

AGENDA - COUNCIL MEETING - WEDNESDAY - MAY 29, 2002 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-0593 to 2002-0615
ORDINANCES – 2002-0437 to 2002-0459
RESOLUTION – 2002-0019

2002-0592-1

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

Motion 2002-0607 – Suspend rules to hear Ms. Andrea Cooksey, Ms. Sylvia Castillo and Mr. Juan Parras out of order

Motion 2002-0608 – Suspend rules to hear from representatives appointed to the Houston Commission on disabilities who are present

Motion 2002-0609 – Suspend rules to hear Ms. Polly Ledvina out of order

Motion 2002-0610 – Suspend rules to continue discussion with Mr. John Wilson

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 through 8

1. Motion 2002-0593

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **COASTAL WATER AUTHORITY**, for terms to expire March 31, 2004:

Position One - **MS. DOROTHY WASHINGTON**, reappointment

Position Two - **MR. RICK CLOUTIER**, appointment

MISCELLANEOUS - continued

2. Motion 2002-0594

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON COMMISSION ON DISABILITIES**, for terms to expire July 26, 2003:

Position One - **MS. ROBBIE ARRINGTON**, appointment

Position Three - **MS. KRISTEN E. JONES**, reappointment

Position Five - **MR. ROBERT BARTLETT**, reappointment

Position Seven - **MS. LEA MAREK**, appointment

Position Nine - **MR. ROY MOORE**, appointment

Position Eleven - **MR. KENNETH F. OTTEN**, reappointment

Alternate Position One - **MS. MERCEDES E. ALEJANDRO**, reappointment

Alternate Position Three - **MR. JUAN RODRIGUEZ**, appointment

3. Motion 2002-0595

RECOMMENDATION from Director Human Resources to approve a fourth 90 day period for pay differential for employees called to active duty status during a time of war or state of emergency

4. Council Member Sekula-Rodriguez tagged

RECOMMENDATION from Chief of Police for approval for Refund of Cash Draw of \$472,341.00 in federal grant funds, plus accumulated interest of \$21,000.00 pertaining to the Distance Learning Project funded under the COPS More '98 Grant to the **DEPARTMENT OF JUSTICE**

5. Motion 2002-0596

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and the **GLENSHIRE COMMUNITY ASSOCIATION, INC** for Law Enforcement Services of 2 Deputies from Harris County Constable Precinct 5 - **DISTRICT C - GOLDBERG**

6. Motion 2002-0597

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

6-1 Motion 2002-0603

RECOMMENDATION from Chief of Police for Extension of Injured on Duty Status for Police Officer **ENRIQUE DUHARTE-TUR**

7. Council Member Edwards tagged

ORDINANCE appropriating \$2,449,546.00 out of Houston Airport System Consolidated 2001AMT Construction Fund and approving and authorizing amendment No. 1 to the construction contract between the City of Houston and **MANHATTAN CONSTRUCTION COMPANY** for Utility Tunnel to Terminal E, FIS Foundations and Excavation and Site Utilities at George Bush Intercontinental Airport/Houston, Project No. 500J, CIP A-0203 - **DISTRICT B - GALLOWAY**

MISCELLANEOUS – continued

a. Council Member Edwards tagged

RECOMMENDATION from Director Department of Aviation for approval of Change Order No. 2 in the amount of \$2,449,546.00 on contract with **MANHATTAN CONSTRUCTION COMPANY** for Utility Tunnel to Terminal E, FIS Foundations and Excavation and Site Utilities at George Bush Intercontinental Airport/Houston, Project No. 500J, CIP A-0203 - **DISTRICT B - GALLOWAY**

8. Motion 2002-0598

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds for Water & Sewer Accounts for various customers - \$79,158.54 - Enterprise Water & Sewer Fund

