

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 12, 2002 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2002-0173 to 2002-0202**  
**ORDINANCES – 2002-0089 to 2002-0108**  
**RESOLUTION – 2002-0005**

**2002-0172-1**

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

**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 2002-0173 – Suspend rules to hear Dr. Margaret Ford out of order**

**Motion 2002-0174 – Suspend rules to continue questions of Mr. James Flakes by Council Member Edwards**

**Motion 2002-0175 – Suspend rules to extend time to question Mr. James Flakes**

**Motion 2002-0176 – Suspend rules to hear Mr. Don Thompson**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 13, 2002 - 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 40**

**MISCELLANEOUS** – NUMBER 1

**1. Motion 2002-0177**

CONFIRMATION of the appointment of **MS. DAWN R. ULLRICH** as Director Convention and Entertainment Facilities Department

**ACCEPT WORK** - NUMBERS 2 through 16

**2. Pulled - Not Considered**

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 Fire Station No. 33, GFS C-0076-01-5 - **DISTRICT H - VASQUEZ**

**3. Motion 2002-0187**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,041,262.94 and acceptance of work on contract with **CONRAD CONSTRUCTION COMPANY, INC** for West Belfort Improvements from Synott to Dairy Ashford, GFS N-0466-01-3 (N-0466-1) - 07.87% over the original contract amount - **DISTRICT F - ELLIS**

**4. Motion 2002-0188**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,965,809.14 and acceptance of work on contract with **CONTRACTOR TECHNOLOGIES, INC** for Guhn Road Street Widening and Drainage Improvements, GFS N-0644I-15-3 (N-0644I-15) - 01.59% over the original contract amount - **DISTRICT A - TATRO**

**5. Motion 2002-0178**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$231,597.09 and acceptance of work on contract with **SILVA, INC** for Construction of Neighborhoods to Standard, Tier VII North Lindale Community Overlay Project, GFS Q-1300-04-3 (OL2004) - 30.61% under the original contract amount - **DISTRICT H - VASQUEZ**

**6. Motion 2002-0189**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,829,753.94 and acceptance of work on contract with **LEM CONSTRUCTION COMPANY, INC** for Improvements to Beltway Wastewater Treatment Plant, GFS R-0245-01-3 (4287-1) - 04.55% under the original contract amount - **DISTRICT F - ELLIS**

**7. Motion 2002-0190**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,254,230.89 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Turkey Creek Wastewater Treatment Plant Lift Station Replacement, GFS R-0267-56-3 (4276-18) - 00.83% over the original contract amount - **DISTRICT G - KELLER**

**8. Motion 2002-0179**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,570,376.29 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Modifications to Sims North WWTP, GFS R-0299-01-3 (4105-2) - 01.82% over the original contract amount - **DISTRICT I - ALVARADO**

**9. Motion 2002-0191**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,345,491.81 and acceptance of work on contract with **JALCO, INC** for Miscellaneous Process Improvements at Various WWTP, GFS R-0512-05-3 (4749-2) - 03.66% over the original contract amount - **DISTRICTS B - GALLOWAY and F - ELLIS**

**ACCEPT WORK** - continued

**10. Motion 2002-0180**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,595,094.57 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Rehabilitation of Southeast and Sagemont Wastewater Treatment Plants, GFS R-0522-01-3 (4747) - 00.33% over the original contract amount - **DISTRICT E - WISEMAN**

**11. Motion 2002-0181**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,269,071.68 and acceptance of work on contract with **JALCO, INC** for Sanitary Sewer Rehabilitation in Northwest, GFS R-1034-03-3 (4260-7) - 10.05% under the original contract amount - **DISTRICTS A - TATRO and B - GALLOWAY**

**12. Motion 2002-0192**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$960,600.21 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Various Relief Sanitary Sewers - Northside/Northwest Service Area, GFS R-2011-01-3 (4711) - 08.49% under the original contract amount - **DISTRICTS A - TATRO; B - GALLOWAY and H - VASQUEZ**

**13. Motion 2002-0182**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,583,771.08 and acceptance of work on contract with **FERGUSON CONTRACTORS, LTD.**, for Northeast Service Area Relief Sewer, GFS R-2011-04-3 (4714-01) 04.58% under the original contract amount - **DISTRICT E - WISEMAN**

