

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 29, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2002-1276 to 2002-1315
ORDINANCES 2002-0974 to 2002-0997
RESOLUTIONS – 2002-0033

2002-1275-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Galloway

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 2002-1276 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 30, 2002 - 9:00 A. M.

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

MAYOR'S REPORT

Motion 2002-1277 – Accept reports

9:00 A.M. - **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 1 through 42

MISCELLANEOUS - NUMBERS 1 through 5

1. Council Member Vasquez tagged

RECOMMENDATION from the City Attorney for approval of City of Houston Legislative Principles for the 78th Session of the Texas Legislature submitted by the City Council Legislative Affairs Committee

2. Ordinance 2002-0977

ORDINANCE appropriating \$4,492.00 out of Parks Consolidated Construction Fund as an additional appropriation for Bid Package No. 34 - Lake Forest, Hobart Taylor and Walter Jones Parks under construction contract with **STEVEN R. HILL CONSTRUCTION CO., INC**, approved by Ordinance No. 2002-10, GFS F-0363-34-3, F-0363-35-3 and F-0363-36-3 - **DISTRICTS B - GALLOWAY and E - WISEMAN**

a. Motion 2002-1289

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 3 in the amount of \$6,580.00 on contract with **STEVEN R. HILL CONSTRUCTION CO., INC** for Lake Forest Park, Hobart Taylor Park and Walter Jones Park, GFS F-0363-34-3, F-0363-35-3 and F-0363-36-3 - **DISTRICTS B - GALLOWAY and E - WISEMAN**

3. Ordinance 2002-0978

ORDINANCE appropriating \$14,890.30 out of General Improvement Consolidated Construction Fund as an additional appropriation for Sylvan Rodriguez Park (formerly Clear Lake Park) under construction contract with **K.C.C. GROUP, INC** approved by Ordinance No. 2000-0289, GFS F-0444-03-3 - **DISTRICT E - WISEMAN**

a. Motion 2002-1290

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 7 in the amount of \$43,540.00 on contract with **K.C.C. GROUP, INC** for Sylvan Rodriguez Park (formerly Clear Lake Park), GFS F-0444-03-3 - **DISTRICT E - WISEMAN**

4. Motion 2002-1291

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 3 in the amount of \$29,284.05 on contract with **CARRERA CONSTRUCTION, INC** for Parks to Standard Program - Phase II Bid Package No. 43 - Law Park, GFS F-0363-43-3 - CDBG Funds - **DISTRICT E - WISEMAN**

5. Motion 2002-1292

RECOMMENDATION from Acting Chief of Police for Extension of Injured on Duty status for Police Officer **CHRISTINE M. GOLD**

DAMAGES - NUMBER 6

6. Motion 2002-1293

RECOMMENDATION from City Attorney for settlement of lawsuit styled **DAPHANIE GRISSOM v. the City of Houston and Vernon Wilson**; in the County Civil Court at Law No. Four (4) of Harris County, Texas, Cause No. 711,215 - \$32,500.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 7 through 9

7. Council Member Vasquez tagged

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$2,171,526.07 and acceptance of work on contract with **CHAMPAGNE WEBBER, INC, TEXAS** for Rehabilitation of Intersection Pavement at Runways 12R-30L and 4-22 at William P. Hobby Airport (HOU); Project No. 566A; CIP A-0385 - 04.00% over the original contract amount
DISTRICT I - ALVARADO

8. Council Member Keller tagged

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,010,907.86 and acceptance of work on contract with **SUMCO, INC** for Parks to Standard Program - Phase II, Bid Package No. 21, Highland Park, GFS F-0363-21-3 - 17.88% over the original contract amount - **DISTRICT B - GALLOWAY**

9. Motion 2002-1294

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,021,998.00 and acceptance of work on contract with **GULF COAST GOLF, INC** for Parks to Standard Program - Phase II, Bid Package No. 48, Sharpstown Golf Course, GFS F-0363-48-3 - 03.45% over the original contract amount - **DISTRICT F - ELLIS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 12

