

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 15, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-0046 to 2002-0077
ORDINANCES – 2002-0023 to 2002-0032
RESOLUTION – 2002-0003

2002-0045-1

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 2002-0046 – Suspend rules to hear from Mr. Brad Greer

Motion 2002-0047 – Suspend rules to allow Council Member Goldberg to make a presentation

Motion 2002-0048 – Suspend rules to hear Ms. Sara Culbreth

Motion 2002-0049 – Suspend rules to hear from Ms. Kym King

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 16, 2002 - 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 33

MISCELLANEOUS - NUMBERS 1 and 2

Motion 2002-0060 – Postpone Item 1 to the end of the Agenda

1. Motion 2002-0077 - Adopted

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for airport leasing (concession) contracts through September 30, 2002, in compliance with DBE Ordinance Nos. 89-226, 99-893 and DOT/FAA requirements – 12% Goal

2. Motion 2002-0061

RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from the **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION** Wastewater Quality Assessment and Wastewater Inspection Fees for Fiscal Year 2002 - \$968,484.50 Enterprise Fund

DAMAGES - NUMBERS 3 through 5

3. Motion 2002-0062

RECOMMENDATION from City Attorney for settlement of lawsuit styled **MICHAEL BURK, et al** v. City of Houston and Jerry Mixon; Blackburn v. City of Houston; Stagner, et al. v. City of Houston; Martinez v. City of Houston - \$433,000.00 - Property & Casualty Fund

4. Motion 2002-0063

RECOMMENDATION from City Attorney for settlement of lawsuit styled **DONQUENCY HEFLIN** v. City of Houston and Gerald Kerry Clopton; in the 190th Judicial District Court of Harris County, Texas; Cause No. 2000-03309 - \$120,000.00 - Property & Casualty Fund

5. Motion 2002-0064

RECOMMENDATION from City Attorney for settlement of lawsuit styled **BARTO WATSON, INC** vs. The City of Houston et al.; in the County Civil Court at Law Number Four (4) of Harris County, Texas, Cause No. 649,064 - \$25,000.00 - Property & Casualty Fund

ACCEPT WORK - NUMBER 6

6. Motion 2002-0065

RECOMMENDATION from Director of Aviation Department for approval of final contract amount of \$11,630,856.36 and acceptance of work on contract with **WILLIAMS INDUSTRIES, INC** for Improvements to Mickey Leland International Airlines Building (IAB) Modifications to Gates 11/12 and C-Link at Bush Intercontinental Airport (IAH), Project 513, CIP A-0203 and A-0343 17.55% over the original contract amount - **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 21

7. Motion 2002-0050

FLEX-O-LITE, INC for Spheres, Reflective Glass for Aviation Department - \$1,531,940.00 Enterprise Fund

8. Pulled - Not Considered

AMEND MOTION #99-1329, 7/21/99, TO INCREASE spending authority by \$1,109,977.50 from \$4,439,910.00 to \$5,549,887.50 for Fuel, Diesel Low Emission Part I for Finance & Administration Department, awarded to **SUN COAST RESOURCES, INC** - Central Service Revolving Fund

PURCHASING AND TABULATION OF BIDS - continued

9. **Pulled - Not Considered**

AMEND MOTION #2001-295, 3/21/01, TO INCREASE spending authority by \$387,500.00 from \$1,550,000.00 to \$1,937,500.00 for Fuel, Diesel Low Emission Part II for Finance & Administration Department, awarded to **ADARESOURCES, INC** - Central Service Revolving Fund

10. **Motion 2002-0051**

AMEND MOTION #2000-154, 2/2/2000, TO INCREASE spending authority by \$71,458.43 from \$285,833.73 to \$357,292.16 for Allison Transmission Rebuilt & Repair Parts for Fire Department, awarded to **INTERNATIONAL TRUCKS OF HOUSTON** - General Fund

11. **Motion 2002-0052**

MEDTRONIC PHYSIO-CONTROL CORPORATION for spending authority to address Emergency Repair and Calibration of Lifepak 12 Monitors/Defibrillators for Fire Department \$75,000.00 - General Fund

12. **Motion 2002-0066**

MAJOR PHARMACEUTICAL - \$30,740.00 and **NATIONAL VITAMIN COMPANY, INC** \$67,200.00 for Medical, Vitamins Prenatal for the Health & Human Services Department General Fund

13. **Motion 2002-0053**

JOHNSON CONTROLS, INC for Replacement of the Air-Cooled Chiller at the Sunnyside Multi-Service Center for the Health & Human Services Department - \$33,567.32 and contingencies for a total amount not to exceed \$35,245.69 - Public Health Consolidated Fund

14. **Motion 2002-0054**

COLLEGIATE PACIFIC, INC for Infield Conditioner for Parks and Recreation Department \$66,324.90 - General Fund

