

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 25, 2001 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS 2001-1045 to 2001-1065
ORDINANCES 2001-0874 to 2001-0892
RESOLUTIONS 2001-0040 to 2001-0041

No. 2001-1044-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Vasquez

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 2001-1045 – Suspend rules to add Mr. Augustine Castilla to the list of speakers

Motion 2001-1046 – Suspend rules to add Mr. Bob Lemer to the one (1) minute non-agenda of speakers list

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 26, 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 through

MISCELLANEOUS - NUMBERS 1 through 3A

1. Motion 2001-1061

REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2003:

MR. WILLIAM F. BURGE, III as Chair of the Authority

Position 4 - **MR. GROVER JACKSON**

Position 5 - **MS. CELINA GARZA RIDGE**

Position 11 - **MR. ALBERT LUNA III**

MISCELLANEOUS - continued

2. Motion 2001-1052

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **RACING EVENTS COMMISSION**:

Position 1 - **MR. DONALD J. HENDERSON**, appointment, for a term ending 12/31/2002

Position 2 - **MR. JOSE ADAN TREVINO**, reappointment, completing an unexpired term ending 12/31/2001

Position 3 - **MR. BARRY SILVERMAN**, reappointment, for a term ending 12/31/2002

Position 4 - **MS. PAT GEORGE-HENDRICKS**, appointment, completing an unexpired term ending 12/31/2001

Position 5 - **MR. RON WILSON**, reappointment, for term ending 12/31/2002

Position 6 - **MR. JAY DAVIS**, reappointment, completing an unexpired term ending 12/31/2001

Position 7 - **MR. GARNET COLEMAN**, reappointment, for a term ending 12/31/2002

Position 8 - **MR. EDWARD RAMMRATH**, reappointment, completing an unexpired term ending 12/31/2001

Position 9 - **MS. CYNTHIA KELSCH**, appointment, for a term ending 12/31/2002

Position 10 - **MR. TERRY CHENG**, reappointment, completing an unexpired term ending 12/31/2001

Position 11 - **MS. CAROLINA WEITZMAN**, appointment, for a term ending 12/31/2002

3. Ordinance 2001-0881

ORDINANCE appropriating \$99,445.36 out of General Improvements Consolidated Construction Fund as an additional appropriation for Construction of Denver Harbor Multi-Service Center, GFS D-0077-01-3 under construction contract with **CONSTRUCTION LTD**, (approved by Ordinance No. 99-0668) - **DISTRICT I - CASTILLO**

3a. Motion 2001-1062

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 11 in the amount of \$99,445.36 on contract with **CONSTRUCTION LTD**. for Denver Harbor Multi-Service Center, GFS D-0077-01-3 **DISTRICT I - CASTILLO**

DAMAGES - NUMBERS 4 and 5

4. Motion 2001-1053

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CARLA CAMERON v. Kermit W. Thomas and City of Houston**, in the County Civil Court at Law No. Four (4) of Harris County, Texas, Cause No. 680,515 - \$16,000.00 - Property and Casualty Fund

5. Motion 2001-1054

RECOMMENDATION from City Attorney for settlement of lawsuit styled **JOCELYN WARNER and Morris Diggs, Individually and as next friend of KEISHA BARNES v. City of Houston**; in the 164th District Court of Harris County, Texas, Cause No. 99-08382 - \$25,000.00 - Property and Casualty Fund

PROPERTY - NUMBERS 6 through 11

6. Motion 2001-1055

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KYO-99, located at 1445 West Sam Houston Parkway, owned by [Bison Building Materials, Ltd., a Texas limited partnership, (Bison Building GP, Inc., a Texas corporation (Pat W. Bierschwale, President) general partner)], for the **KATY-ADDICKS WATERLINE EASEMENTS PROJECT**, CIP S-0900-47-2 - \$31,626.00 - Enterprise Fund - **DISTRICT A - TATRO**

PROPERTY - continued

7. Council Member Goldberg tagged

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel IYO-2, located at 2318 St. Emanuel Street, owned by C. A. Chimene, for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-00-1 - \$177,570.00 Police Consolidated Construction Fund - **DISTRICT I - CASTILLO**

8. Council Member Goldberg tagged

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel IYO-3, located at 2318 St. Emanuel Street, owned by Margarett Thompson Robinson, Individually and as Independent Executrix of the Estate of Judson W. Robinson, Jr., deceased, and Judson W. Robinson, III, Individually, for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-02-1 - **DISTRICT I - CASTILLO**