10. Motion 2002-1295

BASIC INDUSTRIES, INC - \$49,117.00 and contingencies for a total amount not to exceed \$51,572.85 and **GBS ENVIRONMENTAL, INC** - \$44,900.00 and contingencies for a total amount not to exceed \$47,145.00 for Mold Remediation, Asbestos Abatement and Build Back Services at Eight Fire Stations for Building Services Department - Fire Consolidated Construction Fund

11. Council Member Goldberg tagged

ORDINANCE appropriating \$786,682.00 out of Police Consolidated Construction Fund for the Re-Roof Project for 1200 Travis for Building Services Department, CIP G-0072; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund

a. Council Member Goldberg tagged

TEXAS LIQUA TECH SERVICES, INC for the Re-Roof Project for 1200 Travis for Building Services Department - \$697,000.00 and contingencies for a total amount not to exceed \$731,850.00 - Police Consolidated Construction Fund

12. Motion 2002-1296

PAVERS SUPPLY COMPANY for High Performance Cold Patch for Department of Public Works & Engineering - \$345,312.00 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 42

13. Resolution 2002-0033

RESOLUTION requesting financial assistance from the **TEXAS WATER DEVELOPMENT BOARD**; authorizing the submission of the application for such financial assistance; and designating the authorized representatives for executing the application and appearing before the Board

RESOLUTIONS AND ORDINANCES - continued

14. Ordinance 2002-0979

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Animal Shelter Advisory Committee; containing other provisions relating to the foregoing subject; providing for severability

Motion 2002-1287 – Suspend rules to consider Item 15 out of order

15. Council Members Edwards and Galloway tagged

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2002-67 by adding four (4) Captain Positions and twelve (12) Engineer Operator Positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability

16. Ordinance 2002-0980

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a waterline easement containing 7,167 square feet of land, more or less, being located in the George Bellows Survey, A-3, Houston, Harris County, Texas; vacating and abandoning said tract of land to MNC Mall Ltd., the abutting owner, in consideration of owner's payment of \$35,835.00 and other consideration to the City - **DISTRICT G - KELLER**

17. Ordinance 2002-0981

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 10-foot wide water line easements being designated Parcels SY2-068A and SY2-072, containing an aggregate of 11,753 square feet of land, more or less and a 10-foot wide sanitary sewer easement being designated Parcel SY2-068B, containing 4,100 square feet of land, more or less, all easements located in the Isaac Bunker Survey, A-121, Houston, Harris County, Texas, vacating and abandoning (i) Parcels SY2-068A and SY2-068B to MNC Mall, Ltd., the abutting owner and (ii) Parcel SY2-072 to Metro National Corporation, the abutting owner, in consideration of owners' dedication of a 20-foot wide water line easement, a 10-foot by 30-foot fire hydrant easement, and a 25-foot wide sanitary sewer easement containing an aggregate of 13,795 square feet of land, more or less, and owners' payment of \$18,119.00, and other consideration to the City - **DISTRICT G - KELLER**

18. Ordinance 2002-0982

ORDINANCE consenting to the addition of 32.6710 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286**, for inclusion in its district

19. Ordinance 2002-0983

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 397**

20. Ordinance 2002-0985

ORDINANCE approving and authorizing first amendment to office space lease agreement between **HINES INTERESTS LIMITED PARTNERSHIP** and the City of Houston Leasing Antenna Positions and Office Space at 900 Louisiana, One Shell Plaza, for use by the Police and Fire Departments - **DISTRICT I - ALVARADO**

Motion 2002-1297 – Suspend rules to hear from Mr. Richard Cantu

21. Council Member Ellis tagged

ORDINANCE appropriating \$35,000.00 out of Housing Special Revenue Fund and approving and authorizing contract between the City and **HOUSTON SECOND WARD COMMUNITY DEVELOPMENT CORPORATION** for Day Labor Site Services at 2 North Sampson Street **DISTRICT H - VASQUEZ**

