

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

MOTIONS 2002-0866 to 2002-0915
ORDINANCES – 2002-0681 to 2002-0718
RESOLUTIONS – 2002-0024 to 2002-0025

2002-0865-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Edwards

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

Motions 2002-0866 to 2002-0873 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 31, 2002 - 9:00 A. M.

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

HEARINGS

Motion 2002-0874 – Suspend rules to hear Mr. Christenson, a representative of Kerr-McGee Oil & Gas Corporation

1. **Motion 2002-0875 – Close**

PUBLIC HEARING to consider the creation of a Reinvestment Zone for **KERR-MCGEE OIL & GAS CORPORATION - DISTRICT B - GALLOWAY - 9:00 A.M.**

MAYOR'S REPORT

Motion 2002-0876 – Accept reports

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

CONSENT AGENDA NUMBERS 2 through 70

MISCELLANEOUS - NUMBERS 2 through 6

2. Motion 2002-0902

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2002 through September 30, 2003, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements

3. Motion 2002-0886

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **BRAYS VILLAGE PATIO HOMES MAINTENANCE FUND, INC** for Law Enforcement Services of 2 Deputies from Harris County Constable Precinct 5 - **DISTRICT F - ELLIS**

4. Motion 2002-0887

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **CYPRESS-FAIRBANKS INDEPENDENT SCHOOL DISTRICT** for Law Enforcement Services of 1 Deputy from Harris County Constable Precinct 4 - **DISTRICT A - TATRO**

5. Motion 2002-0903

CONSIDERATION of alcohol variance for Freebirds World Burrito at 3745 Greenbriar in the Shepherd Plaza Shopping Center - **DISTRICT C - GOLDBERG**

6. Motion 2002-0904

RECOMMENDATION from Director of Library Department for approval of Change Order No. 4 in the amount of \$49,199.18 on contract with **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Contract - **DISTRICT A - TATRO**

DAMAGES - NUMBER 7

7. Motion 2002-0888

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CHARLES EDWARD HEIM** vs. Ronnie John Parker and the City of Houston, et al.; in the 268th Judicial District Court of Fort Bend County, Texas, Cause No. 107,742 - \$27,500.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 8 through 19

8. Motion 2002-0905

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$2,683,060.94 and acceptance of work on contract with **THYSSEN STEARNS, INC** for Passenger Loading Bridges Phase 2 at George Bush Intercontinental Airport/Houston (IAH), Project 551A, CIP A-0318 - 11.94% under the original contract amount - **DISTRICT B - GALLOWAY**

9. Ordinance 2002-0700

ORDINANCE appropriating \$92,207.24 out of Houston Airport System Subordinate Lien Revenue Bonds, Series 1998B (AMT) Construction Fund, as an additional appropriation for Reconstruction of Aprons South of Terminals A & B at George Bush Intercontinental Airport/Houston, Project No. 539A; CIP A-0359 under construction contract with **CHAMPAGNE-WEBBER, INC, TEXAS** (approved by Ordinance 99-401 - **DISTRICT B - GALLOWAY**)

ACCEPT WORK - continued

a. Motion 2002-0906

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$9,100,000.02 and acceptance of work on contract with **CHAMPAGNE-WEBBER, INC, TEXAS** for Reconstruction of Aprons South of Terminals A & B at George Bush Intercontinental Airport/Houston (IAH) Project No. 539A, CIP A-0359 - 06.07% over the original contract amount **DISTRICT B - GALLOWAY**

10. Motion 2002-0907

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$309,378.31 and acceptance of work on contract with **JRC CONSTRUCTION, INC** for Construction of Lakeview Relief Storm Sewer - Phase I, GFS M-0231-02-3 (M-0231-02) 10.50% under the original contract amount - **DISTRICT G - KELLER**

11. Motion 2002-0889

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,823,006.69 and acceptance of work on contract with **RAY FERGUSON INTERESTS, INC** for Neighborhood Street Reconstruction Project No. 427, GFS N-0353-01-3 (N-0353-01) - 08.45% under the original contract amount - **DISTRICTS B - GALLOWAY and D - EDWARDS**

