

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 7, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0001 to 2003-0021
ORDINANCES 2003-0001 to 2003-0013
RESOLUTION – None

2003-0000-1

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

Motions 2003-0001 to 2003-0002 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 8, 2003 - 9:00 A. M.

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

MAYOR'S REPORT

Motion 2003-0003 – Accept Report

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

CONSENT AGENDA NUMBERS 1 through 27

MISCELLANEOUS - NUMBERS 1 and 2

- 1. Motion 2003-0004**
RECOMMENDATION from Fire Chief for Extension of Injury Leave for **NORMAN ALLEN**
- 2. Motion 2003-0005**

AGENDA - JANUARY 8, 2003 - PAGE 2

RECOMMENDATION from Acting Chief of Police for Extension of Injured on Duty Status for Police Officer **WARREN V. JONES**

ACCEPT WORK - NUMBERS 3 through 7

3. Motion 2003-0009

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$149,602.00 and acceptance of work on contract with **PROJECT DEVELOPMENT GROUP, INC** for Asbestos & Mold Abatement and Selective Demolition in the "Y" Tunnel, GFS B-0070-01-5 - **DISTRICT I - ALVARADO**

4. Council Member Ellis tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$594,827.51 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of IRA Street Storm Sewer Outfall, GFS M-0126-13-3 (M-0126-13) - 00.17% over the original contract amount - **DISTRICT H - VASQUEZ**

5. Council Member Goldberg tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$797,800.43 and acceptance of work on contract with **PEDKO PAVING, INC** for Construction of Neighborhood Street Reconstruction Project No. 432A Phase II, GFS N-0364-03-3 (N-0364-03-3) - 14.80% under the original contract amount - **DISTRICT D - EDWARDS**

6. Motion 2003-0010

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,979,338.04 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of Neighborhood Street Reconstruction #43 Afton Oaks Subdivision, N-0369-01-3 (N-0369-01) - 01.94% under the original contract amount - **DISTRICT G - KELLER**

7. Council Member Wiseman tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,495,856.54 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Construction of On-Call Water Main and Sanitary Sewer Extensions, GFS S-0700-OD-3 (WA10660) - 00.17% under the original contract amount

PROPERTY - NUMBERS 8 through 9A

8. Motion 2003-0006

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Charles Mock, on behalf of Reward Third Ward, Inc. (Rose Mary Washington, president), for abandonment and sale of a 10-foot wide prescriptive sanitary sewer easement, located in Lot 3, in exchange for the conveyance to the City of a 10-foot-wide sanitary sewer easement, located in Lots 3 and 4, both within Block 7, Reward Third Ward Subdivision, Parcels SY3-025 and DY3-007 - **STAFF APPRAISERS**
DISTRICT I - ALVARADO

9. Ordinance 2003-0001

ORDINANCE appropriating \$14,175.00 out of Water & Sewer System Consolidated Construction Fund Number 755 to pay the amount of the Agreed Final Judgment and the appraisal expense in connection with the settlement of the eminent domain proceeding styled City of Houston v. The Estate of Doris J. Neely, deceased, et al., to acquire Parcel Number C99-3, for the Telephone Road Lift Station Project; GFS/CIP R-0267-00-1 - **DISTRICT I - ALVARADO**

PROPERTY - continued

a. Motion 2003-0007

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. the Estate of Doris J. Neely, Deceased, et al., Cause Number 758,178; for a total consideration of \$42,500.00 and pay appraisal services of \$1,850.00 in connection with **TELEPHONE ROAD LIFT STATION PROJECT**; GFS/CIP R-0267-00-1 - **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 17

10. Motion 2003-0011

PARKER SYSTEMS, INC d/b/a WEB DEVICES to Furnish and Install Safety Equipment at the Wortham Theater Center for the Convention and Entertainment Facilities Department \$37,204.01 - Enterprise Fund

11. Ordinance 2003-0005

ORDINANCE appropriating \$37,779.00 out of General Improvement Consolidated Fund for purchase of the Partial Renovation of the Denver Harbor Multi-Service Center for Health & Human Services Department, CIP D-0077-01-3

a. Motion 2003-0012

SOUTHERLAND CONSTRUCTION COMPANY for Partial Renovation of the Denver Harbor Multi-Service Center for Health and Human Services Department - \$35,980.00 and contingencies for a total amount not to exceed \$37,779.00

12. Motion 2003-0013

AUTOMATED ACCESS SYSTEMS, INC to Furnish and Install an Automated Pay-On-Foot Parking System for Library Department - \$100,982.00 - Equipment Acquisition Consolidated Fund

13. Council Member Wiseman tagged

TOTAL POWER SYSTEMS for Repair of Submersible Pumps for Department of Public Works & Engineering - \$60,645.91 - Enterprise Fund

