

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 7, 2001 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2001-0887 to 2001-0905**  
**ORDINANCES 2001-0737 to 2001-0753**  
**RESOLUTION – 2001-0035**

**2001-0886-1**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Ellis

**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

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - AUGUST 8, 2001 - 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 34**

**ACCEPT WORK** - NUMBER 1

**1. Motion 2001-0893**

RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$632,091.12 and acceptance of work on contract with **BEARDEN CONTRACTING COMPANY, INC** for Lancaster Relief Sewer and Hanka Relief Sewer, GFS R-2011-09-3 (4739) - 04.23% under the original contract amount - **DISTRICTS A - TATRO and I - CASTILLO**

**PROPERTY** - NUMBERS 2 through 5

**2. Council Member Vasquez tagged**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Steve Hager of EMC Services, Inc, on behalf of Cal-Tex Citrus Juice, Inc (Gordon VanLiew, president) for encroachment agreement for a ±0.65-foot building encroachment into Yale Street, adjacent to Lots 13 through 18, Block 300, Houston Heights, John Austin Survey, Abstract 1, Parcel ENY1-06 - **DISTRICT H - VASQUEZ**

**3. Motion 2001-0894**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY0-72, located at 1501 Telephone Road, owned by James E. Rainosek and wife Delores A. Rainosek, for the **TELEPHONE ROAD RECONSTRUCTION PROJECT**, CIP N-0611A-40-1 \$18,038.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - CASTILLO**

**4. Motion 2001-0900**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY0-1, located in the 7700 block of Sam Houston Parkway, owned by Trafalgar Land Limited, a Texas limited partnership [Trafalgar G. P., Inc (Francis Yang, president), general partner], for the **ROARK #2 LIFT STATION PROJECT**, CIP R-0267-05-2 - \$34,850.00 Enterprise Fund - **DISTRICT F - ELLIS**

**5. Motion 2001-0895**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY0-110, located at 14300 Briarhills Parkway, owned by Harris County Flood Control District, a body politic and corporate, Bob Gaskins, General Manager of Right-of-Way, for the **DISTRICT 10 WATER WELL COLLECTION LINE EASEMENTS PROJECT**, CIP S-0936-02-2 \$23,000.00 - Enterprise Fund - **DISTRICT G - KELLER**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 12

**6. Motion 2001-0896**

**TITLEIST/FOOTJOY WORLDWIDE** - \$86,200.00, **WILSON SPORTING GOODS** - \$44,200.00, **ASHWORTH, INC** - \$25,000.00 and **RALPH LAUREN** - \$20,000.00 for Resale Items for Pro Shops for Parks and Recreation Department - \$175,400.00 - Parks Special Revenue Fund

**7. Motion 2001-0897**

**HOUSTON GALVESTON AREA COUNCIL** for Trailer-Mounted Asphalt Crack Sealer through the Interlocal Agreement for Cooperative Purchasing for Parks & Recreation Department \$29,169.41 - Equipment Acquisition Consolidated Fund

**8. Motion 2001-0901**

**OUTDOOR OUTFITS** for Helicopter Flight Suits for Police Department - \$116,840.00 - General Fund

**9. Motion 2001-0898**

**VARIAN, INC** - \$33,619.00 and **JY HORIBIT** - \$17,000.00 for Laboratory Equipment Part II for the Department of Public Works & Engineering - Enterprise Fund

**10. Motion 2001-0902**

**ELECTRIC MOTORS, INC** for Emergency Repair of Five Electric Well Motors for Department of Public Works & Engineering - \$22,613.87 - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**11. Motion 2001-0899**

**WESTERN REFUSE & RECYCLING EQ., INC** for Heil Garbage Truck Bodies Aftermarket Replacement Parts Contract for Solid Waste Management Department - \$650,000.00 - General Fund

**12. Motion 2001-0903**

**GROVES INDUSTRIAL SUPPLY** for Tools, Lawn, Garden and Striking for Various Departments \$290,400.00 - General and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 13 through 34

**Motion 2001-0890 – Suspend rules to consider Item 13 out of order**

**13. Resolution 2001-0035**

RESOLUTION to change the name of the Thrust Theater at Houston Center for the Arts to the Yeager Theater - **DISTRICT D - BONEY**

**Motion 2001-0891 – Call the question on Item 14**

**14. Motion 2001-0892 – Refer back to the Administration**

ORDINANCE amending **SECTION 18-3(b), CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Candidacy for City Elective Office by certain salaried City Officials; containing other provisions relating to the subject; providing for severability

