

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 9, 2002 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2002-0417 to 2002-0449
ORDINANCES – 2002-0262 to 2002-0276
RESOLUTION – 2002-0017

2002-0416-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Robinson

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 - APRIL 10, 2002 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2002-0417 – Close

PUBLIC HEARING on a proposal for the City of Houston and **FRY ROAD MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area located within Fry Road Municipal Utility District, in Harris County, Texas

2. Motion 2002-0418 – Close

PUBLIC HEARING on a proposal for the City of Houston and **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes all of the area in Greens Parkway Municipal Utility District and certain areas located in the vicinity of Greens Parkway Municipal Utility District, in Harris County, Texas

HEARINGS - continued

3. **Motion 2002-0419 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area located within Harris County Municipal Utility District No. 191 and a certain area located in the vicinity of Harris County Municipal Utility District No. 191, in Harris County, Texas

4. **Motion 2002-0420 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 216 AND HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 346** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area located within Harris County Municipal Utility District No. 216, all of the area in Harris County Municipal Utility District No. 346, and a certain area located in the vicinity of the intersection of Fry Road and Interstate Highway 10, in Harris County, Texas

5. **Motion 2002-0421 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 321** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area located within Harris County Municipal Utility District No. 321 and a certain area located in the vicinity of Harris County Municipal Utility District No. 321, in Harris County, Texas

6. **Motion 2002-0422 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **INTERSTATE MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes all of the area in Interstate Municipal Utility District and a certain area located in the vicinity of Interstate Municipal Utility District, in Harris County, Texas

7. **Motion 2002-0423 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **NORTH BELT UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area located within North Belt Utility District, a certain area located in the vicinity of the intersection of Aldine Westfield Road and Beltway 8, and a certain area located in the vicinity of the intersection of Lee Road and Beltway 8, in Harris County, Texas

8. **Motion 2002-0424 – Close**

PUBLIC HEARING on a proposal for the City of Houston to disannex a certain area to be located within **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas

9. **Motion 2002-0425 – Close**

PUBLIC HEARING on a proposal for the City of Houston and **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes a certain area to be located within Clear Brook City Municipal Utility District, in Harris County, Texas

10. **Motion 2002-0426 – Close**

PUBLIC HEARING on a proposal to disannex a certain area to be located within **EMERALD FOREST UTILITY DISTRICT**, in Harris County, Texas

HEARINGS - continued

11. Motion 2002-0427 – Close

PUBLIC HEARING on a proposal for the City of Houston and **EMERALD FOREST UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal for the City of Houston to annex for limited purposes certain areas to be located within Emerald Forest Utility District, in Harris County, Texas

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 12 through 42

MISCELLANEOUS - NUMBERS 12 through 21

12. Motion 2002-0428

REQUEST from Mayor for confirmation of the reappointment of **MR. DAN NIP** to serve as Chair of the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2002

13. Motion 2002-0429

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS, (EAST DOWNTOWN AREA) BOARD OF DIRECTORS**:

- Position One - **MR. C. K. PANG**, reappointment, for a term expiring July 6, 2003
- Position Three - **MR. BILL CHU**, reappointment, for a term expiring July 6, 2003
- Position Seven - **MS. VONN TRAN**, appointment, for a term expiring July 6, 2003

a. Motion 2002-0430

REQUEST from Mayor for confirmation of the reappointment of **MR. DAN NIP** to serve as Chair of the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS, (EAST DOWNTOWN AREA) BOARD OF DIRECTORS**, for a term to expire December 31, 2002

14. Motion 2002-0439

REQUEST from Mayor for confirmation of the reappointment of **JUDGE KATHY KHANH HAN**, as full-time **Judge**, Position 14, for a term to expire April 8, 2004, and for the appointment or reappointment as **Substitute Judges** of the **MUNICIPAL COURTS**:

