

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 14, 2003 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0014 to 2003-0041
ORDINANCES 2003-0014 to 2003-0073
RESOLUTION – 2003-0001

2003-0021-1

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

Motions 2003-0022 to 2003-0024 – Procedural Motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 15, 2003 - 9:00 A. M.

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

MAYOR'S REPORT - Briefing by Super Bowl Host Committee
Chuck Watson and Robert Dale Morgan

CONSENT AGENDA NUMBERS 1 through 21-43

MISCELLANEOUS - NUMBERS 1 through 4A

1. Motion 2003-0041

RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval of Affirmative Action Goal for airport leasing (concession) contracts through September 30, 2003, in compliance with DBE Ordinance Nos. 89-226, 99-893 and DOT/FAA requirements

MISCELLANEOUS - continued

2. Motion 2003-0025

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for South Main Estates Park - Community Building, GFS F-0499-01-3 - **DISTRICT D - EDWARDS**

3. Motion 2003-0026

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Carverdale Park - Bid Package No. 6, Parks to Standard Program - Phase II, GFS F-0363-06-3 - **DISTRICT A - TATRO**

4. Ordinance 2003-0044

ORDINANCE appropriating \$56,035.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Roof Replacement at Barc, Animal Control - North under construction contract with **PYRAMID WATERPROOFING, INC**, CIP H-0011-04-3; approved by Ordinance No. 02-011; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

a. Council Member Ellis tagged

RECOMMENDATION from Director Building Services Department for approval of Change Order 1 in the amount of \$88,135.00 on contract with **PYRAMID WATERPROOFING, INC** for Roof Replacement at BARC, Animal Control Center - North, GFS H-0011-04-3 - **DISTRICT B - GALLOWAY**

PROPERTY - NUMBERS 5 and 5A

5. Ordinance 2003-0014

ORDINANCE appropriating \$1,000.00 out of Street & Bridge Consolidated Construction Fund Number 437 to pay the amount of the Agreed Final Judgment in connection with the settlement of eminent domain proceeding styled City of Houston v. John P. Struman and M. Frank Struman, et al., to acquire Parcel Number A93-178, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (PINEMONT - W. LITTLE YORK)**; GFS/CIP N-0546-01-1 - **DISTRICT B - GALLOWAY**

a. Motion 2003-0027

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. the John P. Struman and M. Frank Struman, et al., Cause Number 763,742; for a total consideration of \$2,500.00 in connection with **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT**; GFS/CIP N-0546-01-1 - **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 10

6. Ordinance 2003-0045

ORDINANCE appropriating \$129,980.71 out of Convention & Entertainment Construction Fund for purchase of Sound System Package for Wortham Theatre Center for the Convention Entertainment and Facilities Department

a. Motion 2003-0028

TAFT BROADCASTING CO., L.L.C. to Furnish a Sound System for Convention & Entertainment Facilities Department - \$129,980.71

PURCHASING AND TABULATION OF BIDS - continued

Motion 2003-0029 – Postpone Item 7 to the end of the Agenda

7. Motion 2003-0040

FERNANDEZ AND SON for Securing of Dangerous Buildings and Site Clean-up Services for Planning & Development Department - \$27,235.00 and contingencies for an amount not to exceed \$28,596.75 - General Fund

8. Motion 2003-0030

MHA GROUP - \$99,360.00 and **NORIT AMERICAS, INC** - \$197,640.00 for Chemical, Powdered Activated Carbon for Department of Public Works & Engineering - Enterprise Fund

9. Council Member Wiseman tagged

PATCH MANAGEMENT, INC for Rental of Asphalt Road Patching Trucks for Department of Public Works & Engineering - \$294,000.00 - General Fund

10. Council Member Keller tagged

VOSS ELECTRIC SUPPLY dba VOSS LIGHTING - \$862,998.25, **TURTLE AND HUGHES, INC** \$55,000.00 and **E. SAM JONES DISTRIBUTOR, INC** - \$202,950.60 for Electrical Lighting for Various Departments - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 21-43

11. Resolution 2003-0001

RESOLUTION finding that Job Order Contracting provides the best value for certain Houston Airport System Projects meeting the criteria set forth in Section 271.120(a) of the Texas Local Government Code - **DISTRICTS B - GALLOWAY and E - WISEMAN**