**15. Ordinance 2001-0742**

ORDINANCE amending **SUBSECTIONS (a) and (b) of SECTION 18-33, CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Solicitation of Campaign Contributions; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability

**16. Council Members Robinson and Boney tagged**

ORDINANCE amending **SECTION 18-38, CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Coordinated Campaign Expenditures; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability

**Motion 2001-0904 – Motion to proceed with Agenda**

**17. Ordinance 2001-0743**

ORDINANCE modifying criteria for use of Compensatory Time for extraordinary work efforts during Tropical Depression Allison for certain exempt City employees

**18. Council Member Robinson tagged**

ORDINANCE issuing a permit to **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, a venue district organized and existing under Chapter 335, Texas Local Government Code for building, constructing, maintaining, using, occupying, operating and repairing certain subsurface vault space and structural tie-backs to occupy the vault space, abutting Blocks 289, 290, 311 and 312, S.S.B.B., and within portions of Bell Avenue, Jackson Street, Polk Avenue and LaBranch Street, such space being within public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued

**RESOLUTIONS AND ORDINANCES** - continued

**19. Council Members Robinson and Vasquez tagged**

ORDINANCE issuing a permit to **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, a venue district organized and existing under Chapter 335, Texas Local Government Code for building, constructing, maintaining, using, occupying, operating and repairing certain subsurface vault space for a truck tunnel abutting Blocks 312 and 329, S.S.B.B., and within the 1500 blocks of Bell and Leeland Avenues, and a pedestrian walkway abutting Blocks 311 and 328, S.S.B.B., and within and over the 1600 block of Bell Avenue; such areas being within public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued

**20. Council Members Parker and Goldberg tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **RIVERSIDE GENERAL HOSPITAL, INC**, providing up to \$815,220.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for Administrative Assistance, Operational Support, Supportive Services and the Rehabilitation of the Edith Irby Jones Health Care Center - **DISTRICT I - CASTILLO**

**21. Ordinance 2001-0744**

ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$707,800.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for Administrative, Supportive Services and a Short-term Rent, Mortgage and Utility Assistance Project, which sum includes a limitation of additional funding in the amount of \$353,900.00 **DISTRICT I - CASTILLO**

**22. Not Received - Not Considered**

ORDINANCE authorizing the City of Houston to submit a request to the United States Department of Housing and Urban Development to borrow up to \$9,500,000.00 of Section 108 Guaranteed Loan Funds and to allocate up to \$950,000.00 of EDI Grant Funds to Finance the Redevelopment of the Building located at 609 Fannin, to be known as "The Magnolia Hotel" **DISTRICT I - CASTILLO**

**23. Ordinance 2001-0708**

ORDINANCE approving and authorizing amendment to sponsorship agreement (approved by Ordinance 98-804) with **1111 POST OAK BOULEVARD TOWNHOMES ASSOCIATION, INC, (formerly Galleria Townhomes Association)** for Solid Waste Collection Services - **DISTRICT G - KELLER**

**24. Ordinance 2001-0739**

ORDINANCE approving and authorizing sponsorship agreement between the City and **SOUTHWOOD PLACE PATIO HOMES** for Garbage Collection Service for the respective subdivisions - 36 Months - \$20,952.00 - **DISTRICT C - GOLDBERG**

**25. Ordinance 2001-0740**

ORDINANCE awarding contract to **PROCYCLE OIL & METALS, INC** for Parts Immersion Cleaning Service for Public Works & Engineering & Solid Waste Management Departments; providing a maximum contract amount - 3 Years with two one-year options - \$267,491.25 General, Enterprise and Fleet Management Funds

**26. Ordinance 2001-0745**

ORDINANCE awarding contract to **THREE 5 SEVEN, INC** for Fuel Systems Tank Testing Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$380,468.75 - General, Enterprise and Fleet Management Funds

**RESOLUTIONS AND ORDINANCES** - continued

**27. Ordinance 2001-0741**

ORDINANCE awarding contract to **ELECTRIC MOTORS, INC** for Electric Motor Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,850,195.00 - General and Enterprise Funds

**28. Ordinance 2001-0746**

ORDINANCE approving and authorizing agreement between the City of Houston and **BANK OF AMERICA, N.A.**, for Automated Teller Machine Concession for the Houston Airport System Revenue - **DISTRICTS B - GALLOWAY and E - TODD**

**29. Ordinance 2001-0747**

ORDINANCE appropriating \$75,000.00 out of Airports Improvements Fund and approving and authorizing contract between the City of Houston and **C3S, INC** for professional engineering services for Miscellaneous Projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field (Project No. 409K), CIP A-0138 - **DISTRICTS B - GALLOWAY and E - TODD**

