

AGENDA - COUNCIL MEETING - WEDNESDAY - JULY 2, 2003 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with note of action taken

MOTIONS 2003-0865 to 2003-0879
ORDINANCES 2003-0630 to 2003-0641
RESOLUTION – None

2003-0864-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Keller

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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 2003-0875 – Procedural motion
Motion 2003-0876 – Procedural motion

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 30

MISCELLANEOUS - NUMBERS 1 through 4

1. Motion 2003-0865

CONFIRMATION of the appointment of **MS. NORMA VELAZQUEZ HARRIS** to Position 6 of the **SMALL BUSINESS DEVELOPMENT CORPORATION BOARD OF DIRECTORS**, for a three year term from date of appointment

2. Motion 2003-0866

RECOMMENDATION from Fire Chief to approve the sale of Decommissioned Firefighting Equipment to "Sister City" Tampico, Mexico

3. Motion 2003-0867

RECOMMENDATION from Fire Chief for authority to sell Decommissioned Equipment and Uniform items for surplus and salvage to the Houston Fire Museum

MISCELLANEOUS - continued

4. Council Members Tatro and Parker tagged

RECOMMENDATION from Director Office of Public Safety and Drug Policy for approval of Change Order No. 1 on contract with **PRC PUBLIC SECTOR, INC** for additional scope related to Implementation of Houston Emergency Center Consolidated Dispatching System

DAMAGES - NUMBER 5

5. Motion 2003-0868

RECOMMENDATION from City Attorney for settlement of lawsuit titled **JOHNNY CAPPS v. City of Houston**; in the 270th Judicial District Court of Harris County, Texas; Cause No. 2002-24757 \$25,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 6 and 7

6. Motion 2003-0869

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$3,676,588.54 and acceptance of work on contract with **GARVER CONSTRUCTION, LTD** for Will Clayton Parkway/Lee Road Improvements at George Bush Intercontinental Airport/Houston Project No. 560A, CIP A0116 - 04.15% under the original contract amount - **DISTRICT B - GALLOWAY**

7. Motion 2003-0870

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$7,751,855.72 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Terminal Area Road Modifications at George Bush Intercontinental Airport/Houston Project No. 533A, CIP A-0351 - 02.22% over the original contract amount - **DISTRICT B - GALLOWAY**

PROPERTY - NUMBER 8

8. Motion 2003-0871

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceedings styled City of Houston v. Truong X. Hoang and Thang X. Cao, et al., Cause No. 782,064; for the **LEY ROAD PAVING PROJECT**, CIP/GFS N-0587B-01-1 - \$205,734.00 - **DISTRICT B - GALLOWAY**

PURCHASING AND TABULATION OF BIDS - NUMBER 9

9. Motion 2003-0872

DECLARE **P.E.S. VENTURES, INC dba FORT BEND MECHANICAL** non-responsible for two years

ORDINANCES - NUMBERS 10 through 30

10. Council Member Wiseman tagged

ORDINANCE **AMENDING THE CITY OF HOUSTON CONSTRUCTION CODE** and the **CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Fees

ORDINANCES - continued

Motion 2003-0873 – Postpone Item 11 to the end of the Agenda

11. Ordinance 2003-0641

ORDINANCE relating to the use of certain Extended Body Limousines that were in service prior to the adoption of recent Limousine Regulations and Ordinances

12. Ordinance 2003-0634

ORDINANCE authorizing the reallocation of the amounts which may be issued for authorized purposes of the City of Houston, Texas, General Obligation Commercial Paper Notes, Series D

13. Ordinance 2003-0635

ORDINANCE suspending the effective date of revised rate schedules filed by Centerpoint Energy Entex for all customers within the City of Houston, Texas

14. Council Member Ellis tagged

ORDINANCE approving and authorizing lease agreement between the **WAYSIDE BUSINESS CENTER, LTD., as landlord**, and the City of Houston, Texas, as tenant, for space at 4300 S. Wayside for use by the Public Works & Engineering Department - **DISTRICT I - ALVARADO**

15. Ordinance 2003-0636

ORDINANCE approving and authorizing the submittal of an application to the U. S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) for the Greater Houston Environmental Public Health Tracking Network; declaring the City's eligibility for such application; 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 any monies, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the application; authorizing one (1) new staff position

