

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 2, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-0381 to 2002-0416
ORDINANCES – 2002-0235 to 2002-0261
RESOLUTIONS – 2002-0014 to 2002-0016

2002-0380-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Galloway

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 2002-0381 – Suspend rules to hear from Mrs. Lucy Reyna first on speakers list

Motion 2002-0382 – Suspend rules to hear from Mr. Brian Cwern out of order

Motion 2002-0383 – Suspend rules to hear from Mr. Sanford Criner at the end of the Sign Code speakers

Motion 2002-0384 - Suspend rules to hear from Mr. Calvin Wells

Motion 2002-0385 – Suspend rules to hear from Ms. Dawn Ullrich

Motion 2002-0386 – Suspend rules to hear Mr. Sanford Criner at this time

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 3, 2002 - 9:00 A. M.

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

MAYOR'S REPORT

First year status report on Developer Reimbursement Program

Motion 2002-0387 – 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 40

MISCELLANEOUS - NUMBERS 1 through 4

1. Motion 2002-0396

CONFIRMATION of the reappointment of the following to the **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE) BOARD OF DIRECTORS**, with terms to expire December 31, 2003:

Position Six - **MR. STUART KENSINGER**

Position Eight - **MR. ANDREW CHOY**

Position Nine - **MR. STEVE ROCHELLE**

2. Motion 2002-0397

CONFIRMATION of the reappointment of **MR. DON CLARK** as Chair to the **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE) BOARD OF DIRECTORS**, for a term to expire December 31, 2002

3. Motion 2002-0398

REQUEST for confirmation of the reappointment of the following to the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for unexpired terms ending December 31, 2003:

Position Six - **MR. STUART KENSINGER**

Position Eight - **MR. ANDREW CHOY**

Position Nine - **MR. STEVE ROCHELLE**

4. Motion 2002-0399

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds over \$25,000.00 for Water & Sewer Accounts for various customers - \$33,725.00 Enterprise Water & Sewer Fund

DAMAGES - NUMBER 5

5. Motion 2002-0400

RECOMMENDATION from City Attorney for settlement of claim of **PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY as subrogee of Karey McFarland** - \$16,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 6 through 8

6. Motion 2002-0401

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$21,528.00 and acceptance of work on contract with **PROJECT DEVELOPMENT GROUP, INC** for Abatement and Demolition of existing building for construction of new Fire Station No. 33, GFS C-0076-01-5 - 58.22% under the original contract amount - Fire

ACCEPT WORK - continued

7. Motion 2002-0402

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,011,872.94 and acceptance of work on contract with GULF COAST GOLF, INC for Parks to Standard Program - Bid Package No. 8, Brock Golf Course Irrigation and Bridge, GFS F-0363-8A-3 and F-0363-8B-3 - 0.378% over the original contract amount - Parks Consolidated Construction and Parks Capital Funds - **DISTRICT B - GALLOWAY**

8. Motion 2002-0403

RECOMMENDATION from Director Public Works & Engineering for approval of final contract amount of \$800,878.38 and acceptance of work on contract with **JALCO, INC** for Richmond No. 2 Lift Station Diversion Sewer; GFS R-0267-69-3 (4276-29) - 02.76% over the original contract amount - **DISTRICT G - KELLER**

PROPERTY - NUMBERS 9 through 11

9. Council Member Robinson tagged

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kenneth D. Vacek, Reliant Energy HL&P, a Texas corporation (David McClanahan, president), for sale of a 10-foot-wide easement with a 30-foot-wide aerial easement across a portion of the City's 0.877-acre sewage treatment plant, located south of Oakcenter Drive at Bandlon Drive, R. Reynolds Survey, Abstract 662, Parcel SY2-044 - **STAFF APPRAISERS - DISTRICT F - ELLIS**

10. Council Members Parker and Berry tagged

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A99-105, located at the northeast corner of Wheatley Street and Homer Street, owned by Alice C. Petteway and Walter Lee Petteway, Jr., as to the easement interest and Clear Channel Outdoor as to the leasehold interest, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY**

11. Motion 2002-0404

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY0-015, located at 818 McCarty, owned by Robert A. Chalk, General Partner of Chalk Family, Ltd., a Texas limited partnership, for the **MARKET STREET PAVING PROJECT from North Wayside Drive to Loop 610**, CIP N-0611A-34-2 - \$55,711.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15