12. Ordinance 2003-0015

ORDINANCE approving and authorizing subordination and modification agreement with **W. T. M. INVESTMENTS, INC** and **MITCHELL MORTGAGE COMPANY, L.L.C.** in connection with the Refinancing of loans made to W. T. M. Investments, Inc and secured by the Wheatley Manor Apartments located in Houston, Texas, a project restricted for rental to low income persons **DISTRICT H - VASQUEZ**

13. Council Member Wiseman tagged

ORDINANCE approving and authorizing first amendment to contract between the City and **BONDRESOURCE PARTNERS, LP** (formerly contracted as **ARTHUR ANDERSEN, LLP**; Contract No. 53444) for Arbitrage Services; providing a maximum contract amount - \$198,699.00 General and Enterprise Funds

14. Ordinance 2003-0046

ORDINANCE appropriating \$294,700.00 out of Convention & Entertainment Construction Fund, and approving and authorizing compromise and settlement agreement between the City of Houston and **WILLIS, BRICKER & CANNADY, INC now known as BRICKER & CANNADY ARCHITECTS, INC** to settle a claim arising out of activities financed by the Fund

15. Council Member Keller tagged

ORDINANCE awarding contract to **P.E.S. VENTURES, INC dba FORT BEND MECHANICAL** for Heating, Ventilation & Air Conditioning (HVAC) Services for Various Departments; providing a maximum contract amount - 5 Years - \$2,441,065.00 - General and Building Inspection Funds

RESOLUTIONS AND ORDINANCES - continued

16. Ordinance 2003-0073

ORDINANCE appropriating \$4,285,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund and approving and authorizing amendment No. 1 to contract restatement between the City of Houston and **3D/INTERNATIONAL, INC** for Professional Architectural/Engineering services at George Bush Intercontinental Airport/Houston, (Project 490D and 490F), CIP A-0322 - **DISTRICT B - GALLOWAY**

17. Ordinance 2003-0047

ORDINANCE appropriating \$550,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund and approving and authorizing agreement for Professional Architectural Services between the City of Houston and **M. ARTHUR GENSLER JR. & ASSOCIATES, INC** for Development of Terminal Area Graphics and Signage Standards at George Bush Intercontinental Airport/Houston, (Project 594), CIP A-0482 - **DISTRICT B - GALLOWAY**

18. Ordinance 2003-0048

ORDINANCE appropriating \$1,935,000.00 out of Fire Consolidated Construction Fund and \$65,000.00 out of General Improvement Consolidated Construction Fund for Renovation/Reconstruction of Various Fire Department Facilities; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund and the General Improvement Consolidated Construction Fund

19. Ordinance 2003-0049

ORDINANCE appropriating \$102,684.75 out of Fire Consolidated Construction Fund as an additional appropriation for Concrete Services, under contract with **SMITH-MOBLEY** (Approved by Ordinance No. 2001-0119), CIP C-0089 - **DISTRICT D - EDWARDS**

20. Council Member Ellis tagged

ORDINANCE appropriating \$264,901.94 out of Water & Sewer System Consolidated Construction Fund as Houston's share of the Blackhawk Regional Wastewater Treatment Plant Renovation Project (Contract No. 20513 between the City of Houston and **THE GULF COAST WASTE DISPOSAL AUTHORITY**), CIP R-0019-21-3 - **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

21. All Passed first reading – see below

ORDINANCES (43 separate ordinances) granting the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions, to the following: - **FIRST READING**