**14. Council Member Edwards tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$752,381.00 and acceptance of work on contract with **JAY C. CONTRACTOR** for Construction of New 5/8-inch through 2-inch Water Service Connections, GFS S-0035-SS-3 (10344-2) - 04.88% over the original contract - **DISTRICTS B - GALLOWAY; D - EDWARDS; E - WISEMAN; H - VASQUEZ and I - ALVARADO**

**15. Motion 2002-0183**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$563,073.36 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Construction of Water Line Replacement in Silverdale Subdivision, GFS S-0479-01-3 (10482) - 02.76% under the original contract amount - **DISTRICT H - VASQUEZ**

**16. Council Member Edwards tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$607,273.70 and acceptance of work on contract with **LEM CONSTRUCTION COMPANY, INC** for Construction of Flow Meters at Various Facilities, GFS S-0936-03-3 (10568-1) - 01.42% over the original contract amount - **DISTRICTS A - TATRO; B - GALLOWAY; D - EDWARDS; E - WISEMAN and G - KELLER**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 17 through 19

**17. Motion 2002-0184**

**CONSOLIDATED TRAFFIC CONTROLS, INC** for Remote Activated School Flasher System Replacement Parts for Department of Public Works & Engineering - \$726,936.50 - General Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**18. Motion 2002-0185**

**JERDON ENTERPRISE, L.P.** for Emergency Storm Sewer Repairs for Department of Public Works & Engineering - \$81,407.39 - Street & Drainage Maintenance Fund

**19. Motion 2002-0186**

**AL'S ENGINE & EQUIPMENT** for Equipment, Toro Lawn Mower and Edger Replacement Parts for Various Departments - \$80,500.00 - General and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 20 through 40

**20. Resolution 2002-0005**

RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its Senior Air Cargo Revenue Bonds, Series 2002 (Cargo Acquisition Company, LLC Obligated Group) - **DISTRICT B - GALLOWAY**

**21. Ordinance 2002-0089**

ORDINANCE approving and authorizing lease agreement in connection with Runway 15R Navigational Sites at George Bush Intercontinental Airport/Houston by and between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION** - **DISTRICT B - GALLOWAY**

**22. Ordinance 2002-0093**

ORDINANCE approving and authorizing lease agreement between **R. M. CROWE HOUSTON PORTFOLIO III, L.P.**, as landlord, and the City of Houston, Texas, as tenant for space at 601 Sawyer Street, Houston, Texas for use by the Finance and Administration Department **DISTRICT I - ALVARADO**

**23. Ordinance 2002-0094**

ORDINANCE approving and authorizing first amendment to lease agreement between **R. M. CROWE HOUSTON PORTFOLIO III, L.P.**, as landlord, and the City of Houston, Texas, as tenant for space at 601 Sawyer Street, Houston, Texas for use by Municipal Courts Administration - **DISTRICT I - ALVARADO**

**24. Ordinance 2002-0095**

ORDINANCE relating to increased Disability Pension Benefits for Police Officers of the City of Houston who suffer or have suffered a duty-related Catastrophic Injury; approving, ratifying, authorizing and implementing the terms of an agreement between the City of Houston, Texas and the **HOUSTON POLICE OFFICERS PENSION SYSTEM**; providing for severability

**25. Ordinance 2002-0096**

ORDINANCE approving and authorizing reimbursement agreement between the City of Houston and **LONGBRANCH ASSOCIATES, L.P.** for Overtime Expenses incurred by Houston Police Department in providing services to the Coppertree Village Area - \$196,000.00 - Grant Fund **DISTRICT B - GALLOWAY**

**26. Ordinance 2002-0097**

ORDINANCE approving and authorizing reimbursement agreement between the City of Houston and **COMMONWEALTH TEXAS, LLC** for Overtime Expenses incurred by Houston Police Department in providing services to the Coolwood Oaks Area - \$160,000.00 - Grant Fund **DISTRICTS E - WISEMAN and I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**27. Ordinance 2002-0098**

ORDINANCE approving and authorizing application for grant assistance to the **TEXAS DEPARTMENT OF HUMAN SERVICES** for the City's 2002 Summer Food Service Program; declaring the City's eligibility for such grants; authorizing the Director of the Parks and Recreation Department to accept and expend such grant funds, and to accept and expend subsequent awards, if any - \$3,185,260.00 - Grant Fund

**28. Council Members Ellis, Keller and Tatro tagged**

ORDINANCE creating the **LIEBHERR-AMERICA REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas **DISTRICT B - GALLOWAY**

