

AGENDA - COUNCIL MEETING - TUESDAY - MAY 21, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-0577 to 2002-0592
ORDINANCES – 2002-0420 to 2002-0436
RESOLUTIONS – None

2002-0576-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Sekula-Rodriguez

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 2002-0577 – Suspend rules to hear from Ms. Brenda Flores, Ms. Barbara McCormick and Ms. Heather Kanenberg out of order

Motion 2002-0578 – Suspend rules to hear from Mr. Guy McCord out of order

Motion 2002-0579 – Suspend rules to hear from Mr. Brian Hill of the Parks & Recreation Dept.

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 22, 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 28

MISCELLANEOUS - NUMBERS 1 through 3

1. Motion 2002-0585

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 2 in the amount of \$27,216.73 on contract with **CARRERA CONSTRUCTION, INC** for

AGENDA - MAY 22, 2002 - PAGE 2

Parks to Standard Program - Phase II Bid Package No. 43 - Law Park, GFS F-0363-43-3 -
\$26,966.73 CDBG Fund **DISTRICT - E WISEMAN**

MISCELLANEOUS - continued

2. **Motion 2002-0580**

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and the **GLENSHIRE COMMUNITY ASSOCIATION, INC, MIDTOWN MANAGEMENT DISTRICT** and **MORNINGSIDE PLACE SECTION 1 HOMEOWNER'S ASSOCIATION** for Law Enforcement Services of 1 Deputy from Harris County Constable Precinct 5 and 3 Deputies from Harris County Constable Precinct 7 - **DISTRICTS C - GOLDBERG; D - EDWARDS and I - ALVARADO**

3. **Motion 2002-0581**

RECOMMENDATION from Chief of Police for Extension of Injured on Duty Status for Police Officer **DAVID G. JOHNSON**

ACCEPT WORK - NUMBER 4

4. **Motion 2002-0586**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,150,089.90 and acceptance of work on contract with **CAJUN CONTRACTORS, INC** for Southwest Wastewater Treatment Plant Improvements, GFS R-0097-01-3 (4703-1) - 01.70% under the original contract amount - Enterprise Fund - **DISTRICT C - GOLDBERG**

PROPERTY - NUMBERS 5 and 6

5. **Motion 2002-0582**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A99-106, located at 6226 Wheatley Street, owned by Billye Lou Ledbetter, Sherrye Colleen Remkes Graves and Judyth Ann Remkes Henry, for the **ELLA BOULEVARD PAVING PROJECT from Pinemont to West Little York, CIP N-0546-01-1 - DISTRICT B - GALLOWAY**

6. **Motion 2002-0583**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY1-117, located at 11432 FM 529 (Spencer Road), owned by Larry W. Krueger and Sue B. Krueger DBA Saxon Company, for the **SPENCER ROAD WATERLINE PROJECT from Brittmoore to Jersey Village Pump Station, CIP S-0900-71-2**

PURCHASING AND TABULATION OF BIDS - NUMBER 7

7. **Motion 2002-0584**

LANSDOWNE MOODY CO., INC - \$368,943.00, **BROOKSIDE EQUIPMENT SALES, INC** \$33,896.00, **AMC INDUSTRIES** - \$89,547.00 and **ALVIN EQUIPMENT COMPANY** - \$83,816.00 for Tractors and Attachments for Various Departments - \$576,202.00 - Enterprise, Equipment Acquisition Consolidated and Disaster Recovery Funds

ORDINANCES - NUMBERS 8 through 28

8. **Ordinance 2002-0420**

ORDINANCE consenting to the addition of 180.7648 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

9. **Pulled - Not Considered**

ORDINANCE establishing the north and south sides of the 800 block of Merrill Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of

ORDINANCES - continued

10. Ordinance 2002-0422

ORDINANCE approving and authorizing an Oil, Gas and Mineral Lease Agreement between **WILCOX OIL & GAS, INC**, as lessee, and the City of Houston, as lessor, for a 154.4 acre tract of land located at 13900 Beaumont Highway, Talcott Patching Survey, A-619