12. Motion 2002-0890

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,201,662.26 and acceptance of work on contract with **RAY SMITH CONSTRUCTION, INC** for Construction of Woodridge Improvements, IH-610 (South Loop) to Winkler; GFS N-0695-01-3 (SB9013) - 05.53% under the original contract amount - **DISTRICT I - ALVARADO**

13. Motion 2002-0891

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$541,360.66 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD** for Construction of Asphalt Overlay Project in Northline Park Phase I - NTS Tier VI, GFS N-1037-05-3 (OL2005) - 11.57% under the original contract amount - **DISTRICT H - VASQUEZ**

14. Motion 2002-0892

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$224,927.56 and acceptance of work on contract with **R. J. CONSTRUCTION COMPANY, INC** for Sharpview Lift Station Rehabilitation, GFS R-0267-A1-3 (4728-1) - 00.53% over the original contract amount - **DISTRICT F - ELLIS**

15. Motion 2002-0893

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$195,718.78 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, INC** for McCarty #1 Lift Station Rehabilitation, GFS R-0267-24-3 (4275-12) - 01.50% under the original contract amount - **DISTRICT B - GALLOWAY**

16. Motion 2002-0894

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$664,852.61 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of Julia, Liberty, Starkey and Wylie Relief Sewers in the Northside II Service Area, GFS R-2011-11-3 (4741) - 00.23% under the original contract amount **DISTRICTS B - GALLOWAY and H - VASQUEZ**

ACCEPT WORK - continued

17. Motion 2002-0895

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$1,442,473.36 and acceptance of work on contract with **C & C SERVICES, INC** for Construction of Waterline Replacement in Bayou Oaks Subdivision, GFS S-0035-BA-3 (10490) - 09.33% under the original contract amount - **DISTRICT I - ALVARADO**

18. Motion 2002-0896

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$1,240,526.30 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Construction of Replacement Water Lines in Scenic Woods Subdivision, GFS S-0035-41-3 (10541) - 06.87% under the original contract amount **DISTRICT H - VASQUEZ**

19. Motion 2002-0908

RECOMMENDATION from Director Department Public Works & Engineering for approval of final contract amount of \$1,313,463.50 and acceptance of work on contract with **C & C SERVICES** for Construction of Water Main Replacement at Various Locations, GFS S-0700-06-3 (10504-1) 07.99% under the original contract amount - **DISTRICT B - GALLOWAY**

PROPERTY - NUMBER 20

20. Motion 2002-0897

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY1-112, located in the 11000 block of FM 529 (Spencer Road) owned by Renee M. Ransom, for the **SPENCER ROAD WATERLINE PROJECT from Brittmoore to Jersey Village Pump Station**, CIP S-0900-71-2

PURCHASING AND TABULATION OF BIDS - NUMBERS 21 through 25

21. Motion 2002-0897

SIEMENS AIRFIELD SOLUTIONS for Airfield Lifting, Part II, for Aviation Department \$250,000.00 - Enterprise Fund

22. Motion 2002-0899

RECOMMENDATION from Director Finance & Administration Department to **INCREASE SPENDING** authority by \$25,000.00 from \$100,000.00 to \$125,000.00 for Test, Evaluation and Repair of Audio/Visual Television Equipment for the Finance & Administration Department, awarded to **PROFESSIONAL AUDIO/VIDEO SERVICE, INC**

23. Motion 2002-0900

FWD CORPORATION/SEAGRAVE FIRE APPARATUS DIVISION for Fire Apparatus, Seagrave for Fire Department - \$78,000.00 - General Fund

24. Motion 2002-0909

AMEND MOTION #2000-1217, 10/4/00, TO EXTEND expiration date from October 4, 2002 to January 3, 2003, for Traffic Signal Controllers for Department of Public Works & Engineering, awarded to **TEXAS HIGHWAY PRODUCTS CORPORATION**