RESOLUTIONS AND ORDINANCES - continued

22. Council Members Galloway and Ellis tagged

ORDINANCE approving and authorizing City of Houston to enter into contracts with each of six (6) independent school districts [**ALIEF ISD, CLEAR CREEK ISD, CYPRESS FAIRBANKS ISD, HOUSTON ISD, NORTH FOREST ISD and SPRING BRANCH ISD**] and each of twenty-one (21) non-profit organizations [**BOYS & GIRLS CLUB OF GREATER HOUSTON, INC, BREAD OF LIFE, INC, CHINESE COMMUNITY CENTER, D.A.R.E. AMERICA, THE DRAW ACADEMY, INC, ECAP ENTERPRISES, INC, THE GIVING INSTRUCTION FOR TOMORROW ACADEMY, GREATER ST. PAUL MISSIONARY BAPTIST CHURCH, HOUSTON ALL-STARS CHILDREN'S DEVELOPMENT PROGRAM, HOUSTON HEIGHTS LEARNING ACADEMY, INC, THE IMANI SCHOOL, JULIA C. HESTER HOUSTON, INC, KIPP, INC, MARTIN LUTHER KING, JR. COMMUNITY CENTER, MULTI-CULTURAL EDUCATION AND COUNSELING THROUGH THE ARTS, PHOENIX OUTREACH YOUTH CENTER MISSION, INC, SOUTHEAST HOUSTON COMMUNITY DEVELOPMENT CORPORATION, THE SALVATION ARMY, VOLUNTEERS OF AMERICA TEXAS, INC, WESLEY COMMUNITY CENTER, INC OF HOUSTON, TEXAS, and YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON**] to administer an After School Achievement Program ("ASAP") - \$2,620,000.00 - General, Grant and Housing Special Revenue Funds

23. Ordinance 2002-0986

ORDINANCE approving and authorizing contracts between the City and **CAREER & RECOVERY RESOURCES, INC, ST. HOPE FOUNDATION, INC, UJIMA, INC, RELIABLE COMPREHENSIVE CARE SERVICES, INC, POSITIVE EFFORTS, INC and ELEOS CENTERS, INC** for HIV/STD Services; providing maximum contract amounts - \$1,400,000.00 - Grant Fund

24. Council Members Galloway and Ellis tagged

Ordinance 2002-ORDINANCE approving and authorizing tenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$895,000.00 from the Community Development Block Grant Program for the Administration of a Child Care Program

25. Council Member Ellis tagged

ORDINANCE approving and authorizing tenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$1,939,000.00 (\$1,239,000.00 in Emergency Shelter Grants Program Funds and \$700,000.00 in Community Development Block Grant Funds) for the Administration of an Emergency Shelter Grants Program

26. Council Members Ellis and Galloway tagged

ORDINANCE approving and authorizing eleventh contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$815,000.00 from the Community Development Block Grant Program for the Administration of a Juvenile Delinquency Prevention Program

27. Ordinance 2002-0987

ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and **BLISS COMMUNICATIONS, INC** for Radio Communications Systems Services for the Houston Airport System - \$737,750.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2002-0988

ORDINANCE amending Ordinance No. 99-0185 to increase the maximum contract amount to contract between the City of Houston and **SOUTHEAST KELLER CORPORATION** for Cleaning and Janitorial Services for Various Departments; approving and authorizing first amendment to such contract - \$1,411,786.10 - General, Enterprise and Building Inspection Fund

29. Council Members Wiseman and Tatro tagged

ORDINANCE amending Ordinance Number 2000-780 to increase the maximum contract amount for contract between the City and **CLAY POPE** and **CLIFF JOHNSON** for assistance on water and wastewater issues in the Texas Legislature and Various State Agencies - \$140,000.00 Enterprise Fund

30. Council Member Tatro tagged

ORDINANCE approving and authorizing contract between the City and a Joint Venture comprised of **JOHNSON AND JOHNSON**, a Partnership, and **ROBERT KELLY**, a Sole Proprietor, to represent the City before the Texas Legislature and State Agencies; providing a maximum contract amount - \$840,000.00 - General Fund

31. Ordinance 2002-0989

ORDINANCE approving and authorizing contract between the City and the **TEXAS DEPARTMENT OF HEALTH, BUREAU OF LABORATORY**, for Prenatal Screening Services 1 Year - \$60,000.00 - General Fund

