

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 5, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0954 to 2003-0986
ORDINANCES 2003-0729 to 2003-0741
RESOLUTIONS – 2003-0020 to 2003-0021

2003-0953-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Alvarado

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 2003-0954 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 6, 2003 - 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 20

MISCELLANEOUS - NUMBERS 1 through 5

1. Motion 2003-0960

REQUEST from Mayor for confirmation of the reappointment of the following to the
REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK)
BOARD OF DIRECTORS:

Position 1 - **MR. JOHN BRODIE**, for a term to expire December 7, 2004

Position 3 - **MR. ROBERT RYAN**, for a term to expire December 7, 2004 and as Chair, for a
term to expire December 31, 2003

Position 5 - **MS. ROBBI J. JONES**, for a term to expire December 7, 2004

MISCELLANEOUS - continued

2. Motion 2003-0961

REQUEST from Mayor for confirmation of the reappointment of **MR. ROBERT RYAN**, as Chair to the **CITY PARK REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2003

3. Motion 2003-0955

RECOMMENDATION from Director Houston Airport System for expenditure for specialized training to be conducted by **TEXAS A&M UNIVERSITY** for Aircraft Rescue and Fire Fighting at George Bush Intercontinental and William P. Hobby Airports - \$38,500.00 - Enterprise Fund **DISTRICTS B - GALLOWAY and I - ALVARADO**

4. Motion 2003-0962

RECOMMENDATION from Director Planning & Development Department to accept the July 2003 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program

a. Motion 2003-0963

RECOMMENDATION from the Director Department of Public Works & Engineering to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$8,323,701.60 to Revenue Bond Debt Service as recommended in the July 2003 Semiannual Report of the Capital Improvements Advisory Committee (CIAC)

5. Motion 2003-0964

RECOMMENDATION from Director Department of Planning & Development for the designation of seven residential parking permit areas and related parking regulations in the University Place and Neartown-Montrose Super Neighborhoods - **DISTRICTS C - GOLDBERG and D - EDWARDS**

ACCEPT WORK - NUMBERS 6 and 7

6. Motion 2003-0956

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$468,646.24 and acceptance of work on contract with **A & R DEMOLITION, INC** for Building Demolitions at George Bush Intercontinental Airport/Houston, Project No. 522K, CIP A-0304, 05.00% over the original contract amount - **DISTRICT B - GALLOWAY**

7. Motion 2003-0957

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$354,021.18 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-S7-3 (SB9048-1) - 02.99% over the original contract amount - **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 10

8. Ordinance 2003-0729

ORDINANCE appropriating \$412,011.60 out of Fire Consolidated Construction Fund for Continuous Power Source Phase II for Building Services Department, CIP C-0162

a. Motion 2003-0958

ALIEF ELECTRO-MECHANICAL, INC for Continuous Power Source Phase II for Building Services Department - \$392,392.00 and contingencies for a total amount not to exceed \$412,011.60

PURCHASING AND TABULATION OF BIDS - continued

9. Motion 2003-0959

CARRIER CORPORATION for Air Handler Replacement for Health and Human Services Department - \$363,819.00 and contingencies for a total amount not to exceed \$382,009.95

10. Motion 2003-0965

AMEND MOTION #2000-251, 2/16/00 and #2003-56, 1/22/03, TO EXTEND expiration date from August 16, 2003 through August 15, 2004, for Safety Footwear for Various Departments, awarded to **SAFETY SHOE DISTRIBUTORS, INC**

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 20

11. Resolution 2003-0020

RESOLUTION supporting and authorizing the request to place a segment of Gellhorn Drive from I. H. 610 to U. S. 90 on the Harris County Road Log - **DISTRICT I - ALVARADO**

12. Resolution 2003-0021

RESOLUTION supporting and authorizing the request to place Industrial Road from Federal Road to Sheffield Boulevard on the Harris County Road Log - **DISTRICT E - WISEMAN**