15. **Motion 2002-0055**

DIRECT ACTION UNIFORMS for Tactical Vest (Full Body Armor) Contract for Police Department \$93,390.00 - Asset Forfeiture Fund

16. **Motion 2002-0056**

L. N. MCKEAN, INC for West Oak Drive Drainage Improvements for Department of Public Works & Engineering - \$66,430.00 and contingencies for a total amount not to exceed \$69,751.50 Street & Drainage Maintenance Fund

17. **Motion 2002-0057**

HBC ENGINEERING, INC for Asbestos Management Services for Department of Public Works & Engineering - \$37,050.00 - Dangerous Building Consolidated Fund

18. **Motion 2002-0058**

INTERNATIONAL TRUCKS OF HOUSTON, INC - \$64,689.07, **HEIL OF TEXAS** - \$615,822.00 and **LAWRENCE MARSHALL CHEVROLET II, L.P.** - \$171,186.00 for Nine Heavy-Trash Loader Trucks for Solid Waste Management Department - Equipment Acquisition Consolidated Fund

19. **Pulled - Not Considered**

JERRY MCKINLEY CONCRETE PIPE CO., INC for Concrete for Various Departments \$679,458.40 - Enterprise and Street & Drainage Funds

PURCHASING AND TABULATION OF BIDS – continued

20. **Motion 2002-0067**

PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD - \$72,340.00 and **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$386,768.00 for Trucks, Herbicide Sprayer for Various Departments Equipment Acquisition Consolidated and Street & Drainage Maintenance Funds

21. **Motion 2002-0068**

AMEND MOTION NOS. 99-1160, 99-1691, 99-1754, 99-2114, 2000-904, 2000-1397 and 2001-194 TO DECLARE LINBERRY AUTO PARTS in default on their bids for Automotive Brakes Replacement Parts Contract, Automotive, Air Conditioning Repair Parts, Automotive, Ignition System Replacement Parts, Automotive Chemicals, Automotive, Fan Belt, Hoses and Caps and Engine Drive-line and Chassis Parts Contract for Various Departments and **NOS. 2000-870 and 2001-12 TO DECLARE LINDALE AUTO SUPPLY** in default on their bids for Automotive Lamps and Spotlights and Automotive, Ignition Systems, Part II for Various Departments and hold them non-responsible for two years

ORDINANCES - NUMBERS 22 through 33

22. **Ordinance 2002-0027**

ORDINANCE authorizing pick-up of certain contributions for employees participating in the Houston Municipal Employees Pension System

23. **Ordinance 2002-0024**

ORDINANCE establishing the south side of the 700 block of Bomar 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 D - EDWARDS**

24. **Ordinance 2002-0028**

ORDINANCE approving and authorizing contract between the City and the **HOUSTON CLEAN CITY COMMISSION, INC d/b/a KEEP HOUSTON BEAUTIFUL** for the Clean Neighborhood Program - \$350,000.00 - General Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - VASQUEZ and I - ALVARADO**

25. **Ordinance 2002-0025**

ORDINANCE approving and authorizing contract between the City of Houston and the **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION** for the City's Air Pollution Control Program - \$1,359,517.00 - Grant Fund

26. **Council Member Edwards tagged**

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RECAPPING PLANT** for Tire Recapping and Retreading Services for Various Departments approved and authorized by Ordinance No. 97-1045 - \$960,000.00 - General Fund

Motion 2002-0069 – Suspend rules to hear from Colonel Eric Potts

ORDINANCES - continued

27. Council Members Keller, Parker, Goldberg and Robinson tagged

ORDINANCE appropriating \$2,040,000.00 out of Airport System Consolidated 2000 AMT Construction Fund and \$35,000.00 out of Airports Improvement Fund and approving and authorizing professional architectural and engineering services contract between the City of Houston and **PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC** for an Inter-Terminal People Mover System at George Bush Intercontinental Airport/Houston, Project 604A; CIP A-0477 and A0422; providing funding for the Civic Art Program financed by the Airports Improvement Fund; providing funding for contingencies relating to construction of facilities financed by the Airport System Consolidated 2000 AMT Construction Fund - **DISTRICT B - GALLOWAY**

28. Council Member Wiseman tagged

ORDINANCE appropriating \$2,000,000.00 out of Fire Consolidated Construction Fund for Renovation/Reconstruction of various Fire Department Facilities; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund

29. Council Member Edwards tagged

ORDINANCE awarding contract to **BIO LANDSCAPE & MAINTENANCE, INC** for Right-of-way Mowing Services for Public Works & Engineering Department; providing a maximum contract amount - \$1,161,562.50 - Street & Drainage Maintenance Fund - **DISTRICTS A - TATRO; G - KELLER and H - VASQUEZ**