Motion 2002-1279 – Suspend rules to consider Item 32 out of order

32. Ordinance 2002-0975

ORDINANCE approving and authorizing third contract amendment between the City of Houston and **SYNAGRO OF TEXAS-CDR, INC** for Disposal of Biosolids from the City's Wastewater Treatment Plants; increasing the maximum contract amount - \$1,000,000.00 - Enterprise Fund

33. Ordinance 2002-0990

ORDINANCE approving and authorizing acceptance of a grant from the **TEXAS DEPARTMENT OF PUBLIC SAFETY** and approving and authorizing interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for a No-Suspect Casework DNA Backlog Program for the Houston Police Department

34. Ordinance 2002-0997

ORDINANCE appropriating \$383,697.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Agreement between the City of Houston and the **BOARD OF REGENTS FOR THE UNIVERSITY OF TEXAS SYSTEM** for Construction of Sanitary Sewer Line on Herman Pressler Street, CIP R-0802-06-03 **DISTRICT D - EDWARDS**

35. Pulled - Not Considered

ORDINANCE appropriating \$68,942.91 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation contract between the City of Houston and **JRK HOLDINGS, INC** for Construction of Water and Sanitary Sewer Lines for the Panay Park Village Subdivision, Sections 1 & 2, CIP S-0802-06-03 and R-0802-06-03 **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

36. Council Member Ellis tagged

ORDINANCE appropriating \$19,475.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **XIANG BING WU** for Construction of Sanitary Sewer Lines on Willard Street and Converse Street, CIP R-0802-05-03 - **DISTRICT D - EDWARDS**

37. Council Member Vasquez tagged

ORDINANCE appropriating \$4,747,880.50 out of Houston Airport System Consolidated 2001 AMT Construction Fund, CIP A-0380, appropriating \$110,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, CIP A-0042, and \$150,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, CIP A-0380, awarding construction contract to **CONTRACTOR TECHNOLOGY, INC** for North Apron Environmental Protection System/South Ramp Drainage Improvements at William P. Hobby Airport, Project No. 563; providing funding for engineering testing - **DISTRICT I - ALVARADO**

38. Council Member Vasquez tagged

ORDINANCE appropriating \$557,000.00 out of Airport System Consolidated 2001 NON-AMT Construction Fund and approving purchase of 22.126 acres of land, more or less, out of the Wilson Jones Survey, A-1542, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving purchase and sale agreement with **ARESH FAMILY TRUST** to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

39. Council Member Vasquez tagged

ORDINANCE appropriating \$345,000.00 out of Airports Improvement Funds and approving purchase of 19.379 acres of land, more or less, out of the A. R. Bodman Survey, A141, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0421, and approving purchase and sale agreement with **CLUTE ENTERPRISES, INC** to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

40. Ordinance 2002-0991

ORDINANCE appropriating \$450,000.00 out of Public Health Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **STOA INTERNATIONAL ARCHITECTS, INC d/b/a STOA/GOLEMON/BOLULLO, ARCHITECTS** for Renovation of Five (5) Health and Human Services Facilities, GFS H-0068-01-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS and H - VASQUEZ**

41. Ordinance 2002-0992

ORDINANCE appropriating \$660,000.00 out of Street & Bridge Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **SUNLAND ENGINEERING COMPANY** for Design Services Associated with Tier IX Neighborhood to Standards Street Overlay Projects, CIP N-1037-02-2 (OL2039); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

42. Ordinance 2002-0984

ORDINANCE appropriating \$334,800.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Design of Wastewater Treatment Plant (WWTP) Renewal/Replacement under professional engineering services contract between the City of Houston and **ROY F. WESTON, INC** (approved by Ordinance No. 00-1056), CIP R-0265-17-2 (WW4806); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY and I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 43