12. Ordinance 2002-0241

ORDINANCE appropriating \$1,800,000.00 out of Airports Improvement Fund for purchase of Airport Hold Room Seating for Houston Airport System - William P. Hobby Airport, CIP A-0141.28 **DISTRICT I - ALVARADO**

a. Motion 2002-0405

THOMPSON CONTRACT, INC for Airport Hold Room Seating for William P. Hobby Airport for Aviation Department - \$1,830,000.00 - Enterprise Fund

13. Ordinance 2002-0242

ORDINANCE appropriating \$30,751.87 out of Parks Special Fund for Lead Remediation Services at San Felipe Park for Parks & Recreation Department, CIP D-0073-00-2

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2002-0406**

GBS ENVIRONMENTAL, INC for Lead Abatement Services for Parks & Recreation Department \$29,287.50 and contingencies for a total amount not to exceed \$30,751.87

14. **Motion 2002-0407**

BEVCO COMPANY for One Clarifier Drive Unit for Department of Public Works & Engineering \$40,087.00 - Enterprise Fund

15. **Council Member Quan tagged**

DECLARE **SKAGGS PUBLIC SAFETY UNIFORMS & EQUIPMENT (Bid #2)** in default and hold them non-responsible for two years

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 40

16. **Resolution 2002-0014**

RESOLUTION establishing a date for a public hearing to update and amend impact fee capital improvement plans and impact fees for Water & Wastewater Facilities

17. **Resolution 2002-0015**

RESOLUTION consenting to the creation of the **GREATER SOUTHEAST MANAGEMENT DISTRICT - DISTRICTS D - EDWARDS and I - ALVARADO**

18. **Ordinance 2002-0243**

ORDINANCE consenting to the addition of 26.77 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25**, for inclusion in its district

19. **Ordinance 2002-0244**

ORDINANCE consenting to the addition of 20.71 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122**, for inclusion in its district

20. **Ordinance 2002-0245**

ORDINANCE establishing the north and south sides of the 700 block of East 9th Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - VASQUEZ**

Motion 2002-0395 – Suspend rules to consider Item 21 out of order

21. **Ordinance 2002-0240**

ORDINANCE approving and authorizing grant agreement between the City of Houston and **WILLIAM A. LAWSON INSTITUTE FOR PEACE AND PROSPERITY** to provide \$1,300,000.00 in Home Investment Partnerships funds to be used for the construction of a fifty (50) unit Elderly Housing Apartment Complex located at 5220 Scott Street - **DISTRICT D - EDWARDS**

22. **Ordinance 2002-0246**

ORDINANCE appropriating \$160,000.00 out of Housing Special Revenue Fund and approving and authorizing Development Agreement with **SOUTHEAST HOUSTON COMMUNITY DEVELOPMENT CORPORATION** to provide a Revolving Loan to develop two or more Affordable Single-family Homes - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2002-0247

ORDINANCE approving and authorizing Transfer Agreement for the Assignment of Antenna Site Equipment and Radio Frequencies which are currently located on an Antenna Tower at 7516 Fairbanks - North Houston to the Houston Airport System, as assignee, by and between the City of Houston and **SOUTHWESTERN BELL TELEPHONE COMPANY** - \$37,609.00 Enterprise Fund - **DISTRICT B - EDWARDS**

a. Ordinance 2002-0248

ORDINANCE approving and authorizing a lease agreement for space on an antenna tower at 7516 Fairbanks - North Houston for the Houston Airport System, as lessee, by an between the City of Houston and **PINNACLE TOWERS, INC** - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

24. Ordinance 2002-0249

ORDINANCE approving and authorizing amendment No. 1 to contract between the City of Houston and **JOHNSON CONTROLS WORLD SERVICES, INC** for Baggage Handling Systems Maintenance Services at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - GALLOWAY and I - ALVARADO**

24-1 Council Member Tatro tagged

ORDINANCE amending Ordinance No. 98-513 to increase the maximum funding amount for contract between the City of Houston and **ANDREWS & KURTH, MAYOR, DAY CALDWELL & KEETON L.L.P** for Legal Services relating to the City's appeal in the lawsuit styled City of Houston v. Maguire Oil Company - \$150,000.00 - Enterprise Fund