16. Ordinance 2003-0637

ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for use of Precinct 6 Constables in the Greater Fifth Ward and Northside Village Communities \$90,744.00 - Grant Fund - **DISTRICTS B - GALLOWAY and H - VASQUEZ**

17. Council Member Ellis tagged

ORDINANCE approving and authorizing settlement and full and final release between the City of Houston and **GLORIA RODRIGUEZ AND DOW, GOLUB, BERG & BEVERLY, L.L.P.** to settle a lawsuit - \$160,340.00 - Property and Casualty Fund

18. Council Members Edwards, Tatro, Keller and Sekula-Gibbs tagged

ORDINANCE approving and authorizing contract between the City and **AON CONSULTING, INC** for Consulting Services for the Health Benefits Program; providing a maximum contract amount 3 Years with two one-year options - \$1,509,000.00 - Health Benefits Fund

19. Council Members Ellis, Sekula-Gibbs, Keller, Tatro and Edwards tagged

ORDINANCE approving and authorizing contract between the City and **THE SEGAL COMPANY (TEXAS), INC** for Consulting Services for the Health Benefits Program; providing a maximum contract amount - 3 Years with two one-year options - \$235,000.00 - Health Benefits Fund

ORDINANCES - continued

20. Council Members Ellis, Keller and Sekula-Gibbs tagged

ORDINANCE amending Ordinance No. 97-1017 (passed by City Council on August 20, 1997) to increase the maximum contract amount and approving and authorizing first amendment to contract between the City and **AMERICAN MANAGEMENT SYSTEMS, INC** for Computer Software Maintenance Services for Information Technology Department - \$421,000.00 - General Fund

21. Council Members Ellis and Sekula-Gibbs tagged

ORDINANCE amending Ordinance No. 01-0625 (passed by City Council on June 27, 2001) to increase the maximum contract amount and approving and authorizing first amendment to contract between the City and **COMPUWARE CORPORATION** for Mainframe Computer Software Maintenance Services for Information Technology Department - \$194,000.00 - General Fund

22. Council Members Sekula-Gibbs, Elli and Goldberg tagged

ORDINANCE amending Ordinance No. 96-656 to increase the maximum contract amount for contract between the City of Houston and **COMPUTER ASSOCIATES INTERNATIONAL, INC** for Additional Software Maintenance and Support Services for Municipal Data Center Sysview Operating Software System - \$324,100.00 - General Fund

23. Council Members Parker, Tatro and Berry tagged

ORDINANCE appropriating \$7,746,000.00 out of Fire Consolidated Construction Fund, approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with, and finding a public necessity for, the Renovation and Expansion of the Training Academy, CIP G-0068, the Fire Station No. 37 Relocation Project, CIP G-0147, the Downtown Superstation, CIP G-0149; and replenishing existing Fund CNA-00-1 for payment of Appraisal Costs and Title expenses for various projects in the Fire Department Capital Improvement Plan - **DISTRICTS C - GOLDBERG; E - WISEMAN and I - ALVARADO**

24. Pulled - Not Considered

ORDINANCE appropriating \$315,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City and **CAMP DRESSER & MCKEE, INC** for Construction Management and Inspection Services for the 69th Street Wastewater Treatment Plant Improvements, CIP R-0509-07-3 (4842) - **DISTRICT I - ALVARADO**

25. Ordinance 2003-0638

ORDINANCE appropriating \$313,434.00 out of Police Consolidated Construction Fund and approving and authorizing professional engineering consulting services contract between the City of Houston and **J. F. THOMPSON, INC** for Tropical Storm Allison Flood Damage Repairs and Mitigation for 61 and 62 Riesner Street, CIP G-0071-05-2; providing funding for environmental services and for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT H - VASQUEZ**

ORDINANCES - continued

26. Ordinance 2003-0630

ORDINANCE appropriating \$112,987.83 out of Water & Sewer System Consolidated Construction Fund and \$115,589.85 out of Homeless and Housing Consolidated Bond Fund, and approving and authorizing Developer Participation contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Northborough Village Subdivision, CIP S-0800-91-03 and R-0800-91-03 - **DISTRICT B - GALLOWAY**

27. Ordinance 2003-0631

ORDINANCE appropriating \$116,625.17 out of Water & Sewer System Consolidated Construction Fund and \$135,000.00 out of Homeless and Housing Consolidated Bond Fund, and approving and authorizing Developer Participation contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Three of the Northborough Village Subdivision, CIP S-0800-92-03 and R-0800-92-03 - **DISTRICT B - GALLOWAY**