PROPERTY

Motion 2002-1298 – Procedural motion

Motion 2002-1299 – Procedural motion

43. Motion 2002-1300

RECOMMENDATION from Director Department of Public Works & Engineering to authorize the acquisition by voluntary conveyances or condemnation proceedings of water line easements for the Northeast Water Purification Plant in and upon the following parcels of land in Harris County, Texas (the following acreages are approximate): 5.8876 acres out of the V. Blanco Survey, A-2 and the J. Karcher Survey, A-504 (apparent record owner: Evergreen Development Corporation and/or Evergreen Development III); 2.8043 acres out of the V. Blanco Survey, A-2 and the J. Karcher Survey, A-504 (apparent record owner: Hannover Estates, Ltd.); 1.2627 acres out of the F. Bell Survey, A-115 (apparent record owner: E.L. Ginther and Roseanne Van Dorn); 3.1671 acres out of the F. Bell Survey, A-115 (apparent record owner: Fall Creek Investors No. 3, L.P.); 2.7207 acres out of the F. Bell Survey, A-115 (apparent record owner: Fall Creek Investors No. 4); 0.1301 acre out of the F. Bell Survey, A-115 (apparent record owner: Fall Creek Development Partners, L.P.); 3.2195 acres out of the F. Bell Survey, A-115 and the S. Everett Survey, A-250 (apparent record owner: Fall Creek Investors No. 5, L.P.); 3.3106 acres out of the S. Everett Survey, A-250 (apparent record owner: Fall Creek Investors No. 6, L.P.); 0.2199 acre out of the S. Everett Survey, A-250 (apparent record owner: Fall Creek Development Partners, L.P.); 1.7652 acres out of the S. Everett Survey, A-250 and the J. Karcher Survey, A-504 (apparent record owner: Fall Creek Investors No. 7, L.P.); 1.4233 acres out of the F. Bell Survey, A-115 (apparent record owner: Fall Creek Investors No. 2, L.P.); 0.2922 acre out of the A. Smith Survey, A-694 (apparent record owner: El Dorado Associates, Ltd.); and 3.4528 acres out of the A. Smith Survey, A-694 (apparent record owner: Fall Creek Development Partners, L.P.); to ratify any offers to purchase the foregoing described parcels heretofore issued by the City; and to repeal Motions 2002-1171, -1172, -1173 and -1174

MATTERS HELD - NUMBERS 44 through 60A

Motion 2002-1280 – Call the question on Item 44

44. Motion 2002-1281 – “FAILED”

MOTION by Council Member Goldberg to amend Item 44A below, to include:

- 1) Transfer FY2005 S&B Funds from Project N-0737 to Projects N-0378 and N-0383 for design
- 2) Transfer FY2003 and FY2005 S&B Funds and Metro Funds from Project N-0571 to N-0737

TAGGED BY COUNCIL MEMBERS KELLER and TATRO

Motion 2002-1284 – Call the question on Item 44a

a. Motion 2002-1285 – Adopt as amended

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Finance & Administration to approve proposed Fiscal Year 2003-2007 Capital Improvement Plan and establish a charge of \$50.00 plus tax and postage for the approved CIP documents

TAGGED BY COUNCIL MEMBERS TATRO and KELLER

This was Item 15 on Agenda of October 23, 2002

Motion 2002-1282 – Motion to amend Item 44a as follows:

Amend Item 44a (CIP) to move project N-0644 from FY'06 to FY'04 and fund construction out of unspent funds from FY'03 under budget projects.

Motion 2002-1283 – Written motion by Council Member Tatro to amend Item 44a as follows:

1) Pinemont Paving Phase I (N-0475) TC Jester to Ella.

Proposed CIP – FY 2003/2007

FY 2006 – Design - \$800,000

FY 2007 – Construction - \$4,000,000

Amendment to CIP – FY 2003/2007

FY 2004 – Design - \$800,000

FY 2006 – Construction - \$4,000,000

***Note:** Amendment is to move this project up 2 years from the proposed CIP. The FY2002 CIP had scheduled this project for construction in FY2006, but the significant flooding in Ella Lee Forest subdivision warrants the advancement of this project. There is no charge to the funding in this amendment, only the timeframe is affected.*

2) Afton Village Paving (N-0371) NSR 438 (Afton Village and Lakeview)