25. Motion 2002-0901

C. D. I. EQUIPMENT, LTD, DBA CARRUTH DOGGETT INDUSTRIES for Equipment, Case Backhoe Replacement Parts Contract for Department of Public Works & Engineering

\$100,153.00 - Enterprise and Fleet Management Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 26 through 70

26. Resolution 2002-0025

RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its Air Cargo Revenue Bonds (Perot Development Houston LP Project) Series 2002

Amend Item 27 as follows:

1. Amend Section 2 (1), (2) and (3) to add “**or its sole member**” to “applicant” on lines 1, 5 and 2 respectively, in the Resolution;
2. Delete Section 2 (5) [Restricted Rents] in its entirety and add a new Section (5) [Restricted Rents];
3. Add a new Section 2 (6) and (7) to the Resolution

COUNCIL MEMBER TATRO TAGGED

27. Council Member Tatro tagged

RESOLUTION adding certain program guidelines and supporting the issuance of Multifamily Housing Revenue Bonds by the Houston Housing Finance Corporation in furtherance of the development of Affordable Apartment Projects including projects which may be owned or operated by tax-exempt entities

Motion 2002-0877 – Suspend rules to consider Items 28 and 30 out of order

Motion 2002-0879 – Call the question on Item 28

Motion 2002-0880 – Suspend rules to bring Item 28 back to be voted on

28. Resolution 2002-0024 – “FAILED**”**

RESOLUTION concerning H. R. 40 pending in the **U. S. HOUSE OF REPRESENTATIVES** regarding the establishment of a Commission to examine the institution of slavery and its lingering effects in American Society today and to recommend to Congress appropriate remedies to address such effects, including the consideration of reparations for the descendants of enslaved African-Americans

29. Council Member Tatro tagged

ORDINANCE authorizing publication of notice of intent to issue City of Houston, Texas Tax and Revenue Certificates of Obligation, Series 2002A; approving and authorizing distribution of the Preliminary Official Statement and Official Notice of Sale related to such certificates; authorizing the Finance Working Group to proceed with all matters related to the issuance and sale of such certificates; approving or declaring other matters incidental to the issuance and sale of such certificates; making various findings and provisions related thereto and declaring an emergency

30. Ordinance 2002-0681

ORDINANCE **AMENDING CHAPTER 26 THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Off-street Parking and Loading requirements in the South Main/Texas Medical Center Area; containing other provisions relating to the foregoing subject; providing a severability clause **DISTRICT D - EDWARDS**

31. Council Members Tatro and Alvarado tagged

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by amending **SECTION 44-5** concerning matters relating to the exemption of certain historic sites from ad valorem taxation; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause; providing a repealer

RESOLUTIONS AND ORDINANCES - continued

32. Council Member Edwards tagged

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portions of Winton Street, Alice Street, and Idaho Street, Street rights of way containing an aggregate of 31,146 square feet of land, more or less, being located in the Louis Gladitch Survey, A-304, Harris County, Texas; vacating and abandoning said tracts of land to Lilly Grove Missionary Baptist Church, the abutting owner, in consideration of owners' payment of \$32,443.00 and other consideration to the City - **DISTRICT D - EDWARDS**

33. Ordinance 2002- 0689

ORDINANCE consenting to the addition of 1,000 acre of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**, for inclusion in its district

34. Ordinance 2002-0690

ORDINANCE consenting to the addition of 59.3244 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36**, for inclusion in its district

35. Ordinance 2002-0691

ORDINANCE approving and authorizing Utility Functions and Services Agreement between and among the City of Houston, **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 382** and **1 BLACKHAWK LTD.**

36. Ordinance 2002-0701

ORDINANCE assigning territories recently annexed for limited purposes to adjacent districts from which district council members are elected until such time as district boundaries may be changed pursuant to the Houston City Charter - **DISTRICTS A - TATRO; B - GALLOWAY; E - WISEMAN and G - KELLER**