25. Ordinance 2002-0250

ORDINANCE amending Ordinance No. 99-523 and approving and authorizing first amendment to contract between the City of Houston and **AABBOTT-MICHELLI TECHNOLOGIES, INC (Formerly known as Aabbott Scales, Inc)** for Calibration and Repair Services for Truck Platform Scales for the Public Works & Engineering Department

26. Ordinance 2002-0251

ORDINANCE amending Ordinance No. 98-655 to increase the maximum contract amount for a contract between the City and **INTELESERV, INC** for Communications Technician Services (C39367) - \$371,375.00 - Central Service Revolving Fund

Motion 2002-0388 – Suspend rules to consider Items 27, 28, 16, 46, 46a, 46b, 45 and 54 out of order

27. Ordinance 2002-0235

ORDINANCE appropriating \$137,939.00 out of Water & Sewer System Consolidated Construction Fund and \$177,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing contract between the City of Houston and **NUHOME DESIGN, L.L.C.** for the Construction of Water, Sanitary Sewer and Storm Sewer Lines for Phase A, Section 5 of the Greenpark Subdivision, CIP S-0800-42-03 & R-0800-48-03 - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2002-0236

ORDINANCE appropriating \$175,559.00 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing contract between the City of Houston and **NUHOME DESIGN, L.L.C.** for the Construction of Water, Sanitary Sewer and Storm Sewer Lines for Phase B, Section 5 of the Greenpark Subdivision, CIP S-0800-43-03 & R-0800-49-03 - **DISTRICT D - EDWARDS**

29. Pulled - Not Considered

ORDINANCE appropriating \$40,443.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and **HARRIS COUNTY** for Reconstruction of Aldine-Westfield Road from 1000 feet south of Beltway 8 to Simmans Road, CIP N-NA-0002-2; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

30. Ordinance 2002-0252

ORDINANCE approving and authorizing Wastewater Disposal Contract between the City of Houston and the **CITY OF BUNKER HILL VILLAGE**

31. Ordinance 2002-0253

ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **VULCAN CONSTRUCTION MATERIALS, L.P.** - Through December 31, 2020

32. Ordinance 2002-0254

ORDINANCE appropriating \$404,493.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **BOVAY ENGINEERS, INC** for the Design of Scott Street Reconstruction from South Acres to East Orem, CIP N-0618-01-2 (SB9084); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT D - EDWARDS**

33. Council Members Galloway and Robinson tagged

ORDINANCE appropriating \$550,000.00 out of Street & Bridge Consolidated Construction Fund and \$136,000.00 out of Water & Sewer System Consolidated Construction Fund and approving authorizing professional services contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for the Design of the Neighborhood Street Reconstruction Project 438, CIP N-0371-01-2 (SB9080); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO and G - KELLER**

34. Council Member Galloway tagged

ORDINANCE appropriating \$310,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **KUO & ASSOCIATES, INC** for the Design of Water Line Replacement in Lakewood Heights Subdivision, CIP S-0035-95-2 (WA10736); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

35. Council Member Galloway tagged

ORDINANCE appropriating \$318,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **PEPE ENGINEERING, LTD** for Design of Water Line Extension Package - 2, CIP S-0700-57-2 (WA10740); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; G - KELLER and H - VASQUEZ**

36. Council Members Galloway, Edwards and Tatro tagged

ORDINANCE appropriating \$3,160,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing third amendment to professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Accelerated Bikeway Program Projects, CIP N-0420-99-2 (SB9017)

37. Council Members Wiseman, Edwards and Tatro tagged

ORDINANCE appropriating \$5,193,311.00 out of Storm Sewer Consolidated Construction Fund, \$850,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **J. F. THOMPSON, INC** for Drainage Study Completion and providing Project Management Services for the Storm Water Management Program, GFS M-0220-02-2 (SM5013) \$200,000.00 - Street & Drainage Maintenance Fund

38. Council Member Galloway tagged

ORDINANCE appropriating \$3,585,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **ALLCO, INC** and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** for Construction of Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods (WW4257-25); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

39. Ordinance 2002-0255

ORDINANCE appropriating \$516,600.00 out of Convention & Entertainment Construction Fund, awarding construction contract to **EPOXY DESIGN SYSTEMS, INC** and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICES INDUSTRIES** for Structural Repairs to Tranquillity Parking Garage, CIP B-0024-07-3; providing funding for contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund - **DISTRICT I - ALVARADO**