28. Ordinance 2003-0632

ORDINANCE appropriating \$248,570.31 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Homeless and Housing Consolidated Bond Fund, and approving and authorizing Developer Participation contract between the City of Houston and **REGENTS PARK ASSOCIATES, LTD.**, for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Regents Village Subdivision, CIP S-0800-93-03 and R-0800-93-03 **DISTRICT F - ELLIS**

29. Ordinance 2003-0633

ORDINANCE appropriating \$377,014.88 out of Water & Sewer System Consolidated Construction Fund and \$120,000.00 out of Homeless and Housing Consolidated Bond Fund and approving and authorizing contract between the City of Houston and **7168 STONE BROOK I, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Northwest Place Estates Subdivision, CIP S-0800-94-03 and R-0800-94-03 - **DISTRICT A - TATRO**

30. Ordinance 2003-0639

ORDINANCE awarding construction contract to **ANGEL BROTHERS ENTERPRISES, LTD.**, for construction of Neighborhoods to Standards, Tier IX Overlay Program; GFS N-1037-02-3 (OL2039); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by Community Development Block Grant Funds - \$3,480,000.00 - **DISTRICTS B - GALLOWAY; D - EDWARDS and I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 31 through 35

31. Motion 2003-0874 – Postpone one (1) week

ORDINANCE appropriating \$218,748.10 out of Storm Sewer Consolidated Construction Fund and approving and authorizing amendment to construction contract with **TEXAS STERLING CONSTRUCTION, LP** for Construction of Knollwood Village Drainage Improvements,

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(passed by Ordinance No. 2002-0588), CIP M-0252-01-3 (SM5016) - **DISTRICT C -
GOLDBERG**

MATTERS HELD - continued

a. Motion 2003-0874 – Postpone one (1) week

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$238,955.32 on contract with **TEXAS STERLING CONSTRUCTION, LP** for Construction of Knollwood Village Drainage Improvements, CIP M-0252-01-3 (SM5016) - **DISTRICT C - GOLDBERG**
TAGGED BY COUNCIL MEMBER GALLOWAY

These were Items 2 and 2A on Agenda of June 25, 2003

32. Ordinance 2003-0640

ORDINANCE approving and authorizing contract between the City of Houston and **NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER, INC** for Comprehensive Management, Quality Assurance and Employee Competency Testing Services relating to the Houston Police Department Crime Laboratory - \$169,400.00 - General and Asset Forfeiture Funds
POSTPONED BY MOTION #2003-700, 6/25/03

This was Item 24 on Agenda of June 25, 2003

33. Motion 2003-0877 – Postpone two (2) weeks

ORDINANCE appropriating \$114,180.90 out of Water & Sewer System Consolidated Construction Fund and \$138,000.00 out of Affordable Housing Midtown Bond Fund; and approving and authorizing Developer Participation Contract between the City of Houston and **DOMINION COMMUNITY DEVELOPMENT CORPORATION, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Dominion Estates Subdivision, CIP R-0800-81-03 and S-0800-81-03 - **DISTRICT A - TATRO**
POSTPONED BY MOTION #2003-709, 6/25/03

This was Item 32 on Agenda of June 25, 2003

34. Motion 2003-0878 – Postpone to next meeting (July 15)

ORDINANCE awarding construction contract **SER CONSTRUCTION PARTNERS, LTD** for Construction of Water, Sanitary Sewer and Storm Water Systems for Section Three of the Tierra Glen Subdivision CIP S-0800-79-03 and R-0800-79-03; approving an assignment of this construction contract to **BEAZER HOMES OF TEXAS, L.P.** - **DISTRICT E - WISEMAN**
POSTPONED BY MOTION #2003-711, 6/25/03

This was Item 35 on Agenda of June 25, 2003

35. Motion 2003-0879 – Refer back to the Administration

ORDINANCE approving and authorizing professional materials engineering laboratory contract between the City of Houston and **A&R ENGINEERING AND TESTING, INC**; for Engineering Material Testing Services for the Department of Public Works & Engineering and Houston Airport System - **POSTPONED BY MOTION #2003-712, 6/25/03**

This was Item 36 on Agenda of June 25, 2003

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Ellis 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

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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

**7/2/2003 – Council Member Galloway absent due to death in family
Council Member Quan out of the City on personal business**