ACCEPT WORK - NUMBER 9

9. Motion 2002-0604

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$7,511,009.62 and acceptance of work on contract with **CHAMPAGNE WEBBER, INC, TEXAS** for Terminals A & B Apron Reconstruction Phase I at George Bush Intercontinental Airport/Houston (IAH), Project 538; CIP A-0359 - 03.25% over the original contract amount **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 14

10. Motion 2002-0599

HUGHY & PHILLIPS HONEYWELL AIRPORT SYSTEMS - \$475,000.00, **AIRPORT LIGHTING SYSTEMS, INC** - \$625,000.00 and **TURTLE HUGHES, INC** - \$125,000.00 for Airfield Lighting for Aviation and Police Departments - General and Enterprise Funds

11. Motion 2002-0605

GRAPHIC TECHNOLOGY, INC for Printing Barcode Labels for Library Department \$180,500.00 - General Fund

12. Motion 2002-0600

CURB PLANET, INC for Dairy Ashford/Scenic Ridge Drainage Improvements for Department of Public Works & Engineering - \$118,000.00 and contingencies for a total amount not to exceed 123,900.00 - Street & Drainage Maintenance Fund

13. Motion 2002-0601

AMEND MOTION #2002-228, 2/27/02, TO INCREASE quantity to purchase One Additional Forklift for Department of Public Works & Engineering, awarded to **INDUSTRIAL AIR TOOL** for a total increase of \$17,300.00 - Enterprise Fund

14. Motion 2002-0602

BIG Z LUMBER CO. for Roofing Materials for Various Departments - \$65,071.74 - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 40

15. Resolution 2002-0019

RESOLUTION of the City Council prescribing the date, time and location of a public hearing on the City Budgets for the time period July 1, 2002 through June 30, 2003; authorizing notice of such public hearing and making other provisions related to the subject **HEARING DATE - 1:30 P.M. - TUESDAY - JUNE 11, 2002**

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 40

16. Motion 2002-0606 – Postpone three (3) weeks

ORDINANCE amending **CHAPTERS 8 and 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the location and operation of Automobile Storage Lots, Automobile Wrecking and Salvage Yards and Lots used for open storage by Junk Dealers, Scrap Metal Processors and Second Hand Dealers near Churches, Schools or Residences; containing other provisions relating to the foregoing subject; providing for severability

17. Ordinance 2002-0449

ORDINANCE amending **SECTION 45-271 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Culpable Mental State for certain Vehicle Weight Limits Offenses; containing findings and other provisions relating to the foregoing subject; providing for severability

18. Ordinance 2002-0437

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of three 5-foot wide utility easements containing an aggregate of 2,303 square feet of land, more or less and 10-foot wide utility easement containing 2,272 square feet of land, more or less, out of the Joe Annie Addition, Obedience Smith Survey, A-696, Harris County, Texas; vacating and abandoning said tracts of land to Perry Homes, a Joint Venture, the abutting owner, in consideration of owner's dedication of two utility easements containing an aggregate of 4,217 square feet of land, more or less, out of the Joe Annie and Harlow Additions, Obedience Smith Survey, A-696, Houston, Harris County, Texas, and owner's payment of \$5,012.00 and other consideration to the City - **DISTRICT D - EDWARDS**

19. Ordinance 2002-0438

ORDINANCE consenting to the addition of 8.5262 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 136**, for inclusion in its district

20. Ordinance 2002-0439

ORDINANCE consenting to the addition of 21.4713 acres of land to **LOUETTA NORTH PUBLIC UTILITY DISTRICT**, for inclusion in its district

21. Ordinance 2002-0440

ORDINANCE consenting to the addition of 153.153 acres of land to **BARKER-CYPRESS MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

22. Ordinance 2002-0450

ORDINANCE approving and authorizing first amendment to Reimbursement Agreement between the City of Houston and **GARDEN CITY LIMITED** relating to a Federal Funded Anti-Drug Program - \$51,032.00 - Grant Fund - **DISTRICT B - GALLOWAY**

23. Ordinance 2002-0451

ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for the Houston Fire Department to manage the County's Juvenile Firesetter Program; authorizing two new part-time positions - \$40,000.00 - Revenue