13. Ordinance 2003-0730

ORDINANCE disclaiming, releasing and relinquishing the City's right, Title, interest, claim and demand in and to (i-v) the five utility easements, referenced as restrictive covenants for Lots 35 through 39, West Oaks Addition, as recorded in Volume 1122, Page 600, Harris County Deed Records, and under County Clerk's File Nos. J706585, K875254, L994815, M980380 and N458110, Harris County Real Property Records (Parcels SY2-049A through SY2-049E); and further finding and determining that public convenience and necessity no longer require the continued use of (vi) a 10-foot-wide utility easement (Parcel SY2-049F), (vii) a 5-foot-wide aerial easement (Parcel SY2-049G), (viii) a 2-foot wide sanitary sewer easement (Parcel SY2-049H) and (ix) a 10-foot wide electric and telephone easement (Parcel SY2-049I); vacating and abandoning said easements to Hudson Partnership, Ltd., the abutting owner, in consideration of owner's dedication of a 10-foot-wide utility easement (Parcel VY2-023) and a 30-foot-wide drainage easement (Parcel LY2-038), all located within the proposed West Oaks Place Subdivision, and owner's payment of \$1,200.00 and other consideration to the City - **DISTRICT G - KELLER**

14. Ordinance 2003-0731

ORDINANCE appropriating \$2,425,000.00 out of Airport System 2000B NON-AMT Construction Bond Fund and approving the purchase of approximately 20.861 acres of land out of the Charles Huffman Survey, Abstract 319, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024-109, and approving purchase and sale agreement with Allen H. Crosswell, Trustee to acquire the land for a purchase price, including closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY**

15. Ordinance 2003-0732

ORDINANCE approving and authorizing contract between the City of Houston and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for the City's Air Pollution Control Program \$3,026,774.00 - Grant Fund

16. Ordinance 2003-0733

ORDINANCE approving and authorizing contract between the City and **LANGUAGE USA, INC** for Translation and Interpretation Services; providing a maximum contract amount - 3 Years with two one-year options - \$60,000.00 - General Fund

RESOLUTIONS AND ORDINANCES - continued

17. Council Member Keller tagged

ORDINANCE appropriating \$156,728.00 out of Aviation Improvement Fund No. 561, and approving and authorizing compromise and settlement agreement, between LEIGH FISHER & ASSOCIATES and the City of Houston to settle a claim - **DISTRICT B - GALLOWAY**

18. Ordinance 2003-0734

ORDINANCE amending Ordinance No. 01-972 to increase the maximum contract amount to contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning & Janitorial Services for Building Services Department; (as approved by Ordinance No. 01-972) - \$635,981.25 - General Fund

19. Ordinance 2003-0735

ORDINANCE awarding contract to **PROFESSIONAL FLEET, INC** for Basic On-Site Lubrication Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$803,550.00 - General and Enterprise Funds

20. Ordinance 2003-0736

ORDINANCE appropriating \$1,295,386.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-B1-3 (WW4235-24); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 21

PROPERTY

21. Motion 2003-0966

RECOMMENDATION from Director Department of Public Works & Engineering, **TO AMEND MOTION #2003-358, 4/8/03**, which authorized the sealed bid sale of Parcels S95-055 and SY1-059, **TO APPOINT** one replacement independent real estate appraiser for each parcel (**S95-055 – Charles Rencher and SY1-059 – Thomas Bazan, Appointed**) - **APPRAISERS - DISTRICTS D - EDWARDS and H - VASQUEZ**

MATTERS HELD - NUMBERS 22 through 43

22. Motion 2003-0967 – Postpone one (1) week

RECOMMENDATION from Director Human Resources Department to amend the City of Houston Alcohol and Controlled Substances Policy (adopted by Motion #92-1971, 7/15/92), to allow for alcohol testing and to bring the City into compliance with current local, state and federal laws and to allow flexibility to future compliance with changes to those laws

TAGGED BY COUNCIL MEMBER ALVARADO

This was Item 6 on Agenda of July 30, 2003

MATTERS HELD – continued

23. Motion 2003-0968 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$386,292.77 and acceptance of work on contract with **DCE CONSTRUCTION, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-G2-3 (SB9029-2) - 03.48% over the original contract amount - **DISTRICTS C - GOLDBERG; F - ELLIS and G - KELLER** - **TAGGED BY COUNCIL MEMBER GOLDBERG**
This was Item 7 on Agenda of July 30, 2003

24. Motion 2003-0969 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Parker to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$552,782.39 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-G7-3 (SB9007-3) - 04.83% over the original contract amount - **DISTRICT A - TATRO** - **TAGGED BY COUNCIL MEMBER ELLIS**
This was Item 8 on Agenda of July 30, 2003

25. Motion 2003-0970 – Postpone one (1) week

MOTION by Council Member Tatro/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$453,457.11 and acceptance of work on contract with FERGUSON CONTRACTORS, LTD. for Construction of Street Overlays for Neighborhoods to Standard (NTS) Tier VII - Meyerland Subdivision, GFS 1037-14-3 (OL2014) - 08.27% under the original contract amount - **DISTRICT C - GOLDBERG**
TAGGED BY COUNCIL MEMBERS ELLIS and GOLDBERG
This was Item 9 on Agenda of July 30, 2003