- Position 1 - **JUDGE JOHNNIE ABERCIA**, reappointment, for a term to expire 7/1/03
- Position 2 - **JUDGE WALTER SCHROEDER**, reappointment, for a term to expire 7/1/03
- Position 3 - **JUDGE DON R. BYRNES**, reappointment, for a term to expire 7/1/03
- Position 4 - **JUDGE ELIZABETH ASHER**, reappointment, for a term to expire 7/1/03
- Position 5 - **JUDGE ELIHU DODIER**, reappointment, for a term to expire 7/1/03
- Position 7 - **JUDGE GRANTHAM H. COLEMAN**, reappointment, for a term to expire 7/1/03
- Position 8 - **JUDGE YVONNE Q. TAYLOR**, reappointment, for a term to expire 7/1/03
- Position 9 - **JUDGE A. ROBERT HINOJOSA**, reappointment, for a term to expire 7/1/03
- Position 10 - **JUDGE VICTORIA C. DAWSON**, reappointment, for a term to expire 7/1/03
- Position 11 - **JUDGE FRANCELIA E. TOTTY**, reappointment, for a term to expire 7/1/03
- Position 12 - **JUDGE JAY D. HIRSCH**, reappointment, for a term to expire 7/1/03
- Position 13 - **JUDGE ANN C. ELLIS**, reappointment, for a term to expire 7/1/03
- Position 14 - **JUDGE JACK P. LEE**, reappointment, for a term to expire 7/1/03
- Position 15 - **MR. JOHN CHASE, JR.**, appointment, for a two year term
- Position 17 - **JUDGE GARY B. MADDOX**, reappointment, for a term to expire 7/1/03
- Position 18 - **JUDGE OSWALD J. SCOTT, JR.**, reappointment, for a term to expire 7/1/03
- Position 19 - **JUDGE JO NELSON**, reappointment, for a term to expire 7/1/03

MISCELLANEOUS – continued

Item 14 – continued

- Position 20 - **JUDGE BRIAN WICE**, reappointment, for a term to expire 7/1/03
- Position 21 - **JUDGE DAVID O. FRAGA**, reappointment, for a term to expire 7/1/03
- Position 24 - **JUDGE NIKITA V. HARMON**, reappointment, for a term to expire 7/1/03
- Position 25 - **JUDGE THOMAS M. WHITWORTH**, reappointment, for a term to expire 7/1/03
- Position 26 - **MS. IMELDA REYES-CASTILLO**, appointment, for a two year term
- Position 27 - **MS. ASHA REDDI**, appointment, for a two year term
- Position 28 - **JUDGE ADAM SILVERMAN**, reappointment, for a term to expire 7/1/03
- Position 29 - **JUDGE TIMOTHY K. SEO**, reappointment, for a term to expire 7/1/03
- Position 31 - **MS. PATRICE BARRON**, appointment, to complete an unexpired term ending 1/23/03
- Position 36 - **JUDGE MIN UN LEE**, reappointment, for a term to expire 9/1/03

15. Motion 2002-0431

RECOMMENDATION from Fire Chief for Extension of Injury Leave for **NORMAN R. DONALSON**

16. Motion 2002-0440

RECOMMENDATION from Fire Chief for Extension of Injury Leave for **JEFFREY L. FOXWORTH**

17. Motion 2002-0432

RECOMMENDATION from Fire Chief for Extension of Injury Leave for **LAYNE SAULS**

18. Motion 2002-0433

RECOMMENDATION from Fire Chief for Extension of Injury Leave for **CLARENCE O. SHARP**

19. Motion 2002-0434

RECOMMENDATION from Chief of Police for Extension of Injured on Duty Status for Police Officer **P. V. CAVALIERE**

20. Motion 2002-0435

RECOMMENDATION from Chief of Police for Extension of Injured on Duty Status for Police Officer **DAVID P. McANINCH**

21. Motion 2002-0436

RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds over \$25,000.00 for Water & Sewer Accounts for various customers - \$45,837.04 Enterprise Water & Sewer Fund

ACCEPT WORK - NUMBERS 22 through 24

22. Motion 2002-0441

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$8,194,712.96 and acceptance of work on contract with **CHAMPAGNE-WEBBER, INC, TEXAS** for Terminal A, South Concourse, Site Work and Foundations at George Bush Intercontinental Airport/Houston (IAH); Project 526, CIP 318 - 04.92% over the original contract amount - **DISTRICTS B - GALLOWAY and E - WISEMAN**

ACCEPT WORK - continued

23. Council Member Keller tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,705,617.45 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Construction of Water Main Replacement in Central City Subdivision and Portions of La Salette Place and Southland Place Subdivisions, GFS S-0035-04-3 (10543) - 04.64% over the original contract amount - Enterprise Fund - **DISTRICT D - EDWARDS**

24. Motion 2002-0437

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,488,088.70 and acceptance of work on contract with **R. K. WHEATON, INC** for Construction of Waterline Replacement in Oak Forest Subdivision, GFS S-0035-FR-3 (10489) - 05.26% under the original contract amount - Enterprise Fund **DISTRICT A - TATRO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 25 through 27