**a. Council Members Ellis, Keller and Tatro tagged**

ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **LIEBHERR-AMERICA, INC** for certain property located within the **LIEBHERR-AMERICA REINVESTMENT ZONE - DISTRICT B - GALLOWAY**

**29. Ordinance 2002-0099**

ORDINANCE appropriating \$182,484.06 out of Water & Sewer System Consolidated Construction Fund and \$127,582.44 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing Developer Participation Contract between the City of Houston and **STATURE CONSTRUCTION, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Plaza Del Sol Subdivision, CIP S-0800-38-03 and R-0800-45-03 **DISTRICT B - GALLOWAY**

**30. Ordinance 2002-0100**

ORDINANCE appropriating \$192,266.00 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **C P M DEVELOPMENT COMPANY, L.L.C.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve the Cullen Estates Subdivision, CIP S-0800-41-03 and R-0800-47-03 - **DISTRICT D - EDWARDS**

**Motion 2002-0193 – Suspend rules to hear Ms. Monticella Flanken relative to Item 31**

**31. Ordinance 2002-0107**

ORDINANCE amending Ordinance No. 98-934 to increase the maximum contract amount for professional services contract for Dangerous Building Demolition Administrative Support for the Neighborhood Protection Division of the Public Works and Engineering Department under contract with **CHERYL POLKER, d/b/a A-PROFESSIONAL BUSINESS SERVICES**

**32. Ordinance 2002-0108**

ORDINANCE appropriating \$170,000.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing amendment to contract for engineering services with **METROPLEX INDUSTRIES, INC** (approved by Ordinance No. 98-539) - **DISTRICTS F - ELLIS and I - ALVARADO**

**33. Ordinance 2002-0101**

ORDINANCE approving and authorizing contract between the City of Houston and **ESPEY, HUSTON AND ASSOCIATES, INC d/b/a PBS&J** for Professional Services relating to the preparation of Wastewater Permit Applications, Biomonitoring and Toxicity Reduction Evaluations; providing a maximum contract - \$1,250,000.00 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - continued

**34. Ordinance 2002-0090**

ORDINANCE appropriating \$491,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Water Main Replacements in the Campbell Woods/Longpoint Acres Subdivisions, CIP S-0035-93-2 (WA 10732); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

**35. Council Member Keller tagged**

ORDINANCE authorizing first amendment to professional services contract between the City and **LAY-SU & ASSOCIATES, INC** and amending Ordinance No. 2000-265 to increase the maximum contract amount by \$500,000.00 - Initial Allocation \$386,920.00 CDBG Funds

**36. Ordinance 2002-0091**

ORDINANCE approving and authorizing contract between the City of Houston and **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** for Operation and Maintenance of Water and Wastewater Facilities in the Kingwood Area; providing a maximum contract amount (WW4814-1) \$13,729,364.00 - 5 Years - Enterprise Fund - **DISTRICT E - WISEMAN**

**Motion 2002-0194 – Suspend rules to hear from Mr. John deLeon**

**37. Council Members Galloway, Wiseman and Keller tagged**

ORDINANCE appropriating \$3,838,800.00 out of Street & Bridge Construction Fund, awarding contract to **SILVA, INC** and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** for Construction of Citywide Generic Overlay Project, GFS N-1037-36-3; providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Construction Fund

**38. Council Member Edwards tagged**

ORDINANCE appropriating \$2,071,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JAY C. CONTRACTOR**, approving and authorizing professional services contract for engineering testing services with **STORK SOUTHWESTERN LABORATORIES, INC** and approving and authorizing professional services contract for construction management and inspection services with **INTERSTATE ENGINEERS, INC** for construction of Watermain Replacement in Windsor Village Subdivision, GFS S-0035-62-3 (10579); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

**39. Council Member Tatro tagged**

ORDINANCE appropriating \$405,000.00 out of Public Library Consolidated Construction Fund as an additional appropriation for professional services contract - General Project Management and Construction Management Services, GFS E-0143-01-5 under the contract C52119 with **GREYHAWK NORTH AMERICA, LLC**, (approved by Ordinance No. 00-0955); providing funding for contingencies relating to construction management of projects financed by the Library Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

**40. Ordinance 2002-0092 – Passed first reading in full**

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**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 41

**MISCELLANEOUS**

**41. Motion 2002-0195**

MOTION to set a date not less than seven (7) days from February 13, 2002 to receive nominations for Positions 6, 8 and 9 to the **BOARD OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE) AUTHORITY** with terms to expire December 31, 2003 and to name the Chair for a term to expire December 31, 2002