1 Alpha Waste Express, Inc 2003-0016	23 Hill Sand Company, Inc d/b/a Hill Waste Services 2003-0033
2 A&T Environmental Cleaning, Inc 2003-0017	24 Liberty Waste Systems, Inc 2003-0055
3 A.C.C.P., Inc, A Texas Corporation 2003-0050	25 LMMIG, Ltd. d/b/a Century Industries 2003-0056
4 Accurate Transportation Services, Inc 2003-0051	26 May Environmental, Inc 2003-0034
5 Advanced Disposal Systems, Inc 2003-0018	27 Philip Reclamation Services, Houston, Inc 2003-0035
6 Astro Waste, Inc 2003-0019	28 PRI Services, Inc 2003-0036
7 Aztec Portacans and Containers, L.P. 2003-0020	29 Pro Waste, Inc 2003-0037
8 Bay Area Waste Systems, Inc 2003-0021	30 Ray Smith Construction, Inc 2003-0038
9 Bayou City Environmental Services, L.P. 2003-0022	31 Republic Waste Services of Texas, Ltd. 2003-0057
10 Bayou City Waste Systems, L.P. 2003-0023	32 Northside Garbage Service, Inc d/b/a Northside Waste Service 2003-0039
11 CES Environmental Services, Inc 2003-0024	33 Star Disposal Systems, Inc 2003-0058
12 City Waste, L.P. 2003-0025	34 Stericycle, Inc 2003-0040
13 Disposal Doctor, Inc 2003-0026	35 Specialized Waste Systems, Inc 2003-0041
14 Eagle Construction & Environmental Services, L. P. 2003-0027	36 Triple S Equipment 2003-0042
15 Excell Disposal, Inc 2003-0028	37 USA Waste Industrial Services, Inc 2003-0059
16 Gainsborough Corporation d/b/a Gainsborough Waste 2003-0029	38 U.S. Liquids of Houston, L.L.C 2003-0043
17 G. O. Weiss, Inc 2003-0030	39 Waste Corporation of Texas, L.P. 2003-0060
18 Grace Disposal Systems. L.L.C. 2003-0031	40 Waste Management of Texas, Inc 2003-0061
19 GRM Disposal Services, Inc 2003-0032	41 Waste Pro Services, L.L.C. 2003-0062
20 Gulf Coast Environmental, Inc 2003-0052	42 Alfred Savoy, Jr. d/b/a Dirt Works Unlimited 2003-0063
21 Gulf Coast Vacuum Service, Inc 2003-0053	43 Chief Environmental Surveys, Inc 2003-0064
22 Halco Waste Container, Inc d/b/a Old Orchard Trucking and Waste Systems 2003-0054	

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 22 through 36

22. Motion 2003-0031 – Postpone one (1) week

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 \$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**

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 4 on Agenda of January 8, 2003

MATTERS HELD – continued

23. Motion 2003-0032 – 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 \$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 TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 5 on Agenda of January 8, 2003

24. Motion 2003-0033 – 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 \$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 **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 7 on Agenda of January 8, 2003

25. Motion 2003-0034 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **TOTAL POWER SYSTEMS** for Repair of Submersible Pumps for Department of Public Works & Engineering \$60,645.91 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 13 on Agenda of January 8, 2003

26. Motion 2003-0035 – Adopt

MOTION by Council Member Robinson/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 15 on Agenda of January 8, 2003

27. Motion 2003-0036 – Postpone one (1) week

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 16 on Agenda of January 8, 2003

28. Motion 2003-0037 – Postpone one (1) week

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **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 **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 17 on Agenda of January 8, 2003

MATTERS HELD – continued

29. Ordinance 2003-0065

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** - **TAGGED BY COUNCIL MEMBERS ALVARADO, GOLDBERG and KELLER**

This was Item 21 on Agenda of January 8, 2003

30. Ordinance 2003-0066

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 - **TAGGED BY COUNCIL MEMBER ELLIS**

This was Item 22 on Agenda of January 8, 2003

31. Ordinance 2003-0067

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

This was Item 23 on Agenda of January 8, 2003

Motion 2003-0038 – Suspend rules to hear from Mr. Calvin Wells on Item 39

Motion 2003-0039 – Call the question on Item 39

32. Ordinance 2003-0068

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

This was Item 24 on Agenda of January 8, 2003

33. Ordinance 2003-0069

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** **TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS**

This was Item 25 on Agenda of January 8, 2003

MATTERS HELD – continued

34. Ordinance 2003-0070

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**
TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS
This was Item 26 on Agenda of January 8, 2003

35. Ordinance 2003-0071

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**
TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS
This was Item 27 on Agenda of January 8, 2003

36. Ordinance 2003-0072

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
POSTPONED BY MOTION #2003-15, 1/8/03
This was Item 28 on Agenda of January 8, 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

**1/14/2003 – Council Member Galloway absent on City business
Council Member Wiseman absent due to being ill
Council Member Robinson absent on personal business**

1/15/2003 – All Present