37. Ordinance 2002-0702

ORDINANCE establishing the North and South Sides of the 800 and 900 blocks of Ridge Street and the South Side of the 900 block of Teetshorn 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**

38. Ordinance 2002-0703

ORDINANCE establishing the East and West Sides of the 600 and 700 blocks of Cortlandt 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**

39. Council Member Goldberg tagged

ORDINANCE establishing the South Sides of the 2000 and 2100 blocks of MacArthur Drive 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 C - GOLDBERG**

40. Ordinance 2002-0704

ORDINANCE establishing the East Side of the 3000 and 3100 blocks of Norhill Boulevard, the south Side of the 1000 block of Woodland Street, and the North Side of the 1000 block of Euclid 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**

RESOLUTIONS AND ORDINANCES - continued

Motion 2002-0883 – Suspend rules to consider Items 41, 42, 53, 53a, 53b, 54 ad 27 out of order

41. Ordinance 2002-0684

ORDINANCE issuing permit to **CRESCENT REAL ESTATE FUNDING III, L.P., A Delaware Limited Partnership**, for maintaining, using, occupying, operating and repairing certain previously constructed improvements appurtenant to Greenway Plaza and Greenway Plaza Section Five within portions of Buffalo Speedway, Edloe Street, Richmond Avenue, Timmons Lane and Colquitt Street, 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 C - GOLDBERG

42. Council Members Robinson, Tatro and Sekula-Gibbs tagged

ORDINANCE approving and authorizing right of entry agreement granting to **CENTRAL HOUSTON CIVIC IMPROVEMENT, INC** the right to enter upon the Main street right of way between Walker and Dallas Avenues to construct and/or install certain improvements

43. Ordinance 2002-0705

ORDINANCE approving the conveyance to **RELIANT ENERGY, INCORPORATED** of an easement for Natural Gas Transmission and Distribution Facilities for service to Hobby Airport upon a parcel or tract of land out of the Henry B. Prentiss League, A-56 - **DISTRICT I - ALVARADO**

44. Ordinance 2002-0692

ORDINANCE approving and authorizing supplemental agreement No. 1 to a lease agreement for Runway 15R Navigational Sites at George Bush Intercontinental Airport/Houston by and between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT B - GALLOWAY**

45. Council Members Goldberg, Parker and Sekula-Gibbs tagged

ORDINANCE amending Ordinance No. 99-487, passed May 19, 1999, which approved and authorized the submission of the 1999 Consolidated Plan and the Grant Application for the Housing Opportunities for Persons With AIDS ("HOPWA") Program, among others, to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD")** under the authority of the AIDS Housing Opportunities Act, as amended by the Housing and Community Development Act of 1992

46. Ordinance 2002-0706

ORDINANCE amending Ordinance No. 2000-395, passed May 17, 2000, which approved and authorized the submission of the 2000 Consolidated Plan and the Grant Application for the Housing Opportunities for Persons With AIDS ("HOPWA") Program, among others, to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD")** under the authority of the AIDS Housing Opportunities Act, as amended by the Housing and Community Development Act of 1992

47. Ordinance 2002-0718

ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC** providing up to \$320,000.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for the administration of a long term residential Housing and Supportive Services Program and Operation of a Community Residence, which sum includes a limitation of additional funding in the amount of \$160,000.00 - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

48. Ordinance 2002-0707

ORDINANCE approving and authorizing an application to the **U. S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE (BJA)**, to fund the 2001 Local Law Enforcement Block Grants Program; declaring the city's eligibility for such grant; authorizing the Mayor to act as the city's representative in the application process; authorizing the Chief of the Police Department, or any designated Assistant Chief of the Police Department, to accept such funds and to apply for and accept all subsequent awards, if any, pertaining to the application

49. Ordinance 2002-0708

ORDINANCE approving and authorizing contract between the City of Houston and **CROSS CULTURAL COMMUNICATION CENTER** for Spanish and Vietnamese Language, Cultural, and Interaction Program pertaining to Law Enforcement for the Houston Police Department; providing a maximum contract amount - \$360,000.00 - General Fund - 3 years with two 1-year options

