

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 10, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-1052 to 2002-1070
ORDINANCES – 2002-0845 to 2002-0865
RESOLUTION – 2002-0030

2002-1051-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Parker

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 2002-1052 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 11, 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 25

DAMAGES - NUMBER 1

1. Motion 2002-1070

RECOMMENDATION from City Attorney for settlement of lawsuit styled **BARTO WATSON, INC** v. City of Houston and Bob DeVillier; Cause No. 638,618; in the County Civil Court at Law No. Two (2) of Harris County, Texas - \$20,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBER 2

2. Motion 2002-1053

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract of \$1,181,277.96 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of Winlow Place Storm Sewer Relief, GFS M-0224-WP-3 (M-0224-WP) - 08.44% under the original contract amount - **DISTRICT D - EDWARDS**

PROPERTY - NUMBERS 3 through 6

3. Motion 2002-1058

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kelly A. Downing, declining the acceptance of, rejecting, and refusing the dedication of a 25-foot portion of a 50-foot corner clip, located at 704 East 26th Street, at the corner of East 26th Street and North Main Street, Sunset Heights Addition, John Austin Two League Grant - **DISTRICT H - VASQUEZ**

4. Motion 2002-1063

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John Norwood of Cobb, Fendley & Associates, Inc., on behalf of Hi-Lo Auto Supply, L.P., a Missouri limited partnership [Hi-Lo Management Company, a Delaware corporation (David O'Reilly, president), general partner] for abandonment and sale of a 5-foot-wide utility easement and a 5-foot-wide aerial easement, out of Lots 1, 2 and 3, Block 1, Terry Place Subdivision, and a 10-foot-wide easement and a 5-foot-wide aerial easement, out of Lots 1 and 2, Block 16, Chocolate Bayou Estates, Section 2, in exchange for the conveyance to the City of a 10-foot-wide utility easement, out of Lot 3, Block 1, Terry Place Subdivision, all within the H. A. Robinson Survey, Abstract 679, Parcels SY2-066A through D and VY2-024 - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

5. Motion 2002-1064

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen Rose of Karen Rose Engineering & Surveying, on behalf of Catania Enterprises, Inc. (Aldo Catania, president), for abandonment and sale of a 13-foot by 56-foot portion of Westheimer Road right of way, out of Lot 6, in exchange for the conveyance to the City of a 5-foot by 106-foot strip of right of way for the widening of Westheimer Road, out of Lots 6 and 7, all within Block 9, Avondale Addition, Parcels SY2-070 and AY2-174 - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

6. Motion 2002-1065

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Aisha M. Currie, Reliant Energy, requested the City sell to Reliant Energy Entex, a division of Reliant Energy Incorporated (David McClanahan, president, for sale to Reliant Energy Entex of a 30-foot-wide easement, out of the City's 1.7028-acre, former Southwest Water Well Site Number 7, located at 8002 Westpark Drive, Lot 1, Block 2, Westpark Center Addition, Section 2, Parcel SY3-004 - **STAFF APPRAISERS - DISTRICT G - KELLER**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 10

7. Motion 2002-1054

AMEND MOTION #99-1946, 11/9/99, TO EXTEND expiration date from November 9, 2002 to April 8, 2003, for Apparel Uniforms for Houston Airport System, awarded to **CINTAS (formerly UNIFORMS TO YOU)**

8. Motion 2002-1055

L. F. MANUFACTURING, INC - \$40,518.00, **SOUTHWEST STAINLESS L.P., dba HUGHES SUPPLY** - \$46,370.50 and **C & C SERVICE & SUPPLY** - \$155,280.00 for Manhole, Fiberglass Access Parts Contract for Department of Public Works & Engineering - Enterprise Fund

9. Motion 2002-1056

CHEMICAL LIME, LTD. for Chemical, Hydrated Lime Slurry and Fine Quicklime for Department of Public Works & Engineering - \$2,574,079.80 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

10. Motion 2002-1057

BROOKSIDE EQUIPMENT SALES, INC - \$44,266.25 and **LANSDOWNE MOODY CO., INC** \$989,313.75 for Equipment, Ford Tractor JCB/Alamo/Bush Hog/Rhino Repair Parts Contract for Various Departments - General, Enterprise and Fleet Management Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 25

11. Resolution 2002-0030

RESOLUTION approving the issuance and sale by **HOUSTON HOUSING FINANCE CORPORATION** of Multifamily Housing Mortgage Revenue Refunding Bonds (Emerald Bay Apartments) Series 2002A and Taxable Multifamily Housing Mortgage Revenue Bonds (Emerald Bay Apartments) Series 2002B - **DISTRICT B - GALLOWAY**

12. Ordinance 2002-0852

ORDINANCE issuing permit to **SHELL CHEMICAL L.P.** to own, maintain, operate, acquire, construct or extend pipelines in public street right-of-ways and prescribing the conditions and provisions under which said permit is issued; containing a savings clause; providing for severability - **DISTRICTS E - WISEMAN and I - ALVARADO**