Proposed CIP – FY 2003/2007

FY2007 – Design - \$900,000

Amendment to CIP – FY 2003/2007

FY 2004 – Construction - \$5,800,000 (add)

***Note:** Amendment is restore funding to NSR 438 as adopted in previous CIP Budgets, Letter dated 10/24/02 from Al Haines supports this amendment with source of funds, at this time, being designated as “Undetermined Funding.”*

MATTERS HELD – continued

Written motion by Council Member Tatro to amend Item 44a as follows:

Timber Oaks Paving (N-0367) NSR 435A

Proposed CIP – FY 2003/2007
Project Unlimited

Amendment to CIP – FY 2003/2007
FY 2005 – Design - \$480,000 (add)
FY 2006 – Construction - \$4,000,000 (add)

Reduce funding for – M-0264
FY 2005 – Design - \$480,000 (reduce)
FY 2006 – Construction - \$4,000,000 (reduce)

***Note:** Amendment is to include the last phase of the Conrad Sauer Storm Drainage system as previously funded in the FY02 CIP. This entire project contained 7 NSR projects. Only 2 of the original 7 remain, NSR 435A & 430A. NSR 430A is scheduled, in the FY03 CIP, to be completed in FY 2005. The FY02 CIP had previously funded this project: FY03 – Design - \$480,000, FY04 – Construction - \$4,000,000*

The project being reduced is the Storm Sewer Management Improvement Program M-0264. M-0264 is a completely new CIP project with a hose of unrelated projects spread across the City, most of which should be funded through the proposed Storm Drainage Fee. Previously scheduled storm sewer projects, such as NSR 435A, should be completed first before adopting a new storm drainage policy and leaving projects such as these unfinished.

Tagged by Council Members Galloway and Goldberg

45. Ordinance 2002-0993

ORDINANCE appropriating \$85,456.95 out of General Improvements Consolidated Construction Fund as an additional appropriation for construction of Third Ward Multi-Service Center, GFS D-0070-01-3 under construction contract with **THE TREVINO GROUP, INC** (approved by Ordinance No. 99-1179) - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, ELLIS, KELLER and GOLDBERG

a. Motion 2002-1301

RECOMMENDATION from Director Building Services Department for approval of Change Order No. 12 in the amount of \$92,762.89 on contract with **THE TREVINO GROUP, INC** for Third Ward Multi-Service Center, GFS D-0070-01-3 - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS ELLIS, SEKULA-GIBBS, KELLER and GOLDBERG
These were Items 17 and 17A on Agenda of October 23, 2002

46. Motion 2002-1302

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HOLMAN BOILER WORKS, INC** for Emergency Flash Dryer Repairs for the Department of Public Works & Engineering - \$106,822.50 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER KELLER**
This was Item 25 on Agenda of October 23, 2002

47. Ordinance 2002-0994

ORDINANCE appropriating \$70,864.50 out of Water & Sewer R & R Fund for purchase of Lead-Based Abatement Services for Public Works & Engineering Department (CIP R-0509)

MATTERS HELD – continued

a. Motion 2002-1303

AAR, INC for Lead-Based Paint Abatement Services for Department Public Works & Engineering \$67,490.00 and contingencies for an amount not to exceed \$70,864.50 - Water & Sewer R & R Fund - **TAGGED BY COUNCIL MEMBER ELLIS**
These were Items 26 and 26A on Agenda of October 23, 2002

48. Motion 2002-1304

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **JAX CORPORATION DBA MARCUS PRODUCTS COMPANY** for Automotive, Anti-Freeze for Various Departments \$165,459.75 - General, Enterprise and Fleet Management Funds
TAGGED BY COUNCIL MEMBER ELLIS
This was Item 27 on Agenda of October 23, 2002

Motion 2002-1278 – Suspend rules to consider Items 49, 44 and 44a out of order

49. Ordinance 2002-0974

ORDINANCE relating to impairment of use of sidewalks and crosswalks; **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBER ROBINSON
This was Item 30 on Agenda of October 23, 2002

