

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 12, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0987 to 2003-0997
ORDINANCES 2003-0742 to 2003-0752
RESOLUTION – 2003-0022

2003-0986-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Berry

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 2003-0987 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 13, 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 31

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2003-0991

RECOMMENDATION from Director Finance & Administration for membership renewal for the National League of Cities - \$34,411.00 - General Fund

2. Council Members Wiseman and Edwards tagged

RECOMMENDATION from Director Department of Finance & Administration to approve proposed Fiscal Year 2004-2008 Capital Improvement Plan and establish a charge of \$50.00 plus tax and postage for the approved CIP documents

ACCEPT WORK - NUMBERS 3 through 8

3. Motion 2003-0992

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$699,450.00 and acceptance of work on contract with **CHARTER ROOFING AND WATERPROOFING** for Roof Replacement for the Wortham Theater, GFS B-0058-01-3 01.77% over the original contract amount - **DISTRICT I - ALVARADO**

4. Motion 2003-0993

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$32,800.00 and acceptance of work on contract with **CST ENVIRONMENTAL, INC** for Asbestos Abatement and Selective Demolition at Former Police Station, GFS D-0113-02-5 - **DISTRICT I - ALVARADO**

5. Motion 2003-0994

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$42,400.00 and acceptance of work on contract with **CST ENVIRONMENTAL, INC** for Asbestos Abatement and Selective Demolition, Canal Street Health Center, GFS D-0113-01-5 - **DISTRICT I - ALVARADO**

6. Council Member Ellis tagged

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$972,977.89 and acceptance of work on contract with **FROST CONSTRUCTORS, INC** for Heights Branch Library Renovation, GFS E-0023-01-3 - 11.58% over the original contract amount - **DISTRICT H - VASQUEZ**

7. Motion 2003-0988

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$352,869.50 and acceptance of work on contract with **GULF COAST LANDSCAPE SERVICES, INC** for Heights Boulevard Landscape Improvements, GFS F-0504-03-3 - 01.72% over the original contract amount - **DISTRICT H - VASQUEZ**

8. Council Member Ellis tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,813,973.20 and acceptance of work on contract with **TEJAS CONSTRUCTION COMPANY** for Construction of an Eight (8) Million Gallon Water Storage Tank at the Southwest Pumping Station, GFS S-0610-23-3 (WA10597-23) - 03.39% under the original contract amount - **DISTRICT C - GOLDBERG**

PROPERTY - NUMBER 9

9. Motion 2003-0989

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel CY2-005, located at 1207 Mitchell Road, owned by William Clayton Thompson, for the **MELROSE PARK SANITARY SEWER LIFT STATION PROJECT**, CIP R-0267-62-3 - **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 and 11

10. Motion 2003-0995

TELEDYNE ADVANCED POLLUTION INSTRUMENTATION, INC (Bid No. 7) to Furnish and Deliver Carbon Monoxide Analyzers for Health & Human Services Department - \$51,800.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$1,554.00 for a net award amount of \$50,246.00 - Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

11. Motion 2003-0990

AGILENT TECHNOLOGIES, INC for One Gas Chromatograph System from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health & Human Services Department - \$38,834.40 - Equipment Acquisition Consolidated Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 31

12. Resolution 2003-0022

RESOLUTION relating to Customs Services for arriving International Passengers at George Bush Intercontinental Airport/Houston

13. Ordinance 2003-0749

ORDINANCE approving and authorizing contract between the City of Houston, **HOUSTON INDEPENDENT SCHOOL DISTRICT, HOUSTON COMMUNITY COLLEGE SYSTEM, CITY OF BELLAIRE, TOMBALL INDEPENDENT SCHOOL DISTRICT, THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** and **HARRIS COUNTY** for Joint Elections to be held on November 4, 2003 and possible subsequent Joint Run-off Elections; providing a maximum contract amount - \$2,750,000.00 - General Fund

14. Ordinance 2003-0742

ORDINANCE finding no special benefit to the abutting owner of property described as Lot Ten (10), Block 45, Highland Heights Annex Number Six (6), and authorizing the release of certain assessment liens and apparent liens created by Ordinance No. 82-1337, passed August 25, 1982, for the initiation of a paving project for the permanent improvement of a portion of West Montgomery Road in the City of Houston, Texas - **DISTRICTS B - GALLOWAY and H - VASQUEZ**

15. Ordinance 2003-0743

ORDINANCE consenting to the addition of 153.5106 acres of land to **HUNTERS GLEN MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

16. Ordinance 2003-0744

ORDINANCE establishing the east and west sides of the 1100 block of Allston Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

17. Ordinance 2003-0745

ORDINANCE establishing the south side of the 700 block of Bayland Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