13. Ordinance 2002-0853

ORDINANCE approving and authorizing Parking Management Agreement between **HOUSTON AQUARIUM, INC** and the City of Houston, Texas - **DISTRICT H - VASQUEZ**

14. Ordinance 2002-0854

ORDINANCE approving and authorizing contract between the City and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (formerly TEXAS NATURAL RESOURCE CONSERVATION COMMISSION)** for an Air Monitoring System - \$122,000.00 - Grant Fund

Motion 2002-1059 – Suspend rules to consider Items 15, 26, 26a and 28 out of order

15. Council Members Robinson and Edwards tagged

ORDINANCE approving and authorizing contract between the City and **EDUCATIONAL PRODUCTIONS IN THE COMMUNITY LP** for Funday in the Park Events Citywide - \$416,000.00 General Fund

16. Ordinance 2002-0845

ORDINANCE approving and authorizing termination of tax abatement agreement between the City of Houston, Texas and **ELLWOOD TEXAS FORGE, L.P.** - **DISTRICT D - EDWARDS**

17. Ordinance 2002-0846

ORDINANCE approving and authorizing amendment to Treated Water Supply Contract between the City of Houston and the **CITY OF HUMBLE**

18. Pulled - Not Considered

ORDINANCE appropriating \$167,748.86 out of Water & Sewer System Consolidated Construction Fund, and \$228,000.00 out of Housing & Homeless Consolidated Fund and approving and authorizing 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 II Subdivision, CIP S-0800-71-03 and R-0800-71-03 - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

19. Ordinance 2002-0847

ORDINANCE appropriating \$235,349.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for reimbursement for acquisition of rights-of-way along Airport Boulevard from Telephone Road to IH 45 by the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** under the Principal Arterial Street System (PASS) Program, CIP N-0611-06-1 (SB9033) **DISTRICTS E - WISEMAN and I - ALVARADO**

20. Ordinance 2002-0848

ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **MEMORIAL PLAZA CIVIC CLUB** for Garbage Collection Service for the respective civic association - 11 Months - \$66.00 - **DISTRICT A - TATRO**

21. Ordinance 2002-0855

ORDINANCE appropriating \$11,270,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to professional construction management services contract between the City of Houston and **OTHON, INC** for various construction projects with the Houston Airport System (Project No. 572A), CIP A429 - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

22. Ordinance 2002-0849

ORDINANCE amending Ordinance No. 02-723, passed August 7, 2002, that awarded construction contract between the City and **GARVER CONSTRUCTION, LTD.** for Construction of Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, CIP R-0266-R1), and provided for funding for engineering testing services and contingencies relating to construction of facilities financed by Water and Sewer System Consolidated Construction Funds to correct the engineering testing services contract number

23. Ordinance 2002-0850

ORDINANCE appropriating \$845,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **BILL MCDONALD CONSTRUCTION, INC** for Safe Sidewalk Project, GFS N-0610A-08-3 (SB9008-02); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO**

24. Ordinance 2002-0856

ORDINANCE appropriating \$1,634,697.16 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **LAUGHLIN ENVIRONMENTAL, INC** for construction of Citywide Fire Hydrant Replacement and Height Correction, GFS S-0035-SR-3 (WA10719); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

25. Ordinance 2002-0857

ORDINANCE appropriating \$62,490.00 out of General Improvements Consolidated Construction Fund; approving and authorizing contract between the City of Houston and **CST ENVIRONMENTAL, INC** for Asbestos Abatement Special Demolition at Canal Health Center, CIP D-0113-01-5 and providing funding for construction management and contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT I - ALVARADO**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 26 through 37

26. Motion 2002-1060

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department that the City Council receive the Effective Tax Rate and the Rollback Tax Rate calculated for the Tax Year 2002 in accordance with the provisions of Section 26.04(c) of the Texas Tax Code

TAGGED BY COUNCIL MEMBERS TATRO, BERRY and KELLER

Motion 2002-1061 – Postpone Item 26a one (1) week – “FAILED**”**

a. Ordinance 2002-0851

ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2002

TAGGED BY COUNCIL MEMBERS TATRO, BERRY and KELLER

These were Items 6 and 6A on Agenda of September 4, 2002

27. Motion 2002-1066

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$584,002.60 and acceptance of work on contract with **INFRASTRUCTURE SERVICES, INC** for Construction and Installation of Speed Humps, GFS N-0660-04-3 (C050148) - 23.07% under the original contract amount

TAGGED BY COUNCIL MEMBER GALLOWAY

This was Item 10 on Agenda of September 4, 2002

Motion 2002-1062 – Postpone Item 28 two (2) weeks

Motion 2002-1068 – Suspend rules to reconsider postponement of Item 28

28. Motion 2002-1069 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance and Administration Department to award to **TEXAS FIRE RESCUE, INC dba FIRE APPARATUS SPECIALIST** - \$406,625.70 and **EMERGENCY ONE, INC** - \$338,152.50 for Engine and Ladder Truck Repair Service for the Fire Department - General and Disaster Recovery Funds - **TAGGED BY COUNCIL MEMBER ROBINSON**

