

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 23, 2001 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**MOTIONS 2001-1129 to 2001-1149**  
**ORDINANCES 2001-0953 to 2001-0978**  
**RESOLUTION 2001-0047**

**No. 2001-1128-1**

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

**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 2001-1129 – Suspend rules to hear from Ms. Pamela Sherrill out of order**

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

**RECONVENE**

**WEDNESDAY - OCTOBER 24, 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 38**

**MISCELLANEOUS** - NUMBERS 1 through 5

**1. Motion 2001-1130**

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Parks to Standard Program - Phase II George T. Nelson Park (Formerly Yellowstone Park), GFS F-0363-38-3 - **DISTRICT D - BONEY**

**2. Motion 2001-1131**

REQUEST from Director Finance & Administration Department to authorize and grant a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 216**

**MISCELLANEOUS** - continued

**3. Motion 2001-1132**

RECOMMENDATION from Director Parks & Recreation Department to name the pavilion in Bricker Park for **MS. TRELIS SYKES - DISTRICT D - BONEY**

**4. Motion 2001-1133**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of FY 2002 Annual Membership dues for the **AMERICAN WATER WORKS ASSOCIATION RESEARCH FOUNDATION** Subscription Program - \$213,839.00 - Enterprise Fund

**5. Council Member Quan tagged**

RECOMMENDATION from Director Municipal Courts for approval of Convenience Fee for Traffic, Non-traffic and Parking Tickets paid through the Online Ticket Payment Application

**DAMAGES** - NUMBER 6

**Motion 2001-1142 – Omitted in error**

**6. Council Member Keller tagged**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **INFINITY OUTDOOR, INC** and **JOHN GANNON, INC** v. City of Houston; Civil Action No. H-98-0065; in the United States District Court, Southern District of Texas-Houston Division

**ACCEPT WORK** - NUMBERS 7 through 8A

**7. Motion 2001-1143**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,668,012.56 and acceptance of work on contract with **PARALLAX SERVICES, INC** for New Fire Station No. 96, GFS C-0080-01-3 - 12.31% over the original contract amount **DISTRICT A - TATRO**

**8. Ordinance 2001-0953**

ORDINANCE appropriating \$24,441.70 out of Water & Sewer System Consolidated Construction Fund as additional funding for contract with **JIMERSON UNDERGROUND, INC** for Sagemont Sludge Transfer Facility, GFS R-0181-04-3 (4634-2), approved by Ordinance No. 98-462 **DISTRICT E - TODD**

**a. Motion 2001-1134**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 5 in the amount of \$32,246.35, final contract amount of \$1,817,269.45 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Sagemont Sludge Transfer Facility, GFS R-0181-04-3 (4634-2) - 06.43% over the original contract amount Enterprise Fund - **DISTRICT E - TODD**

**PROPERTY** - NUMBERS 9 through 11A

**9. Ordinance 2001-0954**

ORDINANCE appropriating \$61,858.00 out of Water & Sewer System Consolidated Construction Fund Number 755 to pay the amount of Agreed Final Judgment and the Appraiser's Invoice in connection with the settlement of the eminent domain proceeding styled City of Houston v. Henry J. N. Taub, Individually and as Independent Executor of the estate of Ben Taub, deceased, et al., to acquire Parcel Number D95-141, for the **M.U.D. 254 SANITARY SEWER EASEMENT PROJECT**, GFS/CIP R-0018-90-1

**PROPERTY** - continued

**a. Motion 2001-1135**

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Henry J. N. Taub, Individually and as Independent executor of the estate of Ben Taub, deceased, et al., Cause Number 700,461 for a total consideration of \$70,000.00 and pay appraisers invoice of \$1,500.00; in connection with the **M.U.D. 254 SANITARY SEWER EASEMENT PROJECT**, GFS/CIP R-0018-90-1

**10. Ordinance 2001-0955**

ORDINANCE appropriating \$18,673.00 out of Water & Sewer System Consolidated Construction Fund Number 755 to pay the amount of Agreed Final Judgment and the Appraiser's Invoice in connection with the settlement of the eminent domain proceeding styled City of Houston v. H. Ben Taub, et al., to acquire Parcel Number D97-69, for the **M.U.D. 254 SANITARY SEWER EASEMENT PROJECT**, GFS/CIP R-0018-90-1

**a. Motion 2001-1136**

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. H. Ben Taub, et al., Cause Number 705,676 for a total consideration of \$22,500.00 and pay appraisers invoice of \$1,350.00; in connection with the **M.U.D. 254 SANITARY SEWER EASEMENT PROJECT**, GFS/CIP R-0018-90-1