9. Pulled – Not Considered

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel IYO-4, located at 2312 St. Emanuel, owned by Gerson Cweren, Joseph Cweren and Hannah Cweren for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-02-1 - **DISTRICT I - CASTILLO**

10. Motion 2001-1056

AMEND MOTION #2001-0110, 1/31/01, TO INCLUDE the abandonment and sale of three additional sanitary sewer easements and an exchange for the conveyance to the City of two 5-foot wide right of way easements to widen W. Dallas Avenue and a 10-foot wide sanitary sewer easement - **DISTRICT D - BONEY**

11. Motion 2001-1063

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Everitt Soliz and Itze O. Soliz, for encroachment agreement authorizing a 70.6-foot building encroachment into Kyle Street, located at 901 Richmond Avenue, adjacent to Lot 1, Block 5, Roseland Addition, Parcel ENY2-02 **DISTRICT D - BONEY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 17A

12. Motion 2001-1057

AMEND MOTION #2001-286, 3/21/2001, TO INCREASE quantity to purchase 16 additional Trailers for Aviation and Public Works & Engineering Departments awarded to **TRAILER WHEEL & FRAME COMPANY** for a total increase of \$129,975.00 - Enterprise Fund

13. Motion 2001-1058

BARBIZON LIGHT for Lighting Instrument Package for Convention and Entertainment Facilities Department - \$52,364.19 - Enterprise Fund

14. Motion 2001-1059

WENGER CORPORATION for Musical Support Equipment for the Convention & Entertainment Facilities Department - \$42,300.00 - Enterprise Fund

15. Motion 2001-1060

TEXAS COMMISSION ON FIRE PROTECTION for payment of Annual Firefighter Certification Fees for Fire Department - \$70,000.00 - General Fund

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 17A

16. Motion 2001-1064

COASTAL PUMP SERVICES, INC - \$58,979.00 and **TEXAS CITY ARMATURE WORKS, INC** \$50,809.00 for Repair of Six Submersible Pumps for Department of Public Works & Engineering Enterprise Fund

17. Council Member Tatro tagged

ORDINANCE appropriating \$4,200,000.00 out of Water & Sewer System Consolidated Construction Fund for the purchase of Cold Water Meters for Public Works & Engineering Department, CIP S-0958-01-4

a. Council Member Tatro tagged

BADGER METER, INC for Water Meters, Cold Water Contract for Department of Public Works & Engineering - \$12,475,677.50

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 38

18. Resolution 2001-0040

RESOLUTION dissolving the **LEADER CROSSING PUBLIC IMPROVEMENT DISTRICT** in the City of Houston, Texas; making findings and containing other provisions, related to the subject; and containing a repealer - **DISTRICT F- ELLIS**

19. Ordinance 2001-0882

ORDINANCE authorizing issuance of City of Houston, Texas, Water & Sewer System Junior Lien Revenue Refunding Bonds, Series 2001B, authorizing the Mayor and City Controller to approve the amount, the interest rate, price, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain outstanding bonds; authorizing the execution and delivery of an escrow agreement to provide for the payment of such outstanding bonds; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing Bond Insurance, Escrow Verification, a Co-Bond Counsel Agreement, and a Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Payment Agent/Registrar Agreement; and declaring an emergency

20. Ordinance 2001-0883

ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, **CG7600 L.P.**, and **EXTRUSION TECHNOLOGY CORPORATION** to **RTI FABRICATIONS, L.P.** - **DISTRICT E - TODD**

21. Resolution 2001-0041

RESOLUTION requesting the Texas Department of Economic Development to remove its designation of the **RUSK DEVELOPMENT LIMITED PARTNERSHIP PROJECT** as an enterprise project - **DISTRICT I - CASTILLO**

22. Council Member Tatro tagged

ORDINANCE correcting Item Numbers 23 through 47 (excluding Item Numbers 26, 27 and 36) in the assessment roll included within ordinance Number 88-1747, which ordinance levied assessments with respect to the improvement of portions of West Tidwell Road in the City of Houston, Texas - **DISTRICTS A - TATRO and B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2001-0875

ORDINANCE finding no special benefit to the abutting owner of property described as Tract 1B Block 3, Hillendahl Acres, and authorizing the release of certain assessment liens and apparent liens created by Ordinance No. 93-612 passed May 26, 1993, for the initiation of a paving project for the permanent improvement of a portion of Hammerly Boulevard in the City of Houston, Texas **DISTRICT A - TATRO**