11. Ordinance 2002-0423

ORDINANCE approving and authorizing the second amendment to the Public Improvement Development Agreement between the City of Houston, Texas, **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)**, and **FRIENDSWOOD DEVELOPMENT COMPANY, LTD.** for the design, construction and acquisition of certain public improvements and for certain other project costs in the Lake Houston Zone - **DISTRICT E - WISEMAN**

a. Ordinance 2002-0424

ORDINANCE appropriating \$6,277,863.57 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for payment to **FRIENDSWOOD DEVELOPMENT COMPANY, LTD.** for reimbursement of costs associated with Public Improvements in Reinvestment Zone Number Ten, City of Houston, Texas, pursuant to Ordinance No. 1999-407, as amended

12. Ordinance 2002-0425

ORDINANCE approving and authorizing contract between the City and **NIGHTINGALE ADULT DAY CENTER** for Interpreter Services for the Deaf and Hearing-Impaired for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year extensions \$275,000.00 - General Fund

13. Omitted

14. Ordinance 2002-0426

ORDINANCE appropriating \$25,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **INTERLAND, INC** for Construction of Water and Sanitary Sewer Lines in Park Harbor Oaks Subdivision, CIP S-0800-61-03 and R-0800-61-03 - **DISTRICT A - TATRO**

15. Ordinance 2002-0427

ORDINANCE appropriating \$207,264.35 out of Water & Sewer System Consolidated Fund and \$226,782.64 out of Tax Increment Reinvestment Zone Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines in Victoria Park Section 1, CIP S-0800-62-03 and R-0800-62-03 - **DISTRICT E - WISEMAN**

16. Ordinance 2002-0428

ORDINANCE appropriating \$93,207.55 out of Water & Sewer System Consolidated Fund and \$101,157.84 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines in the Victoria Park Section 2, CIP S-0800-63-03 and R-0800-63-03 - **DISTRICT E - WISEMAN**

17. Ordinance 2002-0429

ORDINANCE appropriating \$111,075.36 out of Water & Sewer System Consolidated Fund and \$174,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines in Victoria

AGENDA - MAY 22, 2002 - PAGE 5

Park Section 3, CIP S-0800-64-03 and R-0800-64-03 - **DISTRICT E - WISEMAN**

ORDINANCES - continued

18. Council Members Goldberg and Keller tagged

Ordinance 2002-ORDINANCE appropriating \$211,779.59 out of Water & Sewer System Consolidated Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **W & W ASSET MANAGEMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines in the Villages of Glenshire Subdivision, CIP S-0800-46-03 and R-0800-52-03 - **DISTRICT C - GOLDBERG**

19. Ordinance 2002-0430

ORDINANCE approving and authorizing acceptance of grant agreement No. 3-48-0110-23-02 in the amount of \$780,190.00 by and between the City of Houston, Texas and the Federal Aviation Administration for partial compensation of additional security and other expenses incurred at William P. Hobby Airport as a result of the events of September 11, 2001 - **DISTRICT I - ALVARADO**

20. Ordinance 2002-0431

ORDINANCE approving and authorizing acceptance of grant agreement No. 3-48-0111-42-02 in the amount of \$2,930,774.00 by and between the City of Houston, Texas and the Federal Aviation Administration for partial compensation of additional security and other expenses incurred at George Bush Intercontinental Airport/Houston as a result of the events of September 11, 2001 - **DISTRICT B - GALLOWAY**

21. Ordinance 2002-0432

ORDINANCE approving and authorizing first amendment to professional architectural services contract between the City of Houston and PEARSON ENGLISH ARCHITECTURAL DESIGN, INC for Renovation of the 3300 Main Building (approved by Ordinance No. 00-725), GFS D-0074-04-2 - **DISTRICT D - EDWARDS**

22. Ordinance 2002-0433

ORDINANCE approving and authorizing contract between the City and **A & S ENGINEERS, INC** for Professional Engineering Services related to Storm Drainage System - (SM5026) \$385,000.00 - Street & Drainage Maintenance Fund

23. Council Members Galloway and Vasquez tagged

ORDINANCE appropriating additional sum of \$1,500,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Neighborhood Sewer System Improvements under an engineering services contract with **MWH AMERICAS, INC** (approved by Ordinance No. 99-855), CIP R-0544-01-02 (R-0544-04), Project No. 4751