24. Not Received - Not Considered

ORDINANCE approving and authorizing contract between the City and **EDUCATIONAL PRODUCTIONS IN THE COMMUNITY LP** for Education and Training Services - \$300,000.00 Grant Fund

RESOLUTIONS AND ORDINANCES - continued

25. Ordinance 2002-0452

ORDINANCE approving and authorizing maximum contract amount for contract between the City of Houston and **HAYS INFORMATION MANAGEMENT, INC** for Record Storage, Retrieval and Destruction Services for Various Departments; formally approved by Ordinance No. 2002-285

26. Council Members Wiseman, Edwards, Tatro, Vasquez, Keller, Sekula-Rodriguez, Parker and Galloway tagged

ORDINANCE approving and authorizing contract between the City of Houston and **INTERNET ACCESS TECHNOLOGIES, INC** for Desktop Software and Productivity Tools, Licensing and Support Citywide; providing a maximum contract amount - \$9,560,375.00 - Equipment Acquisition Consolidated Fund - 3 Years with 3 one year options

27. Ordinance 2002-0453

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SOUTHWESTERN BELL TELEPHONE, L.P., formerly known as SOUTHWESTERN BELL TELEPHONE COMPANY** (approved by Ordinance No. 2000-882) for Local Telephone Services Citywide

28. Ordinance 2002-0441

ORDINANCE approving and authorizing contract between the City of Houston and **CHOICE POINT BUSINESS AND GOVERNMENT SERVICES, INC** for Background Information Retrieval Software and Database Services for the Houston Police Department - 3 Years - \$88,836.00 General Fund

29. Ordinance 2002-0442

ORDINANCE approving and authorizing sponsorship agreement between the City and **ELM GROVE TOWNHOMES ASSOCIATION** and **SPRINGROCK LANE ESTATES COMMUNITY ASSOCIATION, INC** for Garbage Collection Service for the respective subdivisions - 2 Months - \$504.00 - **DISTRICTS A - TATRO and E - WISEMAN**

30. Council Member Ellis tagged

ORDINANCE appropriating \$279,850.00 out of Street & Bridge Consolidated Construction Fund and \$33,270.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and **HARRIS COUNTY** for Reconstruction of Aldine-Westfield Road from 1000 feet south of Beltway 8 to Simmans Road, CIP N-NA-0002-2 (SB9072) - **DISTRICT B - GALLOWAY**

31. Council Member Ellis tagged

ORDINANCE appropriating \$204,715.00 out of Street & Bridge Consolidated Construction Fund and \$282,485.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and **HARRIS COUNTY** for Reconstruction of Brittmoore Road from Clay Road to approximately 1,150 feet south of Tanner Road, CIP N-NA-0003-2 and S-0521-E7 (SB9073); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

RESOLUTIONS AND ORDINANCES - continued

32. Pulled - Not Considered

ORDINANCE appropriating \$819,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing third amendment to professional services contract between the City of Houston and **POLYTECH, INC d/b/a PTI, INC** for Design of Sludge Facilities Improvements and Expansion at the East Water Purification Plant (EWPP) Complex, CIP S-0056-Y8-2 (10536); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

33. Ordinance 2002-0443

ORDINANCE appropriating \$200,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional Miscellaneous Engineering Testing Laboratory Services contract between the City of Houston and **GEOTEST ENGINEERING, INC** for Engineering Testing Services, GFS R-0019-01-02 (WW4828)

34. Ordinance 2002-0454

ORDINANCE approving and authorizing amendment to Ordinance No. 00-025 and reallocating \$73,500.00 from Construction contract No. 51161, and depositing \$73,500.00 into Professional Construction Management Services Contract No. 38497 between the City of Houston and **PATE ENGINEERS, INC** for the Rehabilitation of Four Elevated Storage Tanks and Replacement of One Elevated Storage Tank with Hydropneumatic Tanks, GFS S-0600-21-3

