

AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 31, 2002 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2002-1460 to 2002-1497
ORDINANCES 2002-1186 to 2002-1197
RESOLUTION – None

2002-1459-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Parker

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

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 through 4

1. Motion 2002-1460

CONFIRMATION of the appointment of the following to Positions One and Two, and Alternate Positions One and Two of the **HOUSTON GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2003
Position One - Council Member Addie Wiseman
Position Two - Council Member Bert Keller
Alternate Position One - Council Member Vasquez
Alternate Position Two - Council Member Tatro

2. Motion 2002-1461

RECOMMENDATION from the Director Finance & Administration for approval of Individual Fidelity Bond Form for **JUDY GRAY JOHNSON, CITY CONTROLLER** in the penal sum of \$50,000.00 as required by the City Charter and the Code of Ordinances - \$252.00 - General Fund

MISCELLANEOUS - continued

3. Motion 2002-1469

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and sixty (60) different Civic Organizations for law enforcement services of Constable Precincts 1, 4, 5, 6, 7 as well as the Sheriff of Harris County - **DISTRICTS A - TATRO; C - GOLDBERG; E - WISEMAN; F - ELLIS; G - KELLER; H - VASQUEZ and I - ALVARADO**

4. Motion 2002-1462

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$154,984.30 to **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2003 Water System Fees - Enterprise Fund.

ACCEPT WORK - NUMBERS 5 through 11

5. Motion 2002-1470

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$343,642.00 and acceptance of work on contract with **STEVEN R. HILL CONSTRUCTION CO., INC** for Bid Package No. 34 - Lake Forest Park, Hobart Taylor Park and Walter Jones Park, GFS F-0363-34-3, F-0363-35-3 and F-0363-36-3 - 06.39% over the original contract amount - **DISTRICTS B - GALLOWAY and E - WISEMAN**

6. Motion 2002-1471

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,509,972.43 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-83-3 (4257-18) - 00.09% over the original contract amount **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - ELLIS; G - KELLER and I - ALVARADO**

7. Motion 2002-1463

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$519,959.52 and acceptance of work on contract with **T & C CONSTRUCTION, INC** for MUD 58 Service Area Diversion, GFS R-0536-06-3 (4719-2) - 07.15% under the original contract amount - **DISTRICT E - WISEMAN**

8. Motion 2002-1472

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,043,742.19 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Relief Sewer Projects: Drexel Drive, Pelham Drive, South Shepherd Drive and Woodbine Street, GFS R-2011-22-3 (4763-2) - 03.55% over the original contract amount **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN and G - KELLER**

9. Motion 2002-1464

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,804,541.20 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Construction of Water Line Replacement in the Scenic Woods Subdivision, GFS S-0035-71-3 (WA10580) - 04.84% over the original contract amount **DISTRICT B - GALLOWAY**

ACCEPT WORK - continued

10. Motion 2002-1465

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,093,152.93 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Construction of Water Main Rehabilitation/Replacements at South Rice, Milwee, Shepherd, Sherman, Harrisburg/Broadway, Lawndale and Lockwood, GFS S-0480-01-3 (10483) - 03.55% under the original contract amount - **DISTRICTS A-TATRO; C - GOLDBERG; F - ELLIS; G - KELLER and I - ALVARADO**

11. Motion 2002-1473

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,434,852.91 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Construction of 30-inch water line along Irvington Boulevard and West Hardy Road, GFS S-0900-58-3 (WA10631) - 04.48% over the original contract amount - **DISTRICT H - VASQUEZ**

PROPERTY - NUMBERS 12 and 13

12. Motion 2002-1474

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Darren Willis of Jones & Carter, Inc., on behalf of Piney Point Limited Partnership, a Delaware limited partnership [TCR Piney Point Limited Partnership, a Texas limited partnership {TCR GC 2002 Development, Inc, a Texas corporation (Darren R. Schackman, vice president), general partner}, general partner], for abandonment and sale of a 5-foot-wide water main easement, out of Unrestricted Reserve B, Block 1, Alexan Piney Point Subdivision, John D. Taylor Survey, A72, Parcel SY3-028 - **STAFF APPRAISERS - DISTRICT G - KELLER**