**11. Ordinance 2001-0956**

ORDINANCE appropriating \$486,712.00 out of Airport System Subordinate Lien Revenue Bond (NON-AMT) Construction (538) to pay the amount of the Award of Special Commissioners and all costs of court in connection with the eminent domain proceeding styled as City of Houston v. Billie G. Baker, et al, to acquire Parcel Number EY2-003 for the **RUNWAY 8L EXPANSION PROJECT at BUSH INTERCONTINENTAL AIRPORT**, GFS/CIP A-0024 - **DISTRICT B - GALLOWAY**

**a. Motion 2001-1137**

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. Billie G. Baker, et al, Cause Number 741,680, for acquisition of Parcel EY2-003 for the **RUNWAY 8L EXPANSION PROJECT at BUSH INTERCONTINENTAL AIRPORT**, GFS/CIP A-0024 **DISTRICT B - GALLOWAY**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 15

**12. Motion 2001-1138**

**DASIBI ENVIRONMENTAL CORPORATION** for Ozone Primary and Transfer Standard Instruments for Health & Human Services Department - \$29,664.00 - Grant Fund

**13. Motion 2001-1139**

**TURF INDUSTRIES/VOPAK, INC (Bid No. 2)** for Perennial Rye Grass Seed for Parks & Recreation Department - \$83,447.10 - General and Parks Special Revenue Funds

**14. Motion 2001-1140**

**HOUSTON-GALVESTON AREA COUNCIL** for Eleven Garbage Trucks through the Interlocal Agreement for Cooperative Purchasing for Solid Waste Management Department \$1,407,139.77 - Equipment Acquisition Consolidated Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**15. Motion 2001-1141**

**HOUSTON-GALVESTON AREA COUNCIL** for Trailers, Excavators, Trucks, Sewer Cleaner and Tractors through the Interlocal Agreement for Cooperative Purchasing for Various Departments \$1,126,565.06 - Enterprise and Equipment Acquisition Consolidated Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 16 through 38

**16. Ordinance 2001-0957**

ORDINANCE consenting to the addition of 6.320 acres of land to **CHARTERWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**17. Ordinance 2001-0958**

ORDINANCE consenting to the addition of 112.5093 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 173**, for inclusion in its district

**18. Council Members Ellis and Quan tagged**

ORDINANCE approving and authorizing the City of Houston to enter into a Loan/Grant Agreement with **SP 8600, LTD.**, a Texas Limited Partnership, whose sole general partner is **SP 8600 MANAGEMENT, L.L.C.**, to provide \$970,000.00 in Home Investment Partnerships Program ("Home") Funds for the acquisition and rehabilitation of a one hundred forty-two (142) unit apartment complex located at 8600 Sands Point Street, Houston, Texas - **DISTRICT F - ELLIS**

**19. Ordinance 2001-0959**

ORDINANCE approving and authorizing reinstatement and extension of development agreement between the City of Houston and **AMERICA'S ESTATE PROPERTIES, INC** to provide additional time for the completion and sale of seven (7) single-family affordable homes in Binglewood Subdivision - **DISTRICT A - TATRO**

**20. Ordinance 2001-0965**

ORDINANCE approving and authorizing contract between the City of Houston and **DONALD R. WATKINS MEMORIAL FOUNDATION, INC**, providing up to \$434,000.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for Administrative, Supportive Services and a Short-Term Rent, Mortgage and Utility Assistance Program - **DISTRICT D - BONEY**

**21. Resolution 2001-0047**

RESOLUTION approving the creation of the **UPPER KIRBY REDEVELOPMENT AUTHORITY**; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the initial Directors and Chairperson - **DISTRICTS C - GOLDBERG and G - KELLER**

**22. Ordinance 2001-0966**

ORDINANCE approving and authorizing Public Improvement Development contract between the City of Houston, Texas and **UPTOWN DEVELOPMENT AUTHORITY**, to authorize the Design, Acquisition and Construction of Public Street Improvements by the Authority; containing findings and other provisions related to the subject agreement - **DISTRICT G - KELLER**

**23. Council Member Tatro tagged**

ORDINANCE approving and authorizing agreement for Convention Services between the City of Houston and **HOUSTON MAGNOLIA, L.L.L.P., and HOLTZE HOUSTON, L.L.L.P.**, with regard to the Houston Magnolia Hotel to be located at Fannin Street and Texas Avenue; including a limitation of funding in the amount of \$2,961,000.00 - Enterprise Fund - **DISTRICT I -**

CASTILLO

RESOLUTIONS AND ORDINANCES - continued

**24. Ordinance 2001-0960**

ORDINANCE relating to the alteration or relocation of one or more off-premise signs; containing findings and other provisions relating to the foregoing subject; providing for severability

**25. Ordinance 2001-0961**

ORDINANCE approving and authorizing termination of Tax Abatement Agreement between the City of Houston, Texas and **BACE MANUFACTURING, INC** and **SECURITY CAPITAL INDUSTRIAL TRUST - DISTRICT A - TATRO**

