

**AGENDA - COUNCIL MEETING - TUESDAY - MAY 14, 2002 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2002-0548 to 2002-0576**  
**ORDINANCES – 2002-0386 to 2002-0419**  
**RESOLUTION – 2002-0018**

**2002-0547-1**

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

**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 - MAY 15, 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 44**

**MISCELLANEOUS** - NUMBERS 1 through 3

**1. Motion 2002-0548**

REQUEST from Mayor for confirmation of the reappointment of the following to  
**REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD  
SIXTH WARD) BOARD OF DIRECTORS:**

**MS. JANE CAHILL**, as Chair, for a term to expire December 31, 2002

Position 6 - **MS. AMANDRE WILSON**, for a term to expire December 31, 2003

Position 7 - **MS. BENNIE FLORES ANSELL**, for a term to expire December 31, 2003

MISCELLANEOUS - continued

**2. Motion 2002-0562**

REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS:**

**MS. JANE CAHILL**, reappointment, as Chair, for a term to expire 12/31/2002

Position Two - **MR. GARNET COLEMAN**, appointment, for a term to expire 12/31/2002

Position Nine - **MR. CHARLES J. STAVA**, appointment, to represent Harris County, for a term to expire 12/31/2003

**3. Motion 2002-0563**

RECOMMENDATION from Director Department of Planning & Development for the designation of six residential parking permit areas and related parking regulations in the University Place Super Neighborhood - **DISTRICT C - GOLDBERG**

**ACCEPT WORK** - NUMBERS 4 through 13

**4. Motion 2002-0564**

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$7,404,382.34 and acceptance of work on contract with **CHAMPAGNE WEBBER, INC, TEXAS** for Airfield Improvements at William P. Hobby Airport (HOU), Project 485; CIP A-0042, A-0300, A-0312, A-0346 and A-0379 - 03.66% over the original contract amount - **DISTRICT I - ALVARADO**

**5. Motion 2002-0565**

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$6,881,322.78 and acceptance of work on contract with **DIXON SERVICES, INC dba CONSTRUCTION LTD** for Terminal A & B Utility Distribution Upgrades at George Bush Intercontinental Airport/Houston (IAH); Project 527; CIP A-0091 and A-0287 - 02.93% under the original contract amount - **DISTRICT B - GALLOWAY**

**6. Council Member Goldberg tagged**

RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$6,209,508.74 and acceptance of work on contract with **CHAMPAGNE WEBBER TEXAS, INC** for Hardy Toll Road Connector at George Bush Intercontinental Airport/Houston (IAH), Project 497A; CIP A-0261 - 04.77% over the original contract amount - **DISTRICT B - GALLOWAY**

**7. Motion 2002-0566**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,428,751.81 and acceptance of work on contract with **TEXAS-STERLING CONSTRUCTION, INC** for Fleetwood Lift Station Rehabilitation, GFS R-0267-55-3 (4276-17) - 00.62% over the original contract amount - **DISTRICT G - KELLER**

**8. Motion 2002-0549**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$817,330.37 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Hunterwood MUD Service Area Diversion, GFS R-0536-05-3 (4719-1) 06.59% under the original contract amount - **DISTRICT I - ALVARADO**

**9. Motion 2002-0550**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,562,257.18 and acceptance of work on contract with **FERGUSON CONTRACTORS, LTD.**, for Sims Bayou Sanitary Sewer Improvements, GFS R-2011-07-3

(4737) 02.07% under the original contract amount - **DISTRICT I - ALVARADO**

ACCEPT WORK - continued

**10. Motion 2002-0567**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$775,795.63 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Rehabilitation of 36-inch Sanitary Sewer along Elgin Street and Rosalie Street, GFS R-2011-21-3 (4763-01) - 03.72% over the original contract amount  
**DISTRICT D - EDWARDS**

**11. Motion 2002-0568**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,573,318.75 and acceptance of work on contract with **TROY CONSTRUCTION, INC** for Construction of Waterline Replacement in Pecan Park Subdivision, GFS S-0035-40-3 (10540) - 01.11% over the original contract amount - **DISTRICT I - ALVARADO**

**12. Motion 2002-0551**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,332,388.57 and acceptance of work on contract with **CALCO CONTRACTING, INC** for Construction of Water Main Replacement in the South Union Subdivision, GFS S-0035-48-3 (10548) - 06.93% under the original contract amount - **DISTRICT D - EDWARDS**

**13. Motion 2002-0552**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,447,166.50 and acceptance of work on contract with **C AND C SERVICES** for Construction of South Heights Water Main Replacement; GFS S-0035-72-3 (10582) - 00.23% under the original contract amount - **DISTRICT H - VASQUEZ**

PROPERTY - NUMBERS 14 through 17

**14. Motion 2002-0553**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kurt Roberson of Concord Gulfgate, Ltd., [GSL Manufacturing Systems, Inc (Ella S. Neyland, senior vice president), general partner] for abandonment and sale of two 10-foot wide easements, four 5-foot wide aerial easements, and a prescriptive sanitary sewer easement in exchange for the conveyance to the City of a 20-foot wide storm sewer easement, a 10-foot wide water line easement, seven 10-foot by 10-foot fire hydrant easements, a 10-foot by 48-foot water meter easement, and a 10 foot by 44-foot water meter easement, all located within Plum Creek Village Subdivision, Parcels SY1-033A through G, LY1-010 and KY1-023A through J **STAFF APPRAISERS** - **DISTRICT I - ALVARADO**

