidated 2000 AMT Construction Fund CIP A-0116 and \$21,375,786.00 out Airport System Bonds 2000B NONAMT Construction Fund, awarding construction contract to **CHAMPAGNE-WEBBER INC, TEXAS** and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** for New Cargo Infrastructure at George Bush Intercontinental Airport/Houston, (Project No. 560) - **DISTRICT B - GALLOWAY**

ORDINANCES - continued

26. Ordinance 2001-0845

ORDINANCE appropriating \$2,397,000.53 out of Parks Consolidated Construction Fund and \$173,400.00 out of Park Special Fund, awarding construction contract to **JERDON ENTERPRISES, L.P.**, and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** for Hermann Park Reflection Pool, F-0364-07-3; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund and the Park Special Fund - **DISTRICT D - BONEY**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 27 through 34A

27. Motion 2001-1003

MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation for approval of supplemental allocation of funds on contract with **JOHN HALL PUBLIC AFFAIRS, INC** for Consulting Services related to the implementation of the Federal Clean Air Act - \$250,000.00 - General Fund - **TAGGED BY COUNCIL MEMBER SANCHEZ**
This was Item 2 on Agenda of September 5, 2001

28. Motion 2001-1013

MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,331,207.99 and acceptance of work on contract with **T & C CONSTRUCTION, INC** for Westpark No. 1 Lift Station Expansion, GFS R-1224-16-3 (4459-3) 04.49% over the original contract amount - Enterprise Fund - **DISTRICT C - GOLDBERG**
TAGGED BY COUNCIL MEMBER GOLDBERG
This was Item 6 on Agenda of September 5, 2001

29. Motion 2001-1014

MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel VY0-33, located in the 8700 block of Stella Link, owned by Woodshire Building Company, Inc., a Texas corporation, for the **WILLOW MEADOW RELIEF SEWER PROJECT**, CIP R-2011-2-1 - **DISTRICT C - GOLDBERG** - **TAGGED BY COUNCIL MEMBER GOLDBERG**
This was Item 14 on Agenda of September 5, 2001

30. Ordinance 2001-0846

ORDINANCE amending Ordinance Number 2000-891 to change the name of the permittee and approving the transfer of all rights and obligations under the permit therein issued to **CRESCENT 5 HOUSTON CENTER, L.P.**, successor in interest to Crescent Real Estate Equities Limited Partnership - **DISTRICT I - CASTILLO** - **TAGGED BY COUNCIL MEMBER GOLDBERG**
This was Item 22 on Agenda of September 5, 2001

MATTERS HELD – continued

31. Ordinance 2001-0847

ORDINANCE approving and authorizing amendment to the contract between the City of Houston and the **WESTERN REGIONAL ENVIRONMENTAL EDUCATION COUNCIL, d/b/a COUNCIL FOR ENVIRONMENTAL EDUCATION, INC** for a Collaborative Water Education Program \$110,000.00 - Enterprise and Street & Drainage Maintenance Funds

TAGGED BY COUNCIL MEMBER GOLDBERG

This was Item 26 on Agenda of September 5, 2001

32. Ordinance 2001-0848

ORDINANCE awarding the contract to **JLH COASTAL FUMIGATORS, INC, dba END-O-PEST** for Pest Control Services for Various Departments; providing a maximum contract amount \$688,262.50 - General, Enterprise, Building Inspection and Street & Drainage Maintenance Funds - **TAGGED BY COUNCIL MEMBERS PARKER and QUAN**

This was Item 29 on Agenda of September 5, 2001

33. Motion 2001-1004 – Postpone two (2) weeks

ORDINANCE approving and authorizing contract between City of Houston and **TRIDATA CORPORATION** for Professional Services relating to the Implementation of Emergency Medical Services Planning and Redesign of the EMS System for Fire Department; providing a maximum contract amount - \$100,000.00 - General Fund

POSTPONED BY MOTION #2001-997, 9/5/01

This was Item 37 on Agenda of September 5, 2001

34. Motion 2001-1005

MOTION by Council Member Castillo/Seconded by Council Member Parker to amend Item 34A below to provide revised language for Subsection (f) of Section 3-2

TAGGED BY COUNCIL MEMBER TATRO

a. Ordinance 2001-0832 – Adopt as amended

ORDINANCE amending **CHAPTER 3 OF THE CODE OF ORDINANCES; HOUSTON, TEXAS**, relating to the Sale of Alcohol within the City; containing findings and other provisions relating to the foregoing subject; providing for severability - **DISTRICT I - CASTILLO**

POSTPONED BY MOTION #2001-1001, 9/5/01

This was Item 42A on Agenda of September 5, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Parker 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

09/12/01 – All Present