24. Ordinance 2001-0876

ORDINANCE approving and authorizing assignment of thirteen lease agreements covering unimproved land in the Central Cargo Area and one lease agreement covering unimproved land in the Northeast Maintenance Area at George Bush Intercontinental Airport/Houston from **MLR PROPERTIES, L.P.**, successor in interest to the **KING INTERESTS CORP.**, to **AEROTERM HC, LLC** - **DISTRICT B - GALLOWAY**

25. Ordinance 2001-0884

ORDINANCE issuing a permit to **WALTER BAJSEL** and **DR. CORINA-DIAZ BAJSEL** for building, constructing, maintaining, using, occupying, operating, repairing and/or replacing four 4-inch conduits for electrical purposes and one 4-inch conduit for communication cable under and within the 5600 block of Hillman Avenue, such area being within the public street right-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**

26. Ordinance 2001-0877

ORDINANCE approving and authorizing an amendment to sponsorship agreement between the City and **SHADOWBRIAR COMMUNITY ASSOCIATION** for Garbage Collection Service for the respective subdivisions - 10 Months - \$60.00 - **DISTRICT G - KELLER**

27. Ordinance 2001-0885

ORDINANCE appropriating \$61,476.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing first amendment to contract between the City and **FIRST SOUTHWEST COMPANY** for Professional Financial Advisory Services - \$59,072.00 - Enterprise Fund

28. Ordinance 2001-0878

ORDINANCE amending Ordinance No. 98-763 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** for Grounds Maintenance Services for the Houston Police Department - 2 Year extension - \$643,755.00 - General Fund - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - BONEY; E - TODD; G - KELLER; H - VASQUEZ and I - CASTILLO**

29. Ordinance 2001-0886

ORDINANCE appropriating \$1,473,000.00 out of Annexed Districts Construction Fund No. 49J, (Fund), and approving and authorizing compromise and settlement agreement between the City of Houston and **RICHARD N. GOULD, Trustee** to settle a lawsuit which arose out of activities financed by the Fund

RESOLUTIONS AND ORDINANCES - continued

Motion 2001-1051 – Suspend rules to consider Item 30 out of order

30. Ordinance 2001-0874

ORDINANCE appropriating \$350,260.00 out of Public Library Consolidated Construction Fund, and approving and authorizing an architectural services contract between the City of Houston and **RAY BAILEY ARCHITECTS, INC** for Design of the New Stella Link Branch Library, CIP E-0022-01-2; providing funding for construction management, the Civic Art Program and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund **DISTRICT C - GOLDBERG**

31. Ordinance 2001-0879

ORDINANCE appropriating \$175,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to contract between the City of Houston and **RATNALA & BAHL, INC** for professional engineering services in connection with Airfield Pavement Rehabilitation at William P. Hobby Airport, Project No. 566, CIP A-0042, A-0381, A-0385, A-0405, A-0467 and A-0468 - **DISTRICT E - TODD**

32. Ordinance 2001-0887

ORDINANCE appropriating \$1,323,617.37 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TROY CONSTRUCTION, L.L.P.** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-25-3 (4235-13); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund; making various findings and provisions related thereto

33. Ordinance 2001-0880

ORDINANCE appropriating \$100,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **BOVAY ENGINEERS, INC** for Repair/Replacement of Various Wastewater Facilities, CIP R-0268-37-2 (WW4796); providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; H - VASQUEZ and I - CASTILLO**

Motion to amend Item 34 as follows

Section 2 of the ordinance referred to in Item 34 on the September 26, 2001 Houston City Council Agenda, be amended from "...\$0.47601 on each one hundred dollars (\$100.00) of taxable value..." to "...\$0.46601 on each one hundred dollars (\$100.00) of taxable value." Thus effectively lowering the tax rate levied for general purposes by one cent.