26. Motion 2003-0971 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,404,767.46 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for West District Wastewater Treatment Plant Improvements, GFS R-0512-07-3 (4768-1) - 04.95% over the original contract amount - **DISTRICT G - KELLER**
TAGGED BY COUNCIL MEMBER KELLER
This was Item 10 on Agenda of July 30, 2003

27. Motion 2003-0972 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Asphalt Road-Patching Trucks through the Interlocal Agreement for Cooperative Purchasing for Department of Public Works & Engineering \$404,161.00 - Equipment Acquisition Consolidated Fund
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 19 on Agenda of July 30, 2003

MATTERS HELD – continued

28. Motion 2003-0973 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **AMEND MOTION #2000-0180, 2/9/00 and 2003-0077, 1/29/03, TO EXTEND** expiration date from August 8, 2003 to August 7, 2004, for Chemicals, Aqua Ammonia and Liquid Ammonium Sulfate for Department of Public Works & Engineering, awarded to **SOUTHERN IONICS, INCORPORATED (formerly SHRIEVE CHEMICAL COMPANY) - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 20 on Agenda of July 30, 2003

29. Motion 2003-0974 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **TEXAS HIGHWAY PRODUCTS, LTD** for Traffic Signal Controllers for Department of Public Works & Engineering \$898,859.12 - General Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 23 on Agenda of July 30, 2003

30. Motion 2003-0975 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **AMEND MOTION #99-1925, 11/3/99, and 2002-1011, 8/28/02, TO EXTEND** expiration date from November 3, 2003 to November 2, 2004, for Automotive, Universal Joints and Drive Shafts for Various Departments, awarded to **NORTHWEST DRIVE TRAIN SERVICE TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 24 on Agenda of July 30, 2003

31. Motion 2003-0976 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HILL'S PET NUTRITION, INC** - \$102,068.90 and **MACI FEED & SUPPLY** - \$96,766.96 for Feed, Dry Animal Contract for Various Departments - General Fund **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 25 on Agenda of July 30, 2003

32. Motion 2003-0977 - Adopt

MOTION by Council Member Tatro/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **GREAT WESTERN SUPPLY CO., INC** for Pipe, PVC and Fittings for Various Departments \$355,000.00 - General and Enterprise Funds - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 26 on Agenda of July 30, 2003

NOTE: Item 33 is presented as an alternative to Item 33A

33. Ordinance 2003-0737

ORDINANCE **AMENDING CHAPTER 44, CODE OF ORDINANCES, HOUSTON, TEXAS**, to require approval of two-thirds of the City Council before the City Council of the City of Houston, Texas, may levy Ad Valorem Taxes at a rate expected to increase Ad Valorem Property Tax Revenues by more than five percent more than the Ad Valorem Property Tax Revenues collected during the previous fiscal year; containing a severability clause; containing other provisions related to the subject - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

This was Item 27A on Agenda of July 30, 2003

MATTERS HELD – continued

a. Motion 2003-0978 – Refer back to the Authority

ORDINANCE **AMENDING CHAPTER 44, CODE OF ORDINANCES, HOUSTON, TEXAS**, to require approval by a majority of those voting at a special election before the City Council of the City of Houston, Texas, may levy Ad Valorem Taxes at a rate expected to increase Ad Valorem Property Tax Revenues by more than five percent more than the Ad Valorem Property Tax Revenues collected during the previous fiscal year; containing a severability clause; containing other provisions related to the subject

TAGGED BY COUNCIL MEMBERS ELLIS, QUAN, VASQUEZ, TATRO and SEKULA-GIBBS
This was Item 27 on Agenda of July 30, 2003

34. Motion 2003-0979 – Postpone three (3) weeks

RESOLUTION requesting the Mayor to place on a future City Council Agenda an ordinance ordering a Special Election to consider the adoption of a Charter Amendment requiring approval of two-thirds of the full City Council prior to the levy of Ad Valorem Taxes at a rate expected to increase Ad Valorem Property Tax Revenues by more than five percent more than the Ad Valorem Property Tax Revenues collected during the immediately preceding fiscal year

TAGGED BY COUNCIL MEMBERS ROBINSON, ELLIS, QUAN and SEKULA-GIBBS
This was Item 28 on Agenda of July 30, 2003