50. Ordinance 2002-0995

ORDINANCE amending Ordinance Nos. 99-697, 99-615, 99-614, 99-1037 and 99-901 to set maximum contract amounts on various Professional Consulting Services Contracts for the Asbestos and Lead Program - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**
This was Item 38 on Agenda of October 23, 2002

51. Ordinance 2002-0996

ORDINANCE appropriating \$17,556,000.00 out of Houston Airport System Consolidated 2001 NON-AMT Construction Fund (CIP A-0369) and \$3,000,000.00 out of Houston Airport System Consolidated 2001 NON-AMT Construction Fund (CIP A-401), awarding construction contract to **CHAMPAGNE-WEBBER INC, TEXAS** for construction of the Rehabilitation of Taxiways "SA" and "SB" at George Bush Intercontinental Airport/Houston, Project 549; providing funding for engineering testing - **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER VASQUEZ**
This was Item 41 on Agenda of October 23, 2002

52. Motion 2002-1305

MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,040,583.62 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation in Alameda Sims and Southwest Service Areas, GFS R-1003-01-3 (4733-1) - 12.54% under the original contract amount - **DISTRICTS C - GOLDBERG and G - KELLER**
POSTPONED BY MOTION #2002-1244, 10/23/02
This was Item 47 on Agenda of October 23, 2002

MATTERS HELD – continued

53. Motion 2002-1306

MOTION by Council Member Keller/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **SMITH-MOBLEY, INC** for Emergency Purchase to Secure Dangerous Buildings and Site Clean-up Services for the Planning & Development Department - \$36,788.00 - General Fund

POSTPONED BY MOTION #2002-1250, 10/23/02

This was Item 53 on Agenda of October 23, 2002

54. Motion 2002-1307

MOTION by Council Member Ellis/Seconded by Council Member Robinson to adopt recommendation from Finance & Administration Department to **AMEND MOTION #99-2085, 12/8/99, TO EXTEND** expiration date from December 8, 2002 to March 7, 2003, for Apparel, Uniforms, Caps and Patches Contracts for Various Departments, awarded to **R&W POLIZE ENTERPRISES, INC, DBA CENTRAL POLICE SUPPLY**

POSTPONED BY MOTION #2002-1257, 10/23/02

This was Item 59 on Agenda of October 23, 2002

Motion 2002-1308 – Postpone Expotech USA, Inc for one (1) week

55. Motion 2002-1309 – Adopt the balance

MOTION by Council Member Ellis/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to **AMEND MOTION #99-2044, 12/1/99** and **#00-477, 3/29/00 TO EXTEND** expiration date from December 1, 2002 to February 28, 2003, for Apparel, Uniform Accessories and Supplies, Parts I and II, for Various Departments, awarded to **EXPOTECH USA, INC, UNIFORMS PLUS** and **R & W POLIZE, dba CENTRAL POLICE SUPPLY - POSTPONED BY MOTION #2002-1259, 10/23/02**

This was Item 60 on Agenda of October 23, 2002

Motion 2002-1310 – Postpone Riggsbee Hardware Co., Inc for one (1) week

56. Motion 2002-1311 – Adopt the balance of vendors

MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **RIGGSBEE HARDWARE CO., INC** - \$266,083.40, **GROVES INDUSTRIAL SUPPLY CORP.** \$166,028.13, **PERFORMANCE BATTERY SUPPLY** - \$182,041.41, **TURTLE AND HUGHES, INC** - \$85,534.10 and **SECURITY SAFETY** - \$44,516.85 for Hardware Supplies for Various Departments \$744,203.89 - General and Enterprise Funds - **POSTPONED BY MOTION #2002-1261, 10/23/02**

This was Item 61 on Agenda of October 23, 2002

MATTERS HELD – continued

Motion 2002-1288 – Written motion by Council Member Wiseman to amend Item 57 as follows:

“That the proposed ordinance for the Adopt-A-Fire Station Program posted as Item #57 on the agenda for October 30, 2002 by amended as follows:

Within subsection (c) of the proposed City Code Section 34-62 amend the first sentence to read, “The fire chief shall, periodically, promulgate a list of fire stations that have the greatest need along with a master list of needed tangible property and services for these and all other stations.”