24. Ordinance 2002-0434

ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation under professional engineering services contract between the City of Houston and **SADEGHPOUR & ASSOCIATES, INC dba SCIENTECH** (approved by Ordinance No. 2000-0077), CIP N0445N-20-2 (SB9005); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

25. Ordinance 2002-0435

ORDINANCE appropriating \$110,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Design of the Safe Sidewalk Program under professional engineering services contract with **ESOR CONSULTING ENGINEERS, INC** (approved by Ordinance No. 01-0038), CIP N-0610A-S7-2 (SB9048); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction

Fund

ORDINANCES - continued

26. Ordinance 2002-0421

ORDINANCE appropriating \$116,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation under professional engineering services contract with **DANNEBAUM ENGINEERING CORPORATION** (approved by Ordinance 97-0998), CIP R-0267-03-2 (4275); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO**

27. Ordinance 2002-0436

ORDINANCE appropriating \$232,042.00 out of Convention and Entertainment Construction Fund; determining that the formal taking of competitive bids is not required for the work described herein; approving and authorizing contract between the City of Houston and **PROJECT DEVELOPMENT GROUP, INC** for Asbestos/Lead and Mold Remediation in the "Y" Tunnel, CIP B-0070-01-5 and approving and authorizing additional funds for professional services contract No. 50398 with **HONESTY ENVIRONMENTAL SERVICES, INC** (authorized by Ordinance No. 99-507); providing funding for construction management and contingencies relating to construction of facilities financed by the Convention and Entertainment Construction Fund - **DISTRICT I - ALVARADO**

28. Council Member Keller tagged

ORDINANCE consenting to the transfer to **SHAW COMMUNICATIONS, INC** of control of the Cable Television Franchise currently held by Kingwood Cablevision, Inc, granted pursuant to City of Houston Ordinance No. 98-15 and prescribing certain supplemental conditions to such assignment - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 29 and 30

MISCELLANEOUS

29. Motion 2002-0587

MOTION to set a date not less than seven (7) days from May 22, 2002 to receive nominations for Positions A through I of the **HOUSTON CLEAN CITY COMMISSION**, for terms to expire February 1, 2003

30. Motion 2002-0588

MOTION to set a date not less than seven (7) days from May 22, 2002 to receive nominations for Positions 18 and 21 of the **HOUSTON READ COMMISSION**, for terms to expire January 1, 2005

MATTERS HELD - NUMBERS 31 and 32

Motion 2002-0589 – Suspend rules to hear Ms. Sally Bradford of the Department of Aviation

Motion 2002-0590 – Call the question on Item 31

31. Motion 2002-0591 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Aviation for approval of final contract amount of \$6,209,508.74 and acceptance of work on contract with **CHAMPAGNE WEBBER TEXAS, INC** for Hardy Toll Road Connector at George Bush Intercontinental Airport/Houston (IAH), Project 497A; CIP A-0261 - 04.77% over the original contract amount - **DISTRICT B - GALLOWAY** - TAGGED BY COUNCIL MEMBER GOLDBERG

This was Item 6 on Agenda of May 15, 2002

32. Motion 2002-0592 – Postpone one (1) week

ORDINANCE authorizing acceptance of a grant from the Texas General Land Office and approving and authorizing grant agreement between the City of Houston and the **TEXAS GENERAL LAND OFFICE** relating to the Buffalo Bayou East Sector Redevelopment Plan; declaring the City's eligibility for such grant; authorizing the Director of the Houston Parks and Recreation Department to act as the City's representative and to accept such grant funds and all subsequent awards, if any pertaining to the project - **DISTRICT H - VASQUEZ**
POSTPONED BY MOTION #2002-575, 5/15/02

This was Item 52 on Agenda of May 15, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Wiseman 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

**5/21/02 – Mayor Brown out of the City on City business
Mayor Pro-tem Quan presiding**

**5/22/02 – Mayor Brown out of the City on City business
Mayor Pro-tem Quan presiding
Council Member Wiseman absent on City business**