40. Ordinance 2002-0256

ORDINANCE appropriating \$369,000.00 out of Fire Consolidated Construction Fund, awarding construction contract to **PYRAMID WATERPROOFING, INC** and approving and authorizing additional funds to professional services Contract No. 050623 for Air Monitoring during Asbestos Abatement with **GARNER & ASSOCIATES, INC** for Roof Replacement at Fire Stations 26, 32, 42, 44, 65, 73 and Training Academy Drill Tower, CIP C-0090-01-3; providing funding for construction management and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN; F - ELLIS and I - ALVARADO**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

Motion 2002-0408 – Motion by Council Member Vasquez to withdraw nomination of Mr. Don McGilbra on Item 41

41. Motion 2002-0409

SELECT and confirm the appointment of either **MR. KRISTOPHER AHN** or **MR. DON K. MCGILBRA** to Position Five of the **ETHICS COMMITTEE** with a term to expire December 31, 2003 - **MR. KRISTOPHER AHN appointed and MR. DON K. MCGILBRA withdrawn**
Confirm Mr. Kristopher Ahn

MATTERS HELD - NUMBERS 42 through 55

Motion by Council Member Quan/seconded by Council Member Vasquez to adopt the

42. Motion 2002-0410 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,958,688.11 and acceptance of work contract with **NATIONAL AMERICAN INSURANCE COMPANY, INC, surety for Southwestern Underground Supply and Environmental Services** for Sanitary Sewer Rehabilitation in Sims Bayou Service Area, R-1033-17-3 (4260-17) - 07.58% under the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO** - **TAGGED BY COUNCIL MEMBER EDWARDS**
This was Item 15 on Agenda of March 27, 2002

43. Motion 2002-0411 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **PROMAXIMA MFG., LTD** for Equipment, Fitness for Various Departments - \$252,967.00 - Equipment Acquisition and Police Special Services Funds
TAGGED BY COUNCIL MEMBERS GOLDBERG, PARKER and ALVARADO
This was Item 25 on Agenda of March 27, 2002

44. Resolution 2002-0016

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds, Series 2002A and Single Family Mortgage Revenue Bonds, Series 2002B and approving the Preliminary Official Statement with respect to such bonds - **TAGGED BY COUNCIL MEMBERS ALVARADO, VASQUEZ, EDWARDS, WISEMAN and KELLER**
This was Item 29 on Agenda of March 27, 2002

45. Ordinance 2002-0238

ORDINANCE designating a portion of the Central Business District of the City a Scenic District under the Houston Sign Code; amending the Houston Sign Code and containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS ELLIS, VASQUEZ, ALVARADO and WISEMAN
This was Item 30 on Agenda of March 27, 2002

MATTERS HELD – continued

Motion 2002-0415 – Item submitted by Council Member Ellis is document voted by Council as Item 46

46. Motion 2002-0389

AMENDMENT proposed to Item 46b below to include the publicly owned Houston Convention Center Hotel in the East Side Sports and Convention Complex District and the publicly supported aquarium attraction in the Theater District

a. Council Member Galloway tagged

AMENDMENT proposed to Item 46b below to exclude Bayou Place from the Theater District description

Motion 2002-0390 – Motion to amend Item d of Section 2 of the Houston Sign Code to read as follows Amend Item 46b as follows:

(d) The Sign Administrator shall have the right to revoke the permit for any county complex display sign or special facility display sign that is erected or utilized in any manner that is inconsistent with this section or any other provision of this code. Any such revocation shall be subject to the sign owner's rights under this code, including appeals to the General Appeals Board and City Council, as provided in Section 4604. Upon revocation of the permit for any sign governed by this section and conclusion of any appeals that may be timely initiated as authorized in Section 4604, or upon expiration of the permit if not timely renewed, the owner of the sign shall cause the sign to be removed from the county complex or special facility within 30 days. If the owner fails to timely remove the sign, the Sign Administrator shall have the right to enter upon the property upon which the sign is situated and remove the sign at the permit holder's sole risk and expense. The Sign Administrator and his contractors or agents shall exercise reasonable care, consistent with standard construction practices, in removing the sign, but shall not be responsible for any consequential damage to the sign or the special facility or county complex that is caused by the removal process. Each permit for a special facility sign or county complex display sign shall be secured by a right of entry agreement executed by the owner of the property (if not the City or political subdivisions of the State of Texas such as counties) and any lessees and other persons having a right of possession, control, or use of the property upon which the sign will be situated. If the sign and the property upon which it is situated are not also under the ownership, operation, and control of the City or **political subdivisions of the State of Texas such as counties**, then the permit shall additionally be secured by a removal bond executed by the sign operator as principal and a corporate surety authorized to transact business in Texas. The amount of the bond shall be equal to one and one-half times the cost of removing the sign as estimated by the Sign Administrator and the penal condition or the bond shall be that the surety will cause the sign to be removed or reimburse the City for the expense thereof, at the City's option, if the sign is not timely removed by the principal as required by this subsection. All bonds and agreements required under this subsection shall be in a form approved by the City Attorney. Where the same person or persons hold permits for two or more signs, the agreement and bond may be combined.