**30. Council Member Keller tagged**

ORDINANCE appropriating \$50,156,700.00 out of Airport System Consolidated 2001 AMT Construction Fund, CIP A0354, and \$812,724.00 out of Airports Improvement Fund, CIP A 0422; awarding construction contract to **DAIMLERCHRYSLER RAIL SYSTEMS (NORTH AMERICA) INC** for the Fabrication and Installation of Phase 2 of the Automated People Mover at George Bush Intercontinental Airport/Houston (Project 536D); providing funding for the Civic Art Financed by the Airports Improvement Fund - **DISTRICT B - GALLOWAY**

**31. Ordinance 2001-0748**

ORDINANCE appropriating \$16,255.00 out of Street & Bridge Consolidated Construction Fund and \$39,797.79 out of Water & Sewer System Consolidated Construction Fund as a Reimbursement for the Reconstruction of Wheeler Street from Calhoun Road to SH 35, CIP R-0018-17-3 and S-0521-E1-3, under an advance funding agreement with TxDOT (approved by Ordinance No. 96-490) - **DISTRICT D - BONEY**

**32. Ordinance 2001-0749**

ORDINANCE approving and authorizing second amendment to Transportation Improvement Agreement between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY (METRO)** for Transit/Neighborhood Streets Reconditioning and Resurfacing Program - **DISTRICT D - BONEY**

**33. Ordinance 2001-0750**

ORDINANCE appropriating \$1,328,700.00 out of Park Capital Project Fund 465, awarding construction contract to **CARRERA CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL, INC** for Maintenance Facility - Memorial Park Golf Course, F-0464-01-3; providing funding for contingencies relating to construction of facilities financed by the Park Capital Project Fund - **DISTRICT G - KELLER**

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2001-0720 – Passed second reading**

ORDINANCE No. 2001-720, passed first reading August 1, 2001

ORDINANCE granting authority to **NSPOF COMMUNICATIONS, INC** a Texas Corporation, to encroach upon and use the public right-of-way of the City of Houston, Texas; pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, construction, leasing, maintaining, repairing, replacing, removing, using, and operating therein, telecommunications facilities for providing authorized telecommunications services; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBERS 35 through 39A

**35. Council Member Vasquez tagged**

MOTION by Council Member Parker/Seconded by Council Member Boney to amend Subsection (a) of Section 45-411 and the first paragraph of Section 45-413 of Item 35A below

**TAGGED BY COUNCIL MEMBER BONEY**

**a. Council Member Vasquez tagged**

ORDINANCE amending **CHAPTER 45, CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Residential Parking Permits - **TAGGED BY COUNCIL MEMBER BONEY**

This was Item 18 on Agenda of August 1, 2001

**36. Ordinance 2001-0751**

ORDINANCE amending **SECTION 46-31 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to increasing taxicab rates; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability

**TAGGED BY COUNCIL MEMBER BONEY**

This was Item 19 on Agenda of August 1, 2001

**Motion 2001-0889 – Suspend rules to consider Items 37, 14, 35 and 35a out of order**

**37. Ordinance 2001-0737**

ORDINANCE approving and authorizing contract between the City of Houston and **RELIANT ENERGY THERMAL SYSTEMS, INC** for Heating, Ventilating and Air Conditioning Operation and Maintenance Services for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - 5 Years - \$19,386,203.71 Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD**

**TAGGED BY COUNCIL MEMBERS KELLER and ROBINSON**

This was Item 26 on Agenda of August 1, 2001

**38. Ordinance 2001-0752**

ORDINANCE approving and authorizing legal services contract between the City of Houston and **STRASBURGER & PRICE, L.L.P.** for Lawsuit entitled Paul Kubosh, et al v. City of Houston, et al., Cause No. 98-16236; in the 113th Judicial District Court of Harris County, Texas \$50,000.00 Property & Casualty Fund - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 28 on Agenda of August 1, 2001

**MATTERS HELD** – continued

**39. Council Member Vasquez tagged**

Written Motion by Council Member Tatro to amend Item 39A below to delete Section 47-246. Incentive Program - **TAGGED BY COUNCIL MEMBER GALLOWAY**

**a. Ordinance 2001-0753**

ORDINANCE amending **CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Water Emergencies; containing findings and other provisions relating to the foregoing subject; providing for severability and declaring an emergency

**POSTPONED BY MOTION #2001-871, 8/1/01**

This was Item 38A on Agenda of August 1, 2001

**Motion 2001-0905 – Motion to postpone Item 39a one (1) week – “FAILED”**

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Tatro 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

**8/7/01 – All Present**

**8/8/01 – All Present**