Motion 2002-0059 – Suspend rules to consider Item 30 out of order

30. Ordinance 2002-0023

ORDINANCE approving and authorizing contract between the City and **ARTHUR ANDERSEN, LLP** for Arbitrage Services - \$198,700.00 - General and Enterprise Funds

31. Ordinance 2002-0026

ORDINANCE appropriating \$1,400,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23** for construction of water lines on Fairbanks North Houston and Breen Roads, CIP S-0800-44-3 (WA10727)

32. Ordinance 2002-0032

ORDINANCE appropriating \$17,527.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing an advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the MKT/SP Rails to Trail Project as approved by Resolution No. 99-43, GFS N-0420-30-2 (N-0420-30) - **DISTRICT H - VASQUEZ**

33. Ordinance 2002-0029

ORDINANCE appropriating \$350,000.00 out of Street & Bridge Construction Fund and approving and authorizing professional services contract between the City of Houston and **WILBUR SMITH ASSOCIATES** for Development Study on the Inner Katy Transit Corridor - **DISTRICTS A - TATRO and H - VASQUEZ**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 34

MISCELLANEOUS

34. Motion 2002- 0070

MOTION to set a date not less than seven (7) days from January 16, 2002 to receive nominations for Positions 1 and 2, and Alternate Positions 1 and 2 of the **HOUSTON GALVESTON AREA COUNCIL**, the one year terms to expire December 31, 2002

MATTERS HELD - NUMBERS 35 through 39

35. Motion 2002-0071 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **J. TYLER SERVICES, INC** - \$1,421,780.00, **ROCKFORD BUSINESS INTERIORS, INC** \$246,000.00, **ROBERT WEISZ OFFICE FURNITURE** - \$170,000.00, **CORPORATE EXPRESS** \$683,000.00, **VANGUARD ENVIRONMENTS, INC** - \$580,000.00 and **CONTRACT RESOURCE GROUP** - \$337,055.00 for System Furniture for Various Departments - \$3,437,835.00 - General, Grant and Enterprise Funds - **TAGGED BY COUNCIL MEMBERS WISEMAN and KELLER**

This was Item 15 on Agenda of January 9, 2002

Motion 2002-0072 – Refer Item 36 back to the Administration – “FAILED”

36. Resolution 2002-0003

RESOLUTION relating to the appointment of Directors to the Board of Directors of the **HOUSTON HOUSING FINANCE CORPORATION**
TAGGED BY COUNCIL MEMBER GALLOWAY

This was Item 16 on Agenda of January 9, 2002

37. Ordinance 2002-0030

ORDINANCE awarding contract to **RASCH GRAPHIC SERVICES CORPORATION** for Bindery Services for the Central Print Shop for Finance & Administration Department; providing a maximum contract amount - \$523,906.25 - Central Service Revolving Fund
TAGGED BY COUNCIL MEMBER GOLDBERG

This was Item 24 on Agenda of January 9, 2002

Motion 2002-0073 – Suspend rules to hear from Mr. Jordy Tollett on Item 38

38. Ordinance 2002-0031

ORDINANCE approving and authorizing contract between the City and the **BONHAM GROUP, INC** for a Study to determine Municipal Sponsorship Opportunities - \$40,000.00 - Enterprise Fund

POSTPONED BY MOTION #2002-16, 1/3/02

This was Item 25 on Agenda of January 3, 2002

MATTERS HELD - continued

Motion 2002-0074 – Call the question on Item 38

Motion 2002-0075 – Refer back to the Administration – “FAILED**”**

Motion by Council Member Ellis/Seconded by Council Member Vasquez to amend Item 38 to provide that any results that are received will come through committee and be discussed at that time prior to the administration bringing it to the full Council – **TAGGED BY COUNCIL MEMBER TATRO**

Motion by Council Member Vasquez/Seconded by Council Member Ellis that Item 38 be amended to provide the following:

The Bonham Group shall not study, evaluate, survey, or consider in any manner corporate sponsorship, naming rights opportunities, or similar transactions for any city of Houston facility that has been named in honor of any individual. This would only prohibit evaluation of opportunities that would entail inclusion of a corporate, brand or product name in association with the name of the facility and would not limit other opportunities associated with the facility under question – **TAGGED BY COUNCIL MEMBER TATRO**

39. Motion 2002-0076 – Postpone two (2) weeks

ORDINANCE appropriating \$441,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **PERSPECTIVA CIVIC DESIGN, L.L.C.** for the Design of Houston’s Heritage Corridor, Bayou Trails West from San Jacinto Street to Stude Park, CIP N-0420-16-2 (N-0420-16); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - VASQUEZ**

POSTPONED BY MOTION #2002-18, 1/3/02

This was Item 27 on Agenda of January 3, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Berry 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

1/15/02 – Council Member Robinson absent

1/16/02 – All Present