**MATTERS HELD** - NUMBERS 42 through 48

**42. Ordinance 2002-0102**

ORDINANCE approving and authorizing contract between the City of Houston and **DATASTREAM SYSTEMS, INC** for Computer Software Maintenance and Support Services; providing a maximum contract amount - \$144,667.87 - Enterprise Fund  
**TAGGED BY COUNCIL MEMBER KELLER**  
This was Item 18 on Agenda of February 6, 2002

**Motion 2002-0196 – Suspend rules to hear from Ms. Carolyn Wendler, Arts Council on Item 43**

**Motion 2002-0197 – Call the question on Item 43**

**43. Ordinance 2002-0103**

ORDINANCE approving and authorizing contract for professional civic art administration services by and between the City of Houston and **ARTS COUNCIL OF THE HOUSTON/HARRIS COUNTY REGION** for the Department of Aviation - \$382,350.00 - Airports Improvement Fund **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**  
**TAGGED BY COUNCIL MEMBERS BERRY, TATRO and WISEMAN**  
This was Item 19 on Agenda of February 6, 2002

**MATTERS HELD** – continued

**44. Ordinance 2002-0104**

ORDINANCE approving and authorizing professional Civic Art Administration Services contract between the City of Houston and the **ARTS COUNCIL OF THE HOUSTON/HARRIS COUNTY REGION** for the Administration and Implementation of a Civic Art Plan on behalf of the Convention & Entertainment Facilities Department - \$330,279.00 - George R. Brown Consolidated Construction Fund - **DISTRICT I - ALVARADO**

**TAGGED BY COUNCIL MEMBERS BERRY and TATRO**

This was Item 20 on Agenda of February 6, 2002

**45. Motion 2002-0198 – Postpone one (1) week**

ORDINANCE appropriating \$1,202,900.00 out of Parks Consolidated Construction Fund, appropriating \$197,338.00 out of General Improvement Consolidated Construction Fund, appropriating \$145,407.00 out of Parks Special Revenue Fund, appropriating and transferring \$321,972.00 out of Accumulated Unexpended Fund to Parks Special Fund; and appropriating \$356,593.00 out of Parks Special Fund as an additional appropriation for professional services contract - General Project Management and Construction Management Services, GFS F-0363-95-5 under the contract C52144 with **SUNLAND ENGINEERING COMPANY**, (approved by Ordinance No. 00-1003)

**TAGGED BY COUNCIL MEMBERS WISEMAN, TATRO, SEKULA-RODRIGUEZ and KELLER**

This was Item 26 on Agenda of February 6, 2002

**46. Motion 2002-0199 – Postpone one (1) week**

ORDINANCE approving and authorizing contract between the City and **PINKERTON'S INC** for Security Guard Services for Various Departments; providing a maximum contract amount \$33,664,023.90 - General, Enterprise, Parks Special Revenue and Building Inspection Funds

**POSTPONED BY MOTION #2002-169, 2/6/02**

This was Item 32 on Agenda of February 6, 2002

**Motion 2002-0200 – Suspend rules to hear from Ms. Gracie Rosalou on Item 47**

**Motion 2002-0201 – Call the question on Item 47**

**Motion 2002-0202 – Refer Item 47 back to the Administration – “**FAILED**”**

**47. Ordinance 2002-0105**

ORDINANCE approving and authoring contract between the City and **A JOE WINTERS INVESTIGATIONS CO.** for Professional Background Investigation Services for the Houston Fire Department; providing a maximum contract amount - \$479,062.00 - General Fund

**POSTPONED BY MOTION #2002-171, 2/6/02**

This was Item 34 on Agenda of February 6, 2002

**48. Ordinance 2002-0106**

ORDINANCE approving and authorizing contract between the City and **BOYD, SMITH AND ASSOCIATES, LLC** for Professional Polygraph Testing Services for the Houston Fire Department; providing a maximum contract amount - \$789,600.00 - General Fund

**POSTPONED BY MOTION #2002-172, 2/6/02**

This was Item 35 on Agenda of February 6, 2002

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

**02/12/2002 – Mayor Brown out of the City on City business  
Council Member Vasquez out of the City on personal business  
Mayor Pro-tem Quan presiding**

**02/13/2002 - Mayor Brown out of the City on City business  
Council Member Vasquez out of the City on personal business  
Mayor Pro-tem Quan presiding**