**26. Ordinance 2001-0967**

ORDINANCE approving and authorizing contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for the Telemetry Station at Ben Taub Emergency Center; providing a maximum contract - \$3,878,203.22 - General Fund

**27. Ordinance 2001-0968**

ORDINANCE approving and authorizing contract between the City of Houston and the **FEDERAL LAW ENFORCEMENT TRAINING CENTER (FLETC)** for the development and implementation of the HPD Distributed Learning Program - \$591,600.00 General and Grant Funds

**28. Ordinance 2001-0969**

ORDINANCE approving and authorizing comprise and settlement agreements between the City of Houston and **LETHU, INC and THU LE** and between the City of Houston and **FAIR OAKS HOUSING CORP.** to settle consolidated lawsuit; authorizing the removal of the 911 gate on Fair Oaks Blvd. - \$172,750.00 - Property & Casualty Fund - **DISTRICT I - CASTILLO**

**29. Ordinance 2001-0970**

ORDINANCE approving and authorizing request for consent to assignment of the Engagement Letter between the City of Houston and **MAYOR, DAY, CALDWELL & KEETON, L.L.P. to CONNELLY, BAKER, WOTRING & JACKSON, L.L.P.** for Environmental Legal Services for the Department of Aviation - **DISTRICTS B - GALLOWAY and E - TODD**

**30. Ordinance 2001-0971**

ORDINANCE awarding contract to **A.M.E. SERVICES, INC** for Cleaning and Janitorial Services for Building Services Department at Police Headquarters; providing maximum contract amount \$3,042,945.75 - General Fund - **DISTRICTS B - GALLOWAY; E - TODD; G - KELLER and I - CASTILLO**

**31. Ordinance 2001-0972**

ORDINANCE awarding the contract to **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning and Janitorial Services for Building Services Department at Edward J. Stringfellow South Police Station and Westside Police Station; providing maximum contract amount \$2,543,925.00 - General Fund - **DISTRICTS B - GALLOWAY; E - TODD; G - KELLER and I - CASTILLO**

**32. Ordinance 2001-0973**

ORDINANCE awarding contract to **SANDRA'S ENTERPRISES, INC dba PROFESSIONAL MAID SERVICE** for Cleaning and Janitorial Services for Building Services Department at Morrison Police Academy, Clear Lake Police Station and Northeast Police Station; providing maximum contract amount - \$1,547,250.75 - General Fund - **DISTRICTS B - GALLOWAY; E - TODD; G - KELLER and I - CASTILLO**

**RESOLUTIONS AND ORDINANCES** - continued

**33. Council Member Ellis tagged**

ORDINANCE approving and authorizing professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for a Regional Computerized Traffic Signal System CMAQ Project, CIP N-0650-07-2 - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - BONEY; G - KELLER and H - VASQUEZ**

**34. Council Member Ellis tagged**

ORDINANCE approving and authorizing professional engineering services contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS&J** for Regional Computerized Traffic Signal System CMAQ Project, CIP N-0650-08-2 - **DISTRICTS B - GALLOWAY; C - GOLDBERG; D - BONEY; E - TODD; F - ELLIS; G - KELLER; H - VASQUEZ and I - CASTILLO**

**35. Ordinance 2001-0962**

ORDINANCE appropriating \$161,680.00 out of Public Health Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **SADEGHPOUR & ASSOCIATES, INC d/b/a SCIENTECH ENGINEERS** for Repair to Parking Garage at 8000 North Stadium Drive, CIP H-0031-02-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT D - BONEY**

**36. Ordinance 2001-0974**

ORDINANCE appropriating \$100,000.00 out of Park Special Fund and \$26,947.00 out of Park Consolidated Construction Fund, awarding construction contract to **CARRERA CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** for Parks to Standard Program Phase II - Memorial Fitness Center Improvements, GFS F-0363-50-3; providing funding for construction management, professional architectural services and contingencies relating to construction facilities financed by the Park Consolidated Construction Fund - **DISTRICT G - KELLER**

**37. Ordinance 2001-0963**

ORDINANCE appropriating \$1,048,102.00 out of Park Consolidated Construction Fund, awarding construction contract to **SUMCO, INC** and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** for construction of Parks to Standard Program - Phase II - Highland Park, GFS F-0363-21-3; providing funding for construction management, professional architectural services and contingencies relating to construction of facilities financed by the Park Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

**38. Ordinance 2001-0964**

ORDINANCE appropriating \$10,125.00 out of Storm Sewer Consolidated Construction Fund and \$37,125.00 out of Street and Bridge Consolidated Construction Fund and \$50,625.00 out of Water & Sewer System Consolidated Construction Fund for Advertising Costs for various C.I.P. Projects relating to construction of facilities financed by the respective Consolidated Construction Funds for the Department of Public Works & Engineering