14. Motion 2003-0008

AMEND MOTION #2000-76, 1/19/00, TO EXTEND expiration date from January 19, 2003 to January 18, 2004, for Electrical Switchgear and Motor Controls for Various Departments, awarded to **TURTLE AND HUGHES, INC** and **DEALERS ELECTRICAL SUPPLY**

15. Council Member Wiseman tagged

AMEND MOTION #2000-118, 1/26/00, TO EXTEND expiration date from January 26, 2003 to January 26, 2004, for Fiat Allis Road Machinery Replacement Parts for Various Departments, awarded to **HI-WAY EQUIPMENT COMPANY, INC**

16. Council Member Ellis tagged

AMEND MOTION #2000-251, 2/16/00, TO EXTEND expiration date from February 16, 2003 to August 15, 2003, for Safety Footwear for Various Departments, awarded to **SAFETY SHOE DISTRIBUTORS, INC**

17. Council Member Wiseman tagged

DIRECT ACTION UNIFORMS - \$2,436,021.02 and **L & N UNIFORM SUPPLY CO.** \$100,514.80 for Apparel, Uniforms for Various Departments - General, Enterprise and Storm Water Utility Fund

ORDINANCES - NUMBERS 18 through 27

18. Ordinance 2003-0002

ORDINANCE establishing the north side of the 700 block of East 8th 1/2 Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

19. Ordinance 2003-0003

ORDINANCE establish the south side of the 1900 block of Harold Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

20. Ordinance 2003-0004

ORDINANCE establish the east side of the 1500 block of Harvard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

21. Council Members Alvarado, Goldberg and Keller tagged

ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and **NORTH HARRIS MONTGOMERY COMMUNITY COLLEGE DISTRICT** for Professional Services in connection with Workplace Competency Training for the Houston Airport System - \$150,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

22. Council Member Ellis tagged

ORDINANCE approving and authorizing the submittal of an application the **U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL** for the City's Immunization Field and Program Services (The "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant; authorizing thirteen (13) new staff positions \$3,890,557.00 - Grant Fund

23. Council Members Tatro and Parker tagged

ORDINANCE approving and authorizing contract between the City of Houston and **RFP DEPOT, L.L.C.** for Internet Auction Services for Finance & Administration Department

Motion 2003-0014 – Suspend rules to hear from Mr. Calvin Wells on Item 24

24. Council Member Tatro tagged

ORDINANCE approving and authorizing contract for Internet-Based Reverse Auction Services between the City of Houston and **TEXAS PROCUREMENT CENTER, L.L.C.**

25. Council Members Wiseman and Ellis tagged

ORDINANCE appropriating \$173,782.14 out of Water & Sewer System Consolidated Construction Fund and \$238,727.47 out of the Homeless and Housing Consolidated Bond Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section 1 of the Crisfield Meadows Subdivision, CIP S-0800-76-03 and R-0800-76-03 - **DISTRICT E - WISEMAN**

ORDINANCES - continued

26. Council Members Wiseman and Ellis tagged

ORDINANCE appropriating \$136,131.20 out of Water & Sewer System Consolidated Construction Fund and \$222,750.31 out of the Affordable Housing Uptown 2002B Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section 2 of the Crisfield Meadows Subdivision, CIP S-0800-77-03 and R-0800-77-03 - **DISTRICT E - WISEMAN**

27. Council Members Wiseman and Ellis tagged

ORDINANCE appropriating \$246,443.99 out of Water & Sewer System Consolidated Construction Fund and \$143,876.12 out of the Homeless and Housing Consolidated Bond Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section 3 of the Crisfield Meadows Subdivision, CIP S-0800-78-03 and R-0800-78-03 - **DISTRICT E - WISEMAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 28 through 39

28. Motion 2003-0015 – Postpone one (1) week

ORDINANCE providing for an ad valorem tax exemption on a historical site known as the Scanlan Building located at 405 Main Street; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability

TAGGED BY COUNCIL MEMBER ALVARADO

This was Item 33 on Agenda of December 31, 2002

29. Ordinance 2003-0006

ORDINANCE approving and authorizing professional services contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Evaluation of a Cultural Diversity Training Program for Houston Police Department - \$50,000.00 - Grant Fund

TAGGED BY COUNCIL MEMBERS PARKER and EDWARDS

This was Item 35 on Agenda of December 31, 2002

Motion 2003-0016 – Amend Item 30 to limit contract to 18 months

30. Ordinance 2003-0007 – Adopt as amended

ORDINANCE approving and authorizing contract between the City and **WINSTEAD, SECHREST & MINICK PC** to Render Expunction Legal Services for Individuals arrested on August 16, 17 and 18, 2002 in the vicinity of 8400 Westheimer; providing a maximum contract amount - \$165,000.00 Property and Casualty Fund - **TAGGED BY COUNCIL MEMBERS QUAN and SEKULA-GIBBS**