13. Motion 2002-1475

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Nancy J. Locke, for abandonment and sale of a 10-foot wide easement and the attendant aerial easements, located within Lot 24, Block 17, Timbergrove Manor, Section 3, Parcel SY3-029 - **STAFF APPRAISERS - DISTRICT A - TATRO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 22

14. Motion 2002-1494

SOUTHERLAND CONSTRUCTION COMPANY for Construction of a Bio-Hazard Containment Lab for Health & Human Services Department - \$114,596.00 and contingencies for a total amount not to exceed \$120,325.80 - Grant Fund

15. Motion 2002-1476

DUNCAN INDUSTRIES PARKING CONTROL SYSTEMS - \$45,000.00 and **REINO PARKING SYSTEMS, INC** - \$60,000.00 for Parking Meter Parts for Municipal Courts Administration General Fund

16. Motion 2002-1477

INDUSTRIAL TX CORP. for Emergency Purchase of Gas Pipeline Repair Services for Department of Public Works & Engineering - \$77,957.95 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Motion 2002-1466

VARIAN, INC for One Gas Chromatograph System from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$35,399.00 - Enterprise Fund

18. Motion 2002-1478

AMEND MOTION #2002-230, 2/27/02, TO INCREASE award to purchase one additional Excavator for Department of Public Works & Engineering, awarded to **R. B. EVERETT & COMPANY** for a total increase of \$44,880.00 - Enterprise Fund

19. Motion 2002-1479

HALL SIGNS, INC for Signage Hardware for Department of Public Works & Engineering \$65,069.53 - General Fund

20. Motion 2002-1467

SAFE CARE - \$97,465.38, **VWR INTERNATIONAL** - \$42,255.24, **SELECT MEDICAL SUPPLY, INC** - \$613,781.59 and **ONE SOURCE INDUSTRIAL SAFETY & SUPPLY, INC** - \$109,168.22 for Gloves, Various Types for Various Departments - \$862,670.43 - General and Enterprise Funds

21. Motion 2002-1480

AMEND MOTION #2000-22, 1/5/00, TO EXTEND expiration date from January 5, 2003 to January 4, 2004, for Thermoplastic Materials for Various Departments, awarded to **FLINT TRADING, INC**

22. Motion 2002-1468

AMEND MOTION #2000-55, 1/12/00 and **#2000-868, 7/5/00, TO EXTEND** expiration date from January 12, 2003 to January 11, 2004, for Rags and Cleaning Towels Contract, Parts I and II for Various Departments, awarded to **ALLIED SUPPLY COMPANY, INC, JOHNSON INTERNATIONAL MATERIALS, INC** and **EXPRESS IMAGE PAPER COMPANY**

ORDINANCES - NUMBERS 23 through 40

23. Ordinance 2002-1186

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot wide water main and fire hydrant easement, containing 2,590.6 square feet of land, more or less, located within the W. P. Morton 1/3 League, A-539, being out of Public Storage North Loop Addition, Houston, Harris County, Texas; vacating and abandoning said tract of land to PS Texas Holdings, Ltd., the abutting owner, in consideration of owner's dedication of a 16-foot-wide sanitary sewer easement containing 4,656 square feet of land, more or less, and payment of \$300.00 and other consideration to the City - **DISTRICT H - VASQUEZ**

24. Ordinance 2002-1197

ORDINANCE consenting to the addition of 235.137 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

25. Ordinance 2002-1187

ORDINANCE consenting to the addition of 32.681 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 106**, for inclusion in its district

ORDINANCES - continued

26. Ordinance 2002-1188

ORDINANCE consenting to the addition of 11.540 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92**, for inclusion in its district

27. Ordinance 2002-1189

ORDINANCE consenting to the addition of 389.3498 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

28. Ordinance 2002-1194

ORDINANCE establishing the north and south sides of the 1200 block of Omar Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