25. Motion 2002-0438

AUTOMED TECHNOLOGIES, INC for Two Medication Packaging Systems for Health & Human Services Department - \$190,000.00 - Grant Fund

26. Motion 2002-0442

BROOKSIDE EQUIPMENT SALES, INC - \$76,250.00 and **PROFESSIONAL TURF PRODUCTS** \$61,574.17 for Golf Course Grounds Keeping Equipment for Parks & Recreation Department Equipment Acquisition Consolidated and Parks Special Revenue Funds

27. Motion 2002-0443

KUSTOM SIGNALS for Radar Systems from the State of Texas General Services Commission's Contract for Houston Police Department - \$35,676.00 - Asset Forfeiture Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 27-1 through 42

27-1 Resolution 2002-0017

RESOLUTION of the City Council of the City of Houston expressing support for the former employees of Enron Corp.

28. Council Member Tatro tagged

ORDINANCE relating to the issuance and sale of City of Houston, Texas, Tax and Revenue Certificates of Obligation, Series 2002A; authorizing publication of Notice of Intent to issue such certificates; authorizing the Finance Working Group to proceed with all matters related to the issuance and sale of such certificates

29. Council Member Tatro tagged

ORDINANCE authorizing a management services agreement with the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for Design and Construction of Cotswold 2000 Project, GFS I-2000-01-2 (I-2000-01) - **DISTRICT I - ALVARADO**

30. Ordinance 2002-0262

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water and sanitary sewer easement containing 16,403 square feet (0.3766 acre) of land, being located in the John Austin Two League Grant, A-1, Houston, Harris County, Texas; vacating and abandoning said tract of land to SV Allen Parkway Limited Partnership, the abutting owner, in consideration of owner's payment of \$213,239.00 and other consideration to the City - **DISTRICT D - EDWARDS**

ORDINANCES - continued

31. Ordinance 2002-0264

ORDINANCE approving and authorizing contract between the City and **NORTHSIDE REDEVELOPMENT CENTER** for Community Economic Development Corridor Project to be implemented in the Enhanced Enterprise Community's Zone 4 - \$30,000.00 - Grant Fund **DISTRICT I - ALVARADO**

32. Council Members Keller and Sekula-Rodriguez tagged

ORDINANCE approving and authorizing an agreement for Convention Services between the City of Houston, **SPIRE REALTY GROUP, LP** and **SAM HOUSTON HOTEL, L.P.**, with regard to the Sam Houston Hotel to be located at 1117 Prairie Avenue; including a limitation of funding in the amount of \$132,707.00 annually for (7) years, totaling \$928,949.00 - **DISTRICT I - ALVARADO**

33. Council Member Goldberg, Ellis and Sekula-Rodriguez tagged

ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, **OFFICE DEPOT, INC.**, and **OPUS SOUTH CORPORATION** to **PLAYA MAR PROPERTIES I, LLC** - **DISTRICT A - TATRO**

34. Council Member Sekula-Rodriguez tagged

ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **VISIONS OF HOPE, INC** - **DISTRICT H - VASQUEZ**

35. Ordinance 2002-0276

ORDINANCE awarding contract for Excess Property Insurance to **HARTFORD FIRE INSURANCE CO.; ESSEX INSURANCE CO., ROYAL SURPLUS LINES INSURANCE CO.; UNITED STATES FIRE INSURANCE CO.; CHUBB CUSTOM INSURANCE CO.; COMMONWEALTH INSURANCE CO.; AMERICAN GUARANTEE AND LIABILITY INSURANCE CO.;** and **ALLIANZ INSURANCE CO.;** providing a maximum contract amount - \$2,582,630.00 General, Grant, Enterprise and Other Funds

36. Council Member Alvarado, Edwards, Wiseman and Keller tagged

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON COMMUNITY COLLEGE** for Basic Fire Suppression Training, Fast Track Fire Suppression Training, Emergency Medical Services Training (EMS), and Professional Development Training Programs; providing a maximum contract amount - 3 Years with two one year renewal options - \$7,622,619.00 - General Fund

37. Ordinance 2002-0265

ORDINANCE approving and authorizing contract between the City of Houston and **AMERICAN PAYMENT SYSTEMS** for Automated Bill Collection and Processing System through Agent Network Services - 5 Years - \$1,900,000.00 - Enterprise Fund