This was Item 13 on Agenda of September 4, 2002

29. Ordinance 2002-0858

ORDINANCE amending City of Houston Ordinance No. 2001-807, as amended (The Master Classification Ordinance) by revising the Master Classification Listing to create five (5) new classifications, change seven (7) job titles, change fourteen (14) classification pay grades, delete six (6) classifications and delete eight (8) automatic increases, substituting the amended exhibits as part of the current Master Classification Listing; providing for severability

TAGGED BY COUNCIL MEMBER TATRO

This was Item 19 on Agenda of September 4, 2002

30. Ordinance 2002-0859

ORDINANCE approving and authorizing sixth contract amendment between the City of Houston and **NATIONAL ASSOCIATION OF MINORITY CONTRACTORS - HOUSTON CHAPTER**, to extend the contract term and provide an additional \$508,000.00 of Community Development Block Grant Funds for the continuation of an Emergency Home Repair Program

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 27 on Agenda of September 4, 2002

MATTERS HELD – continued

31. Ordinance 2002-0860

ORDINANCE approving and authorizing sixth contract amendment between the City of Houston and **HOUSTON AREA URBAN LEAGUE, INCORPORATED**, to extend the contract term and provide an additional \$484,400.00 of Community Development Block Grant Funds for the continuation of an Emergency Home Repair Program

TAGGED BY COUNCIL MEMBER EDWARDS and KELLER

This was Item 28 on Agenda of September 4, 2002

32. Ordinance 2002-0861

ORDINANCE approving and authorizing fourth contract amendment between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION**, to extend the contract term and provide an additional \$363,000.00 of Community Development Block Grant Funds

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 29 on Agenda of September 4, 2002

33. Ordinance 2002-0862

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA URBAN LEAGUE, INCORPORATED**, to provide \$184,500.00 in Community Development Block Grant Funds for the administration of the "Home of Your Own Homeownership Program" for qualified disabled, low and moderate income homebuyers

TAGGED BY COUNCIL MEMBER EDWARDS and KELLER

This was Item 30 on Agenda of September 4, 2002

34. Ordinance 2002-0863

ORDINANCE appropriating \$4,001,800.00 out of Water & Sewer System Consolidated Construction Fund, approving and authorizing professional services contract between the City of Houston and **CAMP DRESSER & McKEE, INC** for Design of the Supervisory Control and Data Acquisition (SCADA) System, CIP S-0522-03-2 (WA10659); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBERS VASQUEZ and KELLER**

This was Item 46 on Agenda of September 4, 2002

35. Ordinance 2002-0864

ORDINANCE appropriating \$251,432.67 out of Water & Sewer System Consolidated Construction Fund, approving and authorizing developer participation contract between the City of Houston and **RICHFIELD INVESTMENT, L.L.C.** for Construction of Water and Sanitary Sewer Lines for the Richfield Subdivision, CIP S-0802-04-03 and R-0802-04-03; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER**

TAGGED BY COUNCIL MEMBER KELLER

This was Item 47 on Agenda of September 4, 2002

36. Motion 2002-1067 - Postpone one (1) week

ORDINANCE appropriating \$1,644,000.00 out of Street & Bridge Consolidated Construction Fund as additional appropriation for additional construction management services under a contract, (approved by Ordinance No. 99-0661) with **ATSER, LP**

TAGGED BY COUNCIL MEMBERS GOLDBERG and KELLER

This was Item 49 on Agenda of September 4, 2002

MATTERS HELD – continued

37. Ordinance 2002-0865

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (i) a portion of Shelby Circle, formerly Yates Avenue, Street right of way containing 7,459 square feet of land, more or less Parcel SY1-067A (ii) two 10-foot-wide sanitary sewer easements, containing an aggregate of 13,019 square feet of land, more or less, Parcels SY1-067B and SY1-067F, (iii) a 10-foot-wide waterline easement containing 999 square feet of land, more or less, Parcel SY1-067C, and (iv) two 5Foot-Wide utility easements containing an aggregate of 4,225 square feet of land, more or less, Parcels SY1-067D and SY1-067E, all six parcels being located in the BH Freeling Survey, A-270, Harris County, Texas; vacating and abandoning said parcels of land to Houston Bellfort Pines Apartments, L.P., abutting owner, in consideration of the owners' dedication of two easements for sanitary sewer purposes and an easement for utility purposes containing an aggregate of 19,453 square feet of land, more or less, and payment of \$6,855.00 and other consideration to the City - **DISTRICT D - EDWARDS**

POSTPONED BY MOTION #2002-1050, 9/4/02

This was Item 57 on Agenda of September 4, 2002

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

9/10/2002 – Council Member Goldberg absent on City business

9/11/2002 – All Present