50. Council Members Wiseman, Tatro and Robinson tagged

ORDINANCE approving and authorizing four professional services contracts between the City of Houston and the following contractors ~~(1) JOHNSON-MATTHEY, INC~~, (1) **ENGELHARD CORPORATION**, (2) **EXTENGINE TRANSPORT SYSTEMS, LLC** and (3) **ENVIRONMENT CANADA** relating to the Houston Diesel Emissions Technology Field Demonstration Project

Motion 2002-0910 – Suspend rules to hear from Dr. Berger

51. Council Members Tatro and Wiseman tagged

ORDINANCE accepting \$501,006.00 from the Texas Natural Resource Conservation Commission and approving and authorizing two professional services contracts between the City of Houston and the following contractors (1) **CLEANAIR SYSTEMS, INC** and (2) **EXTENGINE TRANSPORT SYSTEMS, LLC** relating to the Houston Diesel Emissions Technology Field Demonstration Project - \$85,500.00 - Enterprise Fund

52. Council Members Wiseman, Robinson and Tatro tagged

ORDINANCE appropriating \$100,000.00 out of Water & Sewer System Consolidated Construction Fund and authorizing professional services contract between the City of Houston and the **UNIVERSITY OF HOUSTON** for University Research Projects - \$3,789,726.00 Enterprise Fund

53. Ordinance 2002-0685

ORDINANCE creating the **LANDRY'S MANAGEMENT REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO**

a. Ordinance 2002-0686

ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **LANDRY'S MANAGEMENT, L.P.**, for certain property located within the Landry's Management Reinvestment Zone; granting variances to certain requirements of Chapter 44 of the Code of Ordinances - **DISTRICT I - ALVARADO**

b. Ordinance 2002-0687

ORDINANCE approving and authorizing agreement for Convention Services between the City of Houston and **LANDRY'S MANAGEMENT, L.P.** with regard to the Inn at the Ballpark Hotel to be located at 1502 Texas Avenue; including a limitation of funding in the amount of \$2,119,971.00 **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

54. Ordinance 2002-0688

ORDINANCE issuing a permit to **LANDRY'S MANAGEMENT L.P.** for building, constructing, using, occupying, operating, maintaining and repairing (I) Vault space and (II) Overhead canopies and cornices within portions of Texas Avenue, Crawford Street and Capitol Avenue abutting Block 74, 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 - ALVARADO**

55. Ordinance 2002-0709

ORDINANCE approving and authorizing agreement between the City of Houston, the **UPPER KIRBY REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)** in connection with the City's Reinvestment Zone Number Nineteen - **DISTRICTS C - GOLDBERG and G - KELLER**

56. Ordinance 2002-0710

ORDINANCE approving and authorizing Occupancy Agreement between the **RIVER PERFORMING AND VISUAL ARTS CENTER**, as occupant, and the City of Houston, Texas, as owner, for space in the Metropolitan Multi-Service Center - **DISTRICT D - EDWARDS**

57. Ordinance 2002-0711

ORDINANCE appropriating \$67,723.40 out of Homeless and Housing Consolidated Bond Fund and approving and authorizing agreement between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** to provide a grant for the acquisition of four (4) Residential Lots to be developed as single-family affordable housing - **DISTRICT I - ALVARADO**

Motion 2002-0878 – Suspend rules to consider Items 58 and 76 out of order

Motion 2002-0881 – Call the question on Item 58

Motion 2002-0882 – Postpone Item 58 two (2) weeks – “FAILED”

58. Ordinance 2002-0682

ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **PRICEWATERHOUSECOOPERS, L.L.P.**, to settle a claim - \$77,573.40 Property and Casualty Fund

59. Ordinance 2002-0693

ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and the **6300 HASKELL STREET CIVIC ASSOCIATION** for Garbage Collection Services for the respective civic association - 12 Months - \$216.00 - General Fund - **DISTRICT G - KELLER**