18. Ordinance 2003-0746

ORDINANCE establishing the east and west sides of the 1000 block of Columbia Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

19. Council Member Ellis tagged

ORDINANCE issuing permit to **BUCKEYE GULF COAST PIPE LINES, LP.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - ELLIS; G - KELLER and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

20. Council Member Ellis tagged

ORDINANCE issuing permit to **DEAN PIPELINE COMPANY, LP.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - WISEMAN**

21. Council Member Ellis tagged

ORDINANCE issuing permit to **SEAWAY CRUDE PIPELINE COMPANY**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - WISEMAN**

22. Council Member Ellis tagged

ORDINANCE issuing permit to **SHELL PIPELINE COMPANY, LP.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

23. Council Member Ellis tagged

ORDINANCE issuing permit to **TEPPCO CRUDE PIPELINE, LP.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; F - ELLIS; G - KELLER and H - VASQUEZ**

24. Council Member Ellis tagged

ORDINANCE approving and authorizing amendment No. 1 to Airport Shoeshine Concession Agreement between the City of Houston and **ELSIE HEBERT AIRPORT SHOESHINE PARLORS** at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

25. Ordinance 2003-0747

ORDINANCE approving and authorizing submission of the Budgets for Bureau Of Nutritional Services, Women and Children (WIC), Tuberculosis, Title V-Parts A & B, Associateship for Community Health and Resources Development, and Title XX Programs for the 2003-2004 contracts with the **TEXAS DEPARTMENT OF HEALTH** (TDH Contract No. 7460011640-04); authorizing the Director of the Health & Human Services Department to accept related applicable contract change notices and to accept any supplemental change notices during the grant period; declaring the City's eligibility notices during the grant period; declaring the City's eligibility for such grants; authorizing the use of interim funding from the General Fund, not to exceed 15% of the requested level of funding for the WIC Program, and declaring intent to reimburse the General Fund from proceeds received from the Texas Department of Health for the WIC Program; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any - \$12,634,223.00 - Grant Fund

26. Ordinance 2003-0750

ORDINANCE amending Ordinance Number 2001-967 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services - \$601,648.48 - General Fund

RESOLUTIONS AND ORDINANCES - continued

27. Pulled - Not Considered

ORDINANCE consenting to the assignment from **KMC/TL SERVICES, LLC** as assignors to **KOETTER FIRE PROTECTION OF HOUSTON, LLC** as assignees of the contract for Fire Alarm System Replacement (No. C54780) authorized by Ordinance No. 2003-208 - **DISTRICT D - EDWARDS**

28. Ordinance 2003-0752

ORDINANCE amending Ordinance No. 2002-649 (passed by City Council on July 10, 2002) to increase the maximum contract amount and approving and authorizing first amendment to contract between the City and **CUSTOM LOGIC DESIGN, INC** for Emergency Alerting System for Houston Fire Department - \$140,000.00 - Equipment Acquisition Consolidated Fund

29. Not Received - Not Considered

ORDINANCE appropriating \$150,000.00 out of Police Consolidated Construction Fund for Reimbursement for Joint Feasibility Study of Prisoner Processing Centers with Harris County Sheriff's Office and Houston Police Department, GFS G-0037-02-2 - **DISTRICTS B - GALLOWAY; G - KELLER; H - VASQUEZ and I - ALVARADO**

30. Ordinance 2003-0748

ORDINANCE appropriating \$818,686.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **POLYTECH, INC d/b/a PTI, INCORPORATED** for Construction Management, Engineering Construction Phase Services, and Inspection Services for Lake Houston Dam and Erosion Control Structure Repair Package 2, CIP S-0890-BN-3 (10567-2) - **DISTRICT E - WISEMAN**

31. Council Member Wiseman tagged

ORDINANCE appropriating \$20,177,336.00 out of Equipment Acquisition Consolidated Fund for purchase of FY2004 Equipment

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 32 through 33

32. Ordinance 2003-0751

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**
TAGGED BY COUNCIL MEMBER KELLER
This was Item 17 on Agenda of August 6, 2003

33. Motion 2003-0996 – Refer back to the Administration

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
POSTPONED BY MOTION #2003-967, 8/6/03
This was Item 22 on Agenda of August 6, 2003

MATTERS HELD - continued

34. Motion 2003-0997 – Refer back to the Administration

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**
POSTPONED BY MOTION #2003-970, 8/6/03
This was Item 25 on Agenda of August 6, 2003

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Edwards 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

**8/12/2003 – Council Member Keller absent on personal business
Council Member Robinson absent on City business**

**8/13/2003 – Council Members Galloway and Keller absent on personal business
Council Member Robinson absent on City business**