Motion 2003-0980 – Call the question on Item 35

Motion 2003-0981 – Postpone Item 35 four (4) weeks – “FAILED**”**

35. Ordinance 2003-0738

ORDINANCE relating to Safety Codes adopted for the protection and preservation of lives and property from fire and other perils; **AMENDING THE CITY OF HOUSTON FIRE CODE** and containing other provisions relating to the foregoing subject; providing for severability; containing a repealer; containing a savings clause

TAGGED BY COUNCIL MEMBERS EDWARDS, PARKER and ALVARADO
This was Item 30 on Agenda of July 30, 2003

36. Ordinance 2003-0739

ORDINANCE approving and authorizing agreement between the City of Houston and **LANDCO FAIR OAKS DEVELOPMENT, LLC** using Federal “HOME” Funds to provide a loan in the amount of \$500,000.00 and a grant in the amount of \$410,495.00 to finance a portion of the costs to acquire and renovate a 122-Unit apartment building at 910 Fair Oaks Road, Houston, Texas, to be rehabilitated to house low and very-low income residents - **DISTRICT I - ALVARADO**

TAGGED BY COUNCIL MEMBER ALVARADO
This was Item 42 on Agenda of July 30, 2003

37. Ordinance 2003-0740

ORDINANCE awarding contract to **E-Z-GO DIVISION OF TEXTRON, INC** for Golf Cart Leasing Services for Various Departments; providing a maximum contract amount - 2 Years with two two-year options - \$2,402,495.90 - General and Parks Special Revenue Funds - **DISTRICTS B - GALLOWAY; D - EDWARDS; F - ELLIS and G - KELLER**

TAGGED BY COUNCIL MEMBERS WISEMAN, ROBINSON, BERRY and ELLIS
This was Item 43 on Agenda of July 30, 2003

MATTERS HELD – continued

38. Ordinance 2003-0741

ORDINANCE appropriating \$1,400,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City and **RATNALA & BAH, INC**, CIP R-1000-04-2 (WW4863); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN and G - KELLER**

TAGGED BY COUNCIL MEMBER BERRY

This was Item 49 on Agenda of July 30, 2003

39. Motion 2003-0982 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Houston Airport System for approval of final contract amount of \$14,764,328.66 and acceptance of work on contract with **WRS INFRASTRUCTURE & ENVIRONMENTAL, INC** for Harris County Landfill No. 2 Removal at Bush IAH, HAS Project No. 522C, CIP A-0444 - 20.33% over the original contract amount - **DISTRICT B - GALLOWAY**
POSTPONED BY MOTION #2003-947, 7/30/03

This was Item 52 on Agenda of July 30, 2003

40. Motion 2003-0983 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Acting Director Building Services Department for approval of final contract amount of \$540,783.19 and acceptance of work on contract with **B&K SERVICES, INC** for Hobby Airport Underground Storage Tank Removal and other departments UST Repairs, GFS A-0147-41-3, L-0066-01-3 and F-0363-99-3 - 07.20% under the original contract amount
DISTRICTS A - TATRO; C - GOLDBERG and E - WISEMAN

POSTPONED BY MOTION #2003-948, 7/30/03

This was Item 53 on Agenda of July 30, 2003

41. Motion 2003-0984 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$421,031.49 and acceptance of work on contract with **INFRASTRUCTURE SERVICES, INC** for Construction and Installation of Speed Humps, Contract No. 52130 - 12.10% over the original contract amount - **POSTPONED BY MOTION #2003-949, 7/30/03**

This was Item 54A on Agenda of July 30, 2003

42. Motion 2003-0985 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$366,469.38 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Construction of Safe Sidewalk Program, GFS N-0610A-S9-3 (SB9048-2) - 04.92% over the original contract amount - **DISTRICT B - GALLOWAY** - **POSTPONED BY MOTION #2003-950, 7/30/03**

This was Item 55 on Agenda of July 30, 2003

MATTERS HELD – continued

43. Motion 2003-0986 - Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of supplemental allocation of funds in the amount of \$253,000.00 for Professional Engineering Services contract between the City and **TURNER COLLIE & BRADEN, INC** for Governmental Accounting Standards Board (GASB) Statement No. 34 Drainage Assessment Program; GFS M-0126-51-2 (SM5029) - **POSTPONED BY MOTION #2003-952, 7/30/03**
This was Item 65 on Agenda of July 30, 2003

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Robinson 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

8/5/2003 – Council Member Parker out of the City on personal business

8/6/2003 – Council Member Parker out of the City on personal business