29. Ordinance 2002-1190

ORDINANCE issuing a permit to **MEMORIAL HERMANN HOSPITAL SYSTEM** for constructing, using, occupying, operating, maintaining and repairing a water pipe line and two electric conduits within the 11800 block of Astoria Boulevard, a 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 E - WISEMAN**

30. Ordinance 2002-1191

ORDINANCE issuing a permit to **KRAFT FOODS NORTH AMERICA, INC** for constructing, using, occupying, operating, maintaining and repairing two electrical conduits within the 3800 block of Rusk Street, a 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 - ALVARADO**

31. Ordinance 2002-1192

ORDINANCE issuing a permit to **THE HUNTINGDON COUNCIL OF CO-OWNERS** for constructing, maintaining, using, operating and repairing certain soldier beams with tiebacks adjacent to the 2000 block of Argonne Street, a 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 G - KELLER**

32. Ordinance 2002-1195

ORDINANCE approving and authorizing lease agreement between **CONGRESS HOLDINGS, LTD., a Texas Limited Partnership**, as landlord, and the City of Houston, Texas, as Tenant, for Office Space at 1005 Congress Avenue, Austin, Texas, for use by the City's Legislative Affairs Group; providing maximum contract amounts - \$30,260.00 - General Fund

33. Council Member Alvarado tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site known as the Scanlan Building located at 405 Main Street; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability

34. Ordinance 2002-1196

ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY** for Development, Operation and Maintenance of the City's Nob Hill Park - **DISTRICT A - TATRO**

ORDINANCES - continued

35. Council Members Parker and Edwards tagged

ORDINANCE approving and authorizing professional services contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Evaluation of a Cultural Diversity Training Program for Houston Police Department - \$50,000.00 - Grant Fund

36. Council Members Quan and Sekula-Gibbs tagged

ORDINANCE approving and authorizing contract between the City and **WINSTEAD, SECHREST & MINICK PC** to Render Expunction Legal Services for Individuals arrested on August 16, 17 and 18, 2002 in the vicinity of 8400 Westheimer; providing a maximum contract amount - \$165,000.00 Property and Casualty Fund

37. Ordinance 2002-1193

ORDINANCE awarding contract to **LEHNE AND FORBES CONSTRUCTION COMPANY, INC** for Sanitary Sewer Lines for the Los Arboles Subdivision; approving and authorizing an assignment of the contract to **ALIANZA GROUP, INC**, CIP R-0800-65-3 - **DISTRICT H - VASQUEZ**

38. Council Members Vasquez, Ellis and Keller tagged

ORDINANCE awarding contract to **RBEX, INC d/b/a APPLE TOWING COMPANY** for Towing Services for Light, Medium and Heavy-Duty Vehicles for Various Departments; providing a maximum contract amount - 1 Year with four one-year options - \$1,310,475.00 - General and Fleet Management Funds

39. Council Member Wiseman tagged

ORDINANCE appropriating \$200,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services contract for On-Call Transportation Engineering Services with **PARSONS TRANSPORTATION GROUP, INC** (approved by Ordinance No. 2001-482) CIP N-0650-04-2; providing funding for contingencies relating to engineering services for various facilities financed by the Street & Bridge Consolidated Construction Fund

40. Council Members Tatro, Vasquez, Keller, Robinson, Sekula-Gibbs, Berry and Goldberg tagged

ORDINANCE appropriating \$25,826,986.00 out of Equipment Acquisition Consolidated Fund for purchase of FY2003 Equipment for Various Departments

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 41 through 49

Motion 2002-1481 – Suspend rules to hear from Ms. Laverne Hogan relative to Item 41

41. Motion 2002-1482 – Postpone one (1) week

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2003 - January 1, 2003 through December 31, 2003
TAGGED BY COUNCIL MEMBER ALVARADO
This was Item 4 on Agenda of December 18, 2002

MATTERS HELD - continued

Motion 2002-1483 – Postpone Item 42 one (1) week – NOTE: Reconsidered and Item 42 adopted