ORDINANCES - continued

38. Council Members Keller and Tatro tagged

ORDINANCE approving and authorizing professional materials engineering laboratory contracts between the City of Houston and **ASSOCIATED LABORATORIES, INC; ATSER, L.P.; AVILES ENGINEERING CORPORATION; BANDY AND ASSOCIATES, INC; COASTAL TESTING LABORATORIES, INC; DAE AND ASSOCIATES, LTD, d/b/a GEOTECH ENGINEERING AND TESTING; EARTH ENGINEERING, INC; FUGRO SOUTH, INC; GEOSCIENCE ENGINEERING AND TESTING, INC; GEOTEST ENGINEERING, INC; GROUND TECHNOLOGY, INC; HBC ENGINEERING, INC; HERCULES ENGINEERING AND TESTING SERVICES, INC; HTS, INC, CONSULTANTS; HVJ ASSOCIATES, INC; LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC; McBRIDE-RATCLIFF AND ASSOCIATES, INC; PARADIGM CONSULTANTS, INC; PROFESSIONAL SERVICES INDUSTRIES, INC; QC LABORATORIES, INC; RABA-KISTNER CONSULTANTS, INC; STORK SOUTHWESTERN LABORATORIES, INC; TERRA-MAR, INC and TOLUNAY-WONG ENGINEERS, INC** for Engineering Materials Testing Services for the Department of Public Works and the Department of Aviation

39. Ordinance 2002-0266

ORDINANCE appropriating \$777,807.55 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **SHUMAKER-HARVEY EQUIPMENT CO., INC** and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-P4-3 (WW4277-8); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

40. Ordinance 2002-0263

ORDINANCE awarding construction contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Repair by Point Repair Method, and approving and authorizing professional services contract for engineering testing services with **BANDY AND ASSOCIATES, INC** (WA10708) \$2,539,885.88 - Enterprise Fund

41. Council Member Vasquez tagged

ORDINANCE appropriating \$749,000.00 out of Public Health Consolidated Construction Fund, awarding construction contract to **PYRAMID WATERPROOFING, INC** and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC** for Construction of the Roof Replacement at the Health & Human Services Bureau of Animal Regulations and Control (BARC), Animal Control Center - North, CIP H-0011-04-3; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

42. Ordinance 2002-0267

ORDINANCE appropriating \$84,700.00 of out of Convention & Entertainment Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CHP AND ASSOCIATES, CONSULTING ENGINEERS, INCORPORATED** for Design of Electrical Improvements at Wortham Theater Center, CIP B-0062-02-2; providing funding for contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund - **DISTRICT I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 43 through 53

43. Motion 2002-0444 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt 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**

TAGGED BY COUNCIL MEMBER ROBINSON

This was Item 9 on Agenda of April 3, 2002

44. Motion 2002-0445 – Adopt

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt 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 N0546 - DISTRICT B - GALLOWAY**

TAGGED BY COUNCIL MEMBERS PARKER and BERRY

This was Item 10 on Agenda of April 3, 2002

45. Motion 2002-0446

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

This was Item 15 on Agenda of April 3, 2002

46. Ordinance 2002-0268

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

TAGGED BY COUNCIL MEMBER TATRO

This was Item 24-1 on Agenda of April 3, 2002

47. Ordinance 2002-0269

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** - **TAGGED BY COUNCIL MEMBERS GALLOWAY and ROBINSON**

This was Item 33 on Agenda of April 3, 2002

48. Ordinance 2002-0270

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** - **TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 34 on Agenda of April 3, 2002

MATTERS HELD – continued

49. Ordinance 2002-0271

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**
TAGGED BY COUNCIL MEMBER GALLOWAY

This was Item 35 on Agenda of April 3, 2002

Motion 2002-0447 – Suspend rules to hear Mr. Jon Banden Bosch on Item 50

Motion 2002-0448 – Call the question on Item 50

Motion 2002-0449 – Postpone Item 50 for one (1) week – “FAILED**”**

50. Ordinance 2002-0272

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)

TAGGED BY COUNCIL MEMBERS GALLOWAY, EDWARDS and TATRO

This was Item 36 on Agenda of April 3, 2002

51. Ordinance 2002-0273

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

TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS and TATRO

This was Item 37 on Agenda of April 3, 2002

52. Ordinance 2002-0274

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 - **TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 38 on Agenda of April 3, 2002

53. Ordinance 2002-0275

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

POSTPONED BY MOTION #2002-413, 4/3/02

AGENDA - APRIL 10, 2002 - PAGE 11

This was Item 50 on Agenda of April 3, 2002

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Sekula-Rodriguez 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

4/9/02 – Council Member Galloway out of the City on City business

4/10/02 – Council Member Galloway out of the City on City business