60. Ordinance 2002-0694

ORDINANCE approving and authorizing sponsorship agreement between the City and **ELDRIDGE ROAD TOWNHOMES ASSOCIATION** for Garbage Collection Service for the respective civic association - 12 Months - \$720.00 - General Fund - **DISTRICT C - GOLDBERG**

RESOLUTIONS AND ORDINANCES - continued

61. Council Member Edwards tagged

ORDINANCE appropriating \$209,360.94 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of the Homeless and Housing Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **S.S.M., L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve West Orem Place, Section One, CIP S-0800-67-03 and R-0800-67-03 - **DISTRICT D - EDWARDS**

62. Council Member Tatro tagged

ORDINANCE awarding contract to **DATA COMM BUSINESS SYSTEMS, L.L.C.** for Communications Technician Services for Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,391,625.00 - General and Central Service Revolving Funds

63. Ordinance 2002-0695

ORDINANCE approving and authorizing contract between the City of Houston and **MEDTRONIC PHYSIO-CONTROL CORPORATION** for the purchase of Defibrillator Maintenance Services for Various Departments; providing a maximum contract amount - 5 years - \$1,472,043.00 - General Fund

64. Ordinance 2002-0696

ORDINANCE awarding contract to **QUESCO TURBOMACHINERY SERVICES** for Maintenance, Testing and Repair for Emergency Power Supply Units for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,286,950.00 - General and Enterprise Funds

65. Ordinance 2002-0697

ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** for the Widening and Realignment of and Streetscape Improvements along North MacGregor Street from Fannin to South MacGregor Way; GFS N-0678-01-3 (N-0678-01) - **DISTRICT D - EDWARDS**

66. Ordinance 2002-0712

ORDINANCE appropriating \$2,954,620.00 out of Convention & Entertainment Construction Fund; approving and authorizing contract between the City of Houston and **CERTIFIED/LVI ENVIRONMENTAL SYSTEMS, INC** for Asbestos Abatement and Disposal at Jesse Jones Hall – Attic, CIP B-0038-03-5, and providing funding for construction management and contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund - **DISTRICT I - ALVARADO**

67. Ordinance 2002-0713

ORDINANCE appropriating \$178,841.45 out of Public Library Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **mARCHITECTS, LLC** for Design and Construction Phase Services in connection with the Americans with Disabilities Act Renovations for Looscan Branch Library and e-Library Prototype Design Services; GFS E-0058-01-2; providing funding for project management and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund - **DISTRICT G - KELLER**

RESOLUTIONS AND ORDINANCES - continued

68. Ordinance 2002-0698

ORDINANCE appropriating \$256,088.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **PEDKO PAVING, INC** for Rehab of the south approach to N. Wayside Bridge over Halls Bayou, GFS N-455N-04-3 (SB9005-2); providing funding for engineering testing, and contingencies relating to construction of facilities financed by Street and Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

69. Omitted

70. Ordinance 2002-0699

ORDINANCE appropriating \$1,178,600.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT, INC** for Water Main Replacement in Camden Woods East Subdivision, GFS S-0035-83-3 (WA10669); providing funding for construction management and contingencies relating to construction of facilities financed by Water and Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 71

PROPERTY

Motions 2002-0911 to 2002-0912 – Procedural Motions

71. Motion 2002-0913

RECOMMENDATION from Director Department of Public Works & Engineering **TO AMEND MOTION #2002-553, 5/15/02**, which authorized abandonment and sale of two 10-foot-wide easements, four 5-foot-wide aerial easements, and a prescriptive sanitary sewer easement in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, a 10-foot-wide water line easement, seven 10-foot by 10-foot fire hydrant easements, a 10-foot by 48-foot water meter easement, and a 10-foot by 44-foot water meter easement, all located within Plum Creek Village Subdivision, Parcels SY1-033A through G, LY1-010 and KY1-023A through J, **TO APPOINT** (2) Independent Appraisers – **(Michael D. Copland and Ronald P. Little, Appointed) - APPRAISERS - REQUIRES THREE MOTIONS DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 72 through 78