Motion 2002-1492 – Suspend rules to reconsider motion to postpone Item 42

42. Motion 2002-1493 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$274,129.52 and acceptance of work on contract with **DOLSON SIERRA CONSTRUCTION GROUP, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0-610A-T4-3 (Package T1) - 04.70% under the original contract amount - **DISTRICTS C - GOLDBERG; D - EDWARDS; F - ELLIS; G - KELLER and H - VASQUEZ**
TAGGED BY COUNCIL MEMBER ELLIS

This was Item 7 on Agenda of December 18, 2002

43. Motion 2002-1484 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$13,281,395.00 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, INC** for Construction of Plants 1 and 2 Chemical Systems Improvements at the East Water Purification Plant, GFS S-0056-26-3 (10211-17) - 04.62% over the original contract amount - **TAGGED BY COUNCIL MEMBERS KELLER and VASQUEZ**

This was Item 10 on Agenda of December 18, 2002

44. Motion 2002-1485 – Postpone one (1) week

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2000-190, 2/9/00, TO EXTEND** expiration date from February 9, 2003 to February 8, 2004, for Fittings and Appurtenances for Department of Public Works & Engineering, awarded to **U. S. FILTER CORPORATION - TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 12 on Agenda of December 18, 2002

45. Motion 2002-1486 – Adopt

WRITTEN Motion by Council Member Robinson to amend Item 45A below:

To extend the northern boundary of the district to Southmore and the eastern boundary to Alameda - **TAGGED BY COUNCIL MEMBER ROBINSON**

a. Motion 2002-1487 – Postpone one (1) week

ORDINANCE approving and authorizing contract between the City and **SLA STUDIO LAND, INC** for Streetscape Design for Bissonnet/Binz Streets from Bayard to Crawford in the Museum District - \$140,000.00 - Grant Fund - **DISTRICT D - EDWARDS**
TAGGED BY COUNCIL MEMBER ROBINSON

This was Item 25 on Agenda of December 18, 2002

MATTERS HELD - continued

46. Motion 2002-1486 – Postpone one (1) week

ORDINANCE approving and authorizing contract between the City and **JOHN KIRKSEY ASSOCIATES, ARCHITECTS, INC** for professional architectural services for Renovation of Root Memorial Square - \$509,191.00 - Enterprise Fund - **DISTRICT I - ALVARADO**

TAGGED BY COUNCIL MEMBER KELLER

This was Item 36 on Agenda of December 18, 2002

47. Motion 2002-1489 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering and the Joint Referral Committee, for abandonment and sale of a 9-foot wide portion of a 38-foot-wide alley, located at 1619 Nicholson Street, adjacent to Lot 2, Block 129, Heights Addition, Parcel SY3-021, in connection with request from Tricon Homes, Inc. (Jose Berlanga, vice president), for an encroachment of a ±8.5 foot garage into the alley - **STAFF APPRAISERS - DISTRICT H - VASQUEZ** - **POSTPONED BY MOTION #2002-1450, 12/18/02**

This was Item 44 on Agenda of December 18, 2002

48. Motion 2002-1490 – Postpone one (1) week

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HOUSTON G & G DEMOLISHING SERVICE, INC** for Securing of Dangerous Buildings and Site Clean-up Services for Planning & Development Department - \$26,169.00 and contingencies for an amount not to exceed \$27,477.45 - General Fund - **POSTPONED BY MOTION #2002-1451, 12/18/02**

This was Item 45 on Agenda of December 18, 2002

49. Motion 2002-1491 – Postpone one (1) week

ORDINANCE approving and authorizing contract for professional Civic Art Administration Services by and between City of Houston and the **ARTS COUNCIL OF THE HOUSTON/HARRIS COUNTY REGION** for the Building Services Department - \$112,943.00 Bond Funds

POSTPONED BY MOTION #2002-1455, 12/18/02

This was Item 50 on Agenda of December 18, 2002

Motion 2002-1495 to 2002-1497 – Procedural motions during public session

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Galloway 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

12/31/2002 – All Present