MATTERS HELD – continued

Item 46b – continued

COUNTY COMPLEX DISPLAY SIGN shall mean an on premise sign at a county complex that displays automatically changing information, changes more often than once every five minutes, and advises viewers as to the name ~~and~~, **time, sponsor or other information related** to ~~of~~-sports or other entertainment or convention events to be held at such county complex, provided that:

(1) No change in illumination produces an apparent motion of the visual image, including, but not limited to, illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation, scrolling, or any similar effect of animation;

(2) No change of message or picture occurs more often than once every 3 seconds for those portions of a sign that convey **date, time or and temperature information, brief weather reports, or stock market quotations**, more often than every 10 seconds for those portions of a sign that contain traffic or directional information, or more than once every 20 seconds for all other **Information on** ~~portions of~~ the sign;

(3) No portion of the sign, as measured within any circular area of two feet in diameter, has a luminance greater than 200 foot-lamberts when all elements of the sign are fully and steadily illuminated; and

(4) The authorized display sign shall not exceed 700 square feet in size and maybe constructed as a stand-alone sign or as a contiguous component of a larger sign.

Motion 2002-0391 – Motion by Council Member Quan that prior to further consideration of proposed ordinance amending the Houston Sign Code, the following words be added to Section 3 of Item 46b after the words “Aviation Department”:

“or property leased to the Harris County – Sports Authority.”

b. Ordinance 2002-0237

ORDINANCE amending the Houston Sign Code (Chapter 46 of the City of Houston Building Code-General Provisions); containing findings and other provisions relating to the foregoing subject; providing for severability

TAGGED BY COUNCIL MEMBERS ELLIS, VASQUEZ, ALVARADO and WISEMAN

This was Item 31 on Agenda of March 27, 2002

MATTERS HELD – continued

Motion 2002-0412 – Postpone Item 47 one (1) week) – (Note: Later reconsidered and Item 47 adopted)

Motion 2002-0416 – Suspend rules to reconsider the motion to postpone Item 47

47. Ordinance 2002-0261

ORDINANCE approving the issuance, sale, and delivery of the Houston Area Water Corporation City of Houston Contract Revenue Bonds, Series 2002 (Northeast Water Purification Plant Project); approving the form, terms, and substance of a Resolution of the Corporation relating to its contract Revenue Bonds, Series 2002 (Northeast Water Purification Plant Project); approving the use of City information in a Preliminary Official Statement and Final Official Statement; approving an amended and restated treated water supply contract; approving an amendment to the Untreated Water Supply Contract; approving an amendment to the Lease Agreement; making certain findings and containing other provisions relating to the subject - **DISTRICT E - WISEMAN**

TAGGED BY COUNCIL MEMBERS WISEMAN and TATRO

This was Item 46 on Agenda of March 27, 2002

48. Ordinance 2002-0257

ORDINANCE approving and authorizing the submission of an application for grant assistance to the Texas Attorney General's Office for funding for **HISPANIC VICTIMS OUTREACH PROJECT**; declaring the City's eligibility for such grants; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Mayor's Office of Public Safety and Drug Policy for the City of Houston to accept such grant funds and to apply for and accept all subsequent awards, if any, pertaining to the program - \$106,971.00 - Grant Fund **TAGGED BY COUNCIL MEMBER ALVARADO**

This was Item 47 on Agenda of March 27, 2002

49. Ordinance 2002-0258

ORDINANCE awarding contract to **INFOSOL, INC** for Software Maintenance and Support Services on the Pretreatment Database System for the Public Works and Engineering Department; providing a maximum contract amount - 5 Years - \$243,075.00 - Enterprise Fund **TAGGED BY COUNCIL MEMBER TATRO**