72. Motion 2002-0914

STAR AUTOMOTIVE WAREHOUSE for Automotive, Associated Replacement Parts Contract for Various Departments - \$7,428,821.00 - General, Enterprise and Fleet Management Funds **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 12 on Agenda of July 17, 2002

MATTERS HELD – continued

73. Ordinance 2002-0714

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement, containing 1,979 square feet of land, more or less, Parcel SY2-018A and two portions of the Mt. Pleasant Street street right of way, Parcels SY2-018B and SY2-022, containing 4,505 and 11,745 square feet of land, more or less, respectively, all three parcels being located in the Louis Gladitch Survey, A-304, Houston, Harris County, Texas; vacating and abandoning (i) Parcels SY2-018A and SY2-018B to Scott Street Limited Partnership, abutting owner and (ii) Parcel SY2-022 to Missionary Village Apartments Company, abutting owner, in consideration of the owners' dedication of two easements for street right of way purposes, two easements for waterline purposes and an easement for utility purposes containing an aggregate of 12,267 square feet of land, more or less, and payment of \$5,996.00 and other consideration to the City - **TAGGED BY COUNCIL MEMBER EDWARDS**
This was Item 14 on Agenda of July 17, 2002

74. Ordinance 2002-0715

ORDINANCE consenting to the addition of 57.072 acres of land to **SPRING CREEK UTILITY DISTRICT**, for inclusion in its district - **TAGGED BY COUNCIL MEMBER GOLDBERG**
This was Item 15 on Agenda of July 17, 2002

75. Motion 2002-0915 – Postpone one (1) week

ORDINANCE appropriating \$609,606.00 out of Street & Bridge Consolidated Construction Fund for City's cost participation in the construction of Bikeways for Medical Center/Greenway, Plaza/Galleria Bikeway Phase 2, Harrisburg/Sunset Rails to Trails Phase 2 and Central Business District Access On-Street Bikeways Phase 2 under agreement with **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** (approved by Ordinance No 95-1290), CIP N-0420-4A-3 (N-0420-4A-3); providing funding for contingencies relating to construction of facilities financed by Street and Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; F - ELLIS; G - KELLER; H - VASQUEZ and I - ALVARADO**
TAGGED BY COUNCIL MEMBER TATRO
This was Item 22 on Agenda of July 17, 2002

Motion 2002-0884 – Call the question on Item 76

Motion 2002-0885 – Amend Item 76 to reduce amount by \$77,573.40

76. Ordinance 2002-0683

ORDINANCE approving and authorizing agreement between the City of Houston and **PRICEWATERHOUSECOOPERS, L.L.P.** for Litigation Support Services - \$372,426.60 Enterprise and Property and Casualty Funds
TAGGED BY COUNCIL MEMBERS ELLIS, GOLDBERG, SEKULA-GIBBS, TATRO, VASQUEZ, KELLER and WISEMAN
This was Item 24 on Agenda of July 17, 2002

77. Ordinance 2002-0716

ORDINANCE appropriating \$320,000.00 out of Fire Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER AND LINVILLE, INC** for Design and Construction Phase Services for new Fire Station No. 24, GFS C-0051-01-2; providing funding for the Civic Art Program, Environmental Site Assessment and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT D - EDWARDS**
TAGGED BY COUNCIL MEMBER GOLDBERG
This was Item 26 on Agenda of July 17, 2002

MATTERS HELD – continued

78. Ordinance 2002-0717

ORDINANCE appropriating \$211,202.71 out of General Improvement Consolidated Construction Fund, awarding construction contract to **JERDON ENTERPRISE, L.P.** and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, A Division of TERRACON, INC** for construction of Shady Grove Plaza, GFS D-0100-10-3 - **DISTRICT H - VASQUEZ** - **TAGGED BY COUNCIL MEMBER PARKER**
This was Item 32 on Agenda of July 17, 2002

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

7/30/02 – Council Member Robinson out of the city on personal business

7/31/02 – All Present