This was Item 36 on Agenda of December 31, 2002

MATTERS HELD – continued

31. Ordinance 2003-0008

ORDINANCE awarding contract to **RBEX, INC d/b/a APPLE TOWING COMPANY** for Towing Services for Light, Medium and Heavy-Duty Vehicles for Various Departments; providing a maximum contract amount - 1 Year with four one-year options - \$1,310,475.00 - General and Fleet Management Funds - **TAGGED BY COUNCIL MEMBERS VASQUEZ, ELLIS and KELLER**

This was Item 38 on Agenda of December 31, 2002

32. Ordinance 2003-0009

ORDINANCE appropriating \$200,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services contract for On-Call Transportation Engineering Services with **PARSONS TRANSPORTATION GROUP, INC** (approved by Ordinance No. 2001-482) CIP N-0650-04-2; providing funding for contingencies relating to engineering services for various facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 39 on Agenda of December 31, 2002

33. Ordinance 2003-0010

ORDINANCE appropriating \$25,826,986.00 out of Equipment Acquisition Consolidated Fund for purchase of FY2003 Equipment for Various Departments

TAGGED BY COUNCIL MEMBERS TATRO, VASQUEZ, KELLER, ROBINSON, SEKULA-GIBBS, BERRY and GOLDBERG

This was Item 40 on Agenda of December 31, 2002

Motion 2003-0017 – Suspend rules to hear from Ms. Laverne Hogan on Item 34

34. Motion 2003-0018

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2003 - January 1, 2003 through December 31, 2003

POSTPONED BY MOTION #2002-1482, 12/31/02

This was Item 41 on Agenda of December 31, 2002

35. Motion 2003-0019 – Adopt and request administration to withhold \$650.00 delinquent taxes

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2000-190, 2/9/00, TO EXTEND** expiration date from February 9, 2003 to February 8, 2004, for Fittings and Appurtenances for Department of Public Works & Engineering, awarded to **U. S. FILTER CORPORATION - POSTPONED BY MOTION #2002-1485, 12/31/02**

This was Item 44 on Agenda of December 31, 2002

36. Ordinance 2003-0011

ORDINANCE approving and authorizing contract between the City and **SLA STUDIO LAND, INC** for Streetscape Design for Bissonnet/Binz Streets from Bayard to Crawford in the Museum District - \$140,000.00 - Grant Fund - **DISTRICT D - EDWARDS**

POSTPONED BY MOTION #2002-1487, 12/31/02

This was Item 45A on Agenda of December 31, 2002

MATTERS HELD – continued

37. Ordinance 2003-0012

ORDINANCE approving and authorizing contract between the City and **JOHN KIRKSEY ASSOCIATES, ARCHITECTS, INC** for professional architectural services for Renovation of Root Memorial Square - \$509,191.00 - Enterprise Fund - **DISTRICT I - ALVARADO**

POSTPONED BY MOTION #2002-1488, 12/31/02

This was Item 46 on Agenda of December 31, 2002

38. Motion 2003-0020 – Refer back to administration

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **HOUSTON G & G DEMOLISHING SERVICE, INC** for Securing of Dangerous Buildings and Site Clean-up Services for Planning & Development Department - \$26,169.00 and contingencies for an amount not to exceed \$27,477.45 - General Fund - **POSTPONED BY MOTION #2002-1490, 12/31/02**

This was Item 48 on Agenda of December 31, 2002

Motion 2003-0021 – Amend Item 39 to insert the following paragraph as a new Section 2 of the ordinance:

“The Mayor directs the Director of the Building Services Department to submit a report to City Council on the salary recovery costs actually incurred during the first year of the contract term along with recommendations for reducing the amount allocated for salary recovery for subsequent years as a prerequisite to any requests for future allocations for this contract. City Council may consider the Director’s recommendations and any other measures appropriate to reduce the salary recovery expenditures in subsequent years.”

39. Ordinance 2003-0013

ORDINANCE approving and authorizing contract for professional Civic Art Administration Services by and between City of Houston and the **ARTS COUNCIL OF THE HOUSTON/HARRIS COUNTY REGION** for the Building Services Department - \$112,943.00 Bond Funds

POSTPONED BY MOTION #2002-1491, 12/31/02

This was Item 49 on Agenda of December 31, 2002

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

AGENDA - JANUARY 8, 2003 - PAGE 9

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

**1/7/2003 – Mayor Brown absent on Jury Duty
Mayor Pro-tem Quan presiding**

1/8/2003 – All Present