35. Ordinance 2002-0444

ORDINANCE approving and authorizing contract amendment between the City of Houston and **TROY CONSTRUCTION, L.L.P.**, for Water Line Repairs by Point Repair Method (Contract 52994) - (WA10710)

36. Ordinance 2002-0445

ORDINANCE approving and authorizing contract amendment between the City of Houston and **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Repairs by Point Repair Method (Contract 52998) - (WA10713)

37. Ordinance 2002-0455

ORDINANCE approving and authorizing contract amendment between the City of Houston and **TROY CONSTRUCTION, L.L.P.**, for Water Line Repairs by Point Repair Method (Contract 52627) (WA10698)

38. Ordinance 2002-0446

ORDINANCE appropriating \$834,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DOLSON SIERRA CONSTRUCTION GROUP, INC** and approving and authorizing professional services contract for engineering testing services with **EARTH ENGINEERING, INC** for Safe Sidewalk Program, GFS N-0610A-G8-3 (SB9007-3); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - TATRO and B - GALLOWAY**

39. Ordinance 2002-0447

ORDINANCE appropriating \$1,255,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JALCO, INC** and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** for construction of Telephone Road No. 1, Lear Drive, and Beaver Drive Lift Station Replacements, GFS R-0267-30-3 (4275-18); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS B - GALLOWAY and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

40. Ordinance 2002-0448

ORDINANCE appropriating \$3,717,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **E. P. BRADY, INC** for 48-inch Water Line along Hempstead Highway and Spencer Road from Brittmoore Road to the Jersey Village Pumping Station, GFS S-0900-71-3 (WA10644); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 41 and 42

MISCELLANEOUS

41. Motion 2002-0611 – Close nominations for Positions B, D, E, F, H and I

RECEIVE nominations for Positions A through I of the **HOUSTON CLEAN CITY COMMISSION**, for terms to expire February 1, 2003

Position B – Mr. R. C. Jones nominated by Council Member Galloway

Position D – Ms. Sherry Sterring nominated by Council Member Edwards

Position E – Mr. Paul Kevin Dix nominated by Council Member Wiseman

Position F – Ms. Karen North nominated by Council Member Ellis

Position H – Ms. Terisa Taylor nominated by Council Member Ellis

Position I – Mr. Ramiro Fonseca nominated by Council Member Alvarado

Motion 2002-0612 – Postpone receipt of nominations for Positions A, C and G for one (1) week

42. RECEIVE nominations for Positions 18 and 21 of the **HOUSTON READ COMMISSION**, for terms to expire January 1, 2005

Motion 2002-0613 – Receipt of nominations for Position 18 remain open for one (1) week - NOTE: Ms. Elsie Huang was nominated by Mayor Pro-tem Quan

Motion 2002-0614 – Close nomination for Position 21 – NOTE: Ms. Diana M. Valverde was nominated by Council Member Sekula-Rodriguez

MATTERS HELD - NUMBERS 43 through 46

43. Ordinance 2002-0456

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** - TAGGED BY COUNCIL MEMBERS GOLDBERG and KELLER

This was Item 18 on Agenda of May 22, 2002

MATTERS HELD - NUMBERS 43 through 46

44. Ordinance 2002-0457

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

TAGGED BY COUNCIL MEMBERS GALLOWAY and VASQUEZ

This was Item 23 on Agenda of May 22, 2002

45. Ordinance 2002-0458 – Passed first reading

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 - TAGGED BY COUNCIL MEMBER KELLER**

This was Item 28 on Agenda of May 22, 2002

46. Ordinance 2002-0459

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 #2002-592, 5/22/02

This was Item 32 on Agenda of May 22, 2002

Motion 2002-0615 – Suspend rules to remain in session beyond the noon recess to complete the Agenda

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

**05/29/02 – Mayor Brown out of the City on City business
Council Member Goldberg absent on City business
Mayor Pro-tem Quan presiding**