Within subsection (c) “Donations will be distributed at the discretion of the fire chief” is deleted and the following sentence is inserted in its place: “The donating party may designate a specific fire station to receive a donation, otherwise, donations may be distributed at the discretion of the Fire Chief.”

Within subsection (c)(1) the sentence “property or services donated must be on the list of needed property and services” will be deleted and replaced with “That Adopt-A-Fire Station program will accept items included on the program’s master list of needed items, supplies and materials; however, donations of items not on the list may be accepted at the discretion of the Fire Chief.”

57. Ordinance 2002-0976 – Adopt as amended

ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS by adding a new SECTION 34-62 relating to the creation of the Adopt-A-Fire Station Program; containing findings and other provisions relating to the foregoing subject

POSTPONED BY MOTION #2002-1262, 10/23/02

This was Item 62 on Agenda of October 23, 2002

58. Withdrawn

MOTION by Council Member Ellis/Seconded by Council Member Parker to amend Item 97A below, to exclude any payment to any individual, company, corporation, LLP, LLC, general partnership, limited partnership or individual, principal or subcontractor of any legal entity, if any ad valorem property taxes by the aforementioned entities are over twelve months delinquent and owed to the City of Houston, Harris County or any school district in Harris County, etc.

Motion 2002-1312 – Postpone E.J. Brooks Company for one (1) week

a. Motion 2002-1313 – Adopt the balance of vendors

MOTION by Council Member Sekula-Gibbs/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **AMEND MOTION #99-2153, 12/21/99** and **#2000-407, 3/22/00, TO EXTEND** expiration date from December 21, 2002 to December 21, 2003, for Water Meter Locking Devices Part I and II, for Department of Public Works & Engineering, awarded to **J & L PATTERNS/CAS PAR, MCGARD, INC** and **E. J. BROOKS COMPANY - POSTPONED BY MOTION #2002-1269, 10/23/02**

These were Items 78 and 78A on Agenda of October 23, 2002

59. Withdrawn

MOTION by Council Member Ellis/Seconded by Council Member Parker to amend Item 99A below, to exclude any payment to any individual, company, corporation, LLP, LLC, general partnership, limited partnership or individual, principal or subcontractor of any legal entity, if any ad valorem property taxes by the aforementioned entities are over twelve months delinquent and owed to the City of Houston, Harris County or any school district in Harris County, etc.

MATTERS HELD – continued

a. Motion 2002-1314

MOTION by Council Member Berry/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration to award to **HYDRAFLO, INC** for Fire Hydrant Repair Parts Contract for Department of Public Works & Engineering - \$284,772.00 - Enterprise Fund - **POSTPONED BY MOTION #2002-1271, 10/23/02**
This was Item 80A on Agenda of October 23, 2002

60. Withdrawn

MOTION by Council Member Ellis/Seconded by Council Member Parker to amend Item 104A below, to exclude the City of Houston from entering into a contract or agreement with any individual, company, corporation, LLP, LLC, general partnership, limited partnership or individual, principal or subcontractor of any legal entity, if any ad valorem property taxes by the aforementioned entities are over twelve months delinquent and owed to the City of Houston, Harris County or any school district in Harris County, etc.

a. Motion 2002-1315 –Refer back to the Administration

ORDINANCE approving and authorizing contract between the City of Houston and **CALLIER & GARZA, L.L.P.** for Legal Services related to a lawsuit styled Carlos Dale Speck, III, et al v. City of Houston and Kenneth Wenzel, U.S. District Court, Southern District of Texas, Houston Division, Civil Action H-02-0236 - \$45,000.00 - Property and Casualty Fund
POSTPONED BY MOTION #2002-1273, 10/23/02
These were Items 81 and 81A on Agenda of October 23, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Quan 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

10/29/2002 – Mayor Brown out of the City on City business

**Council Member Wiseman absent on City business
Mayor Pro-tem Quan presiding**

**10/30/2002 – Mayor Brown out of the City on City business
Mayor Pro-tem Quan presiding**