This was Item 53 on Agenda of March 27, 2002

50. Motion 2002-0413 – Postpone one (1) week

ORDINANCE amending Ordinance No. 97-1490, to add \$115,000.00 to the limitation on additional funding for a total of \$306,200.00 in connection with a legal services agreement between the City of Houston and the law firm of **OLSON & OLSON, L.L.P.** for Legal Services relating to the Defense of the City in the eminent domain lawsuit styled State of Texas v. City of Houston, et al., presently on appeal to the Texarkana Court of Appeals and involving Title to a portion of MacGregor Park

TAGGED BY COUNCIL MEMBERS GOLDBERG and SEKULA-RODRIGUEZ

This was Item 58 on Agenda of March 27, 2002

MATTERS HELD – continued

51. Ordinance 2002-0259

ORDINANCE approving and authorizing contract between the City of Houston and **LOCKE, LIDDELL & SAPP, L.L.P.** for providing legal services to and represent the City in matters relating to the petitions review (collectively the “petitions”) which include the following: **BCCA APPEAL GROUP v. U.S. ENVIRONMENTAL PROTECTION AGENCY**, et al., Case No. 02-60017, **NATURAL RESOURCES DEFENSE COUNCIL v. Gregg Cooke, et al.**, Case No. 02-60019, **ENVIRONMENTAL DEFENSE, INC et al. v. U.S. ENVIRONMENTAL PROTECTION AGENCY**, et al., Case No. 02-60021, **JANE W. ELISOSEFF, et al. v. U.S. ENVIRONMENTAL PROTECTION AGENCY** Case No. 02-60022, **SIERRA CLUB v. U.S. ENVIRONMENTAL PROTECTION AGENCY**, No. 02-60023, and **BRAZORIA COUNTY, TEXAS and FORT BEND COUNTY, TEXAS v. U.S. ENVIRONMENTAL PROTECTION AGENCY**, No. 02-60024, all in the United States Court of Appeals for the Fifth Circuit - \$100,000.00 - Property and Casualty Fund

TAGGED BY COUNCIL MEMBER ELLIS

This was Item 59 on Agenda of March 27, 2002

52. Motion 2002-0414 – Postpone two (2) weeks

ORDINANCE appropriating \$578,600.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **VAN DE WIELE ENGINEERING, INC** for Design of Buffalo Speedway Paving from Holmes Road to West Bellfort, CIP N-0622-01-2 (SB9085); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT C - GOLDBERG** - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 60 Agenda of March 27, 2002

53. Ordinance 2002-0260

ORDINANCE appropriating \$255,020.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **SANDER ENGINEERING CORPORATION** for the design of AWTY School Lane Paving from Harris County Flood Control District (HCFCD) Ditch No. W137-00-00 to North Post Oak Road, CIP N-0755-01-2 (SB9095); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A-TATRO**

TAGGED BY COUNCIL MEMBER TATRO

This was Item 63 on Agenda of March 27, 2002

54. Motion 2002-0392 – Refer back to the Administration

ORDINANCE approving and authorizing contract between the City of Houston and **MAYER, BROWN, ROWE and MAW** for Legal Services in the matter of Vela v. The City of Houston \$75,000.00 - Property and Casualty Fund - **TAGGED BY COUNCIL MEMBER VASQUEZ**

This was Item 75 on Agenda of March 27, 2002

Motion 2002-0393 – Suspend rules to consider Items 55 and 37 out of order

Motion 2002-0394 – Suspend rules to hear from Ms. Barbara Gubbin on Item 55

MATTERS HELD – continued

55. Ordinance 2002-0239

ORDINANCE appropriating \$1,924,055.00 out of Public Library Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **PROZIGN INC d/b/a PROZIGN ARCHITECTS** for Design Improvements and Renovations to Jesse H. Jones Central Library, Carnegie Branch Library, and Library Resource Center; GFS E-0011-01-2, E-0142-01-2 and E-0076-01-2; providing funding for the Civic Art Program and contingencies relating to design improvements and renovations of facilities financed by the Public Library Consolidated Construction Fund - **DISTRICTS H - VASQUEZ and I - ALVARADO - POSTPONED BY MOTION #2002-372, 3/27/02**

This was Item 86 on Agenda of March 27, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Quan 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

**04/02/02 – Mayor Brown absent
Mayor Pro-tem Quan presiding**

04/03/02 – All Present