**END OF CONSENT AGENDA**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 39

MISCELLANEOUS

**39. Motion 2001-1144 – Close nominations**

RECEIVE nominations for appointment to the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS** for two year terms to expire August 21, 2003

Ms. Juanita Elizondo, Mr. Jim Hundemer and Ms. Brenda P. Tirrell nominated for reappointment

MATTERS HELD - NUMBERS 40 through 47

**40. Motion 2001-1145**

MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **AMEND MOTION #99-1979, 11/17/99, TO INCREASE** spending authority by \$73,788.00 from \$295,152.00 to \$368,940.00 for High Performance Cold Patch for Department of Public Works & Engineering, awarded to **SYLCRETE CORPORATION** - General Fund - **TAGGED BY COUNCIL MEMBER SANCHEZ**  
This was Item 16 on Agenda of October 17, 2001

**41. Motion 2001-1146**

MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to REJECT bid of **JAG CONTRACTORS, LLC** as being non-responsive on bid for Underground Storage Tanks Removal **TAGGED BY COUNCIL MEMBER QUAN**

**a. Ordinance 2001-0975**

ORDINANCE appropriating \$436,190.71 out of Airports Improvements Fund, \$56,260.00 out of Parks Special Fund, \$147,037.51 out of Solid Waste Consolidated Construction Fund, and awarding construction contract to **B & K SERVICES, INC** for Underground Storage Tank Removal and Upgrade at various locations, CIP A-0147, 41 and L-0066-01-3 and F-0363-99-3; providing funding for contingencies relating to construction of facilities financed by Solid Waste Consolidated Construction Fund - \$36,482.00 General Fund - **DISTRICTS A - TATRO; C - GOLDBERG and E - TODD** - **TAGGED BY COUNCIL MEMBER QUAN**  
These were Items 18 and 18A on Agenda of October 17, 2001

**42. Motion 2001-1147 – Postpone one (1) week**

ORDINANCE approving and authorizing an easement conveyance to Harris County Toll Road Authority for Street right of way purposes, containing 178 square feet of land, more or less, Parcel SY2-007, out of the 2.06 acre Southwest Water Well Site No. 4, Robert Vince Survey, A-77, located at 6302 Westpark Drive, Houston, Harris County, Texas, in consideration of Harris County Toll Road Authority's payment of \$4,702.00 and other consideration to the City **DISTRICT C - GOLDBERG** - **TAGGED BY COUNCIL MEMBER GOLDBERG**  
This was Item 24 on Agenda of October 17, 2001

**43. Ordinance 2001-0976**

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** - **TAGGED BY COUNCIL MEMBER BELL**  
This was Item 35 on Agenda of October 17, 2001

**MATTERS HELD** – continued

**44. Ordinance 2001-0977**

ORDINANCE approving and authorizing contract between the City and the **SALT LAKE ORGANIZING COMMITTEE** for the Olympic Winter Games of 2002 for various services by the City of Houston related to the Torch Relay and the Torch Relay Celebrations

**TAGGED BY COUNCIL MEMBER KELLER**

This was Item 37 on Agenda of October 17, 2001

**45. Motion 2001-1148 – Postpone two (2) weeks**

ORDINANCE approving and authorizing on contract between the City and **PATTON BOGGS LLP** for Federal Representation; providing a maximum contract amount - 3 Years - \$953,000.00 General Fund - **TAGGED BY COUNCIL MEMBERS BELL and KELLER**

This was Item 39 on Agenda of October 17, 2001

**46. Ordinance 2001-0978**

ORDINANCE appropriating \$3,031,256.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B (AMT) Construction Fund and approving and authorizing amendment No. 2 to contract between the City of Houston and **I. A. NAMAN + ASSOCIATES, INC** for Professional Engineering Services at George Bush Intercontinental Airport/Houston, Project No. 424, CIP A-0091.18 - **DISTRICT B - GALLOWAY** - **TAGGED BY COUNCIL MEMBER KELLER**

This was Item 42 on Agenda of October 17, 2001

**47. Motion 2001-1149 – Refer back to the Administration**

ORDINANCE granting authority to **BROADWING COMMUNICATIONS SERVICES, INC, a Delaware Corporation**, to encroach upon and use the public way of the City of Houston, Texas, pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using, and operating therein, telecommunications facilities for providing authorized telecommunications services; providing for related terms and conditions - **FIRST READING**

**TAGGED BY COUNCIL MEMBER VASQUEZ**

This was Item 57 on Agenda of October 17, 2001

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



**AGENDA - OCTOBER 24, 2001 - PAGE 9**

**10/23/01 – Council Member Vasquez absent due to being ill**

**10/24/01 – All Present**