34. Council Members Sanchez, Tatro, Vasquez, Keller, Castillo, Boney and Robinson tagged

ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2001

MATTERS RELATED TO NOVEMBER 6, 2001 ELECTION

35. Ordinance 2001-0888

ORDINANCE appointing presiding and alternate judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General Election to be held on November 6, 2001, and any special elections held on such date; prescribing the maximum number of Election Clerks of each voting precinct

RESOLUTIONS AND ORDINANCES - continued

36. Ordinance 2001-0889

ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under election services and translation agreements in connection with the City of Houston Elections to be held in 2001; authorizing the payment of certain costs of such elections - Not to exceed \$400,000.00 - General Fund

37. Ordinance 2001-0890

ORDINANCE amending Ordinance No. 2001-866 ordering a Special Election to be held jointly on November 6, 2001, for the limited purpose of also submitting to the qualified voters of the City of Houston, Texas, a proposition for the amendment of the City Charter relating to Same Sex Domestic Partners Benefits

38. Not Received – Not Considered

NOTE: This Item will be considered only if the City Secretary has delivered her report as of the date of the meeting verifying the validity of the Metro Rail petition

ORDINANCE amending Ordinance No. 2001-866, as amended, ordering a Special Election to be held jointly on November 6, 2001, for the limited purpose of also submitting to the qualified voters of the City of Houston, Texas, an additional proposition for the amendment of the City Charter relating to Metro Rail System Projects

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 39 through 44

39. Ordinance 2001-0891 - Adopt

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 #2001-1004, 9/12/01

This was Item 33 on Agenda of September 12, 2001

40. Council Member Goldberg tagged

MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation to award to **R. P. M. EQUIPMENT COMPANY** for One Rollback Carrier Wrecker Body and Four Towing Wrecker Bodies for Police Department - \$95,599.00 - Equipment Acquisition Consolidated Fund - **TAGGED BY COUNCIL MEMBERS QUAN and ELLIS**

This was Item 12 on Agenda of September 19, 2001

41. Ordinance 2001-0892 - Adopt

ORDINANCE approving and authorizing contract between the City of Houston and **LYNDA MARIE BRYANT D/B/A THE CAPTIONING COMPANY** for Closed-Captioning Services for the Municipal Channel; providing a maximum contract amount - \$200,000.00 - Special Cable Fund

TAGGED BY COUNCIL MEMBER PARKER

This was Item 29 on Agenda of September 19, 2001

MATTERS HELD – continued

42. Motion 2001-1049 – Postpone one (1) week

ORDINANCE appropriating \$356,960.60 out of Water & Sewer Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **JESTER APARTMENTS PARTNERS, LTD.**, for the Construction of Sanitary Sewer and Sanitary Sewer Force Main Lines, CIP R-0800-41-03 - **DISTRICT A - TATRO**

TAGGED BY COUNCIL MEMBERS VASQUEZ, TATRO, QUAN and KELLER

This was Item 31 on Agenda of September 19, 2001

Motion 2001-1050 – Suspend rules to hear from Mr. Jerard Gross, Developer on Item 42

43. Council Member Goldberg tagged

ORDINANCE appropriating \$74,400.00 out of METRO Special Fund and approving and authorizing contract between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Development of a Bicycle Handbook and the purchase of Bicycle Parking Facilities for the Bicycle Parking Program, GFS N-0420-27-2 - \$5,600.00 - General Fund

TAGGED BY COUNCIL MEMBER QUAN

This was Item 32 on Agenda of September 19, 2001

44. Motion 2001-1065 – Postpone one (1) week

ORDINANCE approving and authorizing Restatement of Contract No. 32907 for professional engineering services between the City of Houston and **WILBUR SMITH ASSOCIATES, INC** for the Houston Comprehensive Bikeway Program, GFS N-0420-100-2 (N-0420-100) (approved by Ordinance No. 92-1171)

TAGGED BY COUNCIL MEMBERS BELL, KELLER, TATRO and SANCHEZ

This was Item 33 on Agenda of September 19, 2001

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Bell 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

**09/25/01 – Council Member Robinson out of the City on City business
Council Member Todd absent on City business**

09/26/01 – All Present

AGENDA - COUNCIL MEETING - TUESDAY – OCTOBER 1, 2001 - 10:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

MOTIONS – None
ORDINANCE 2001-0893

No. 2001-xxxx-1

At the request of the Mayor by letter dated September 28, 2001, you are hereby officially notified of a SPECIAL COUNCIL MEETING to be held in the City Council Chamber, Second Floor, City Hall, 901 Bagby, at 10:00 a.m., MONDAY, October 1, 2001, to consider the following item:

Ordinance 2001-0893

ORDINANCE amending Ordinance No. 2001-866, as amended, by Ordinance No. 2001-890, ordering a Special Election to be held jointly on November 6, 2001, for the limited purpose of also submitting to the qualified voters of the City of Houston, Texas, an additional proposition for the amendment of the City Charter relating to approval of Present and Future Rail Projects

Anna Russell
City Secretary