**15. Motion 2002-0554**

RECOMMENDATION from Director Department of Public Works & Engineering to **AMEND MOTION NO. 2002-38, 1/9/02**, which authorized condemnation of Parcel A99-114, for the Ella Boulevard (Wheatley) Paving Project from Pinemont to West Little York, owned by Sterling Trust Company for the benefit of Angela J. Swain IRA, be amended to include the following language...“and for title to the remaining portion of a one-story wood frame residence situated on the remainder property, together with a temporary access easement onto the remaining property for the purpose of demolishing the residence” - **DISTRICT B - GALLOWAY**

PROPERTY – continued

**16. Motion 2002-0555**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY1-106, located on Fairview Drive approximately 1,050 feet north of FM 529 Road (Spencer Road), owned by Marie Gordon and Shirley May Houston, as Co-Trustees of the W. L. Gordon Residuary Trust, for the **SPENCER ROAD WATERLINE PROJECT from Brittmoore to Jersey Village Pump Station**, CIP S-0900-71-2

**17. Motion 2002-0556**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY1-109, located at 11835 Charles Road, owned by Chapman Family Partnership Nine Ltd., a Texas Limited Partnership [Chapman Family Nine Corporation (Howard B. Chapman, President/Registered Agent) general partner] as to a 58% undivided interest, and Cole Family Partnership Nine Ltd., a Texas limited partnership [Cole Family Nine Corporation (Robert B. Cole, President/Registered Agent) general partner] as to a 42% undivided interest, for the **SPENCER ROAD WATERLINE PROJECT from Brittmoore to Jersey Village Pump Station**, CIP S-0900-71-2

PURCHASING AND TABULATION OF BIDS - NUMBERS 18 through 21

**18. Motion 2002-0557**

**U. S. FILTER DISTRIBUTION GROUP** - \$1,814,585.29, **HERSEY METERS COMPANY** \$338,100.00, **NEPTUNE TECHNOLOGY GROUP, INC** - \$734,919.10 and **BADGER METER, INC** - \$273,775.00 for Water Meter Replacement Parts Contract for Department Public Works & Engineering - \$3,161,379.39 - Enterprise Fund

**19. Motion 2002-0558**

**GBS ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Clean-up Services for Department of Public Works & Engineering - \$75,789.00 and contingencies for a total amount not to exceed \$79,578.45 - Dangerous Building Consolidated Fund

**20. Motion 2002-0559**

**RENTAL SERVICE CORP. - PRIME EQUIPMENT** for Arrowboards, Portable Light Towers and Speed Alert Trailer for Various Departments - \$39,889.00 - Enterprise and Equipment Acquisition Consolidated Funds

**21. Motion 2002-0560**

**AMEND MOTION #99-0516, 3/31/99, #2000-217, 2/16/00, 2001-160, 2/14/01 and 2002-163, 2/6/02, TO EXTEND** expiration date by six months, from June 29, 2002 to December 29, 2002, for Building Materials, Parts I, II and III for Various Departments, awarded to **BIG Z LUMBER COMPANY, ACE LOCK AND SECURITY SUPPLY, RIGGSBEE HARDWARE AND INDUSTRIAL SUPPLY COMPANY, INC** and **SAM BASSETT LUMBER COMPANY**

RESOLUTION AND ORDINANCES - NUMBERS 22 through 44

**22. Resolution 2002-0018**

RESOLUTION authorizing the City of Houston, Texas, to intervene in the request of Reliant Energy Retail Services, LLC for Price to Beat Fuel Factor Adjustment and related matters to be considered by the Public Utility Commission of Texas relating to the Retail Electric Rates of Reliant Energy Retail Services, LLC, and to take other appropriate actions relating to the foregoing subject and proceedings and making certain findings relating thereto

**RESOLUTIONS AND ORDINANCES** - continued

**a. Ordinance 2002-0414**

ORDINANCE approving and authorizing contract between the City of Houston and **WICKLIFF & HALL, P.C.** for Legal Representation of the City in the 2002 petition by Reliant Energy Retail Services, LLC to set Price to Beat Fuel Factor pending before the Public Utility Commission of Texas; providing maximum contract amount - \$150,000.00 - General Fund

**22-1 Ordinance 2002-0400**

ORDINANCE authorizing the issuance of City of Houston, Texas, Tax and Revenue Anticipation Notes, Series 2002 to provide for the payment of the current expenses of the City for the fiscal year beginning July 1, 2002, and ending June 30, 2003; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of the Preliminary Official Statement to provide for the competitive sale of the Notes; authorizing Paying Agent/Registrar Agreement and other agreements relating thereto; approving Co-bond Counsel, and Paying Agent/Registrar for such Notes; making other provisions relating to such Notes including use of the proceeds thereof, and matters incident thereto; and declaring an emergency

**a. Ordinance 2002-0401**

ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas, Tax and Revenue Anticipation Note, Series 2002A to provide for payment of current expenses of the City for a portion of Fiscal Year 2003; authorizing repayment of the principal of and interest on such Note; authorizing the procedure for determining the terms and conditions of such Note as evidenced by Note Purchase Agreement; authorizing execution of a Bond Counsel Agreement; and declaring an emergency

**23. Ordinance 2002-0402**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the Jefferson Avenue right of way containing 403 square feet of land, more or less, being out of South Side Buffalo Bayou Addition adjacent to Lots 6 and 7, Block 385, S.S.B.B., Houston, Harris County, Texas; vacating and abandoning said tract of land to Most Reverend Joseph A. Fiorenza, Bishop of Galveston-Houston, the abutting owner, in consideration of owner's payment of \$16,000.00 and other consideration to the City - **DISTRICT I - ALVARADO**

**24. Ordinance 2002-0417**

ORDINANCE approving and authorizing contract between the City of Houston and the **FRIENDS OF HERMANN PARK** for the Operation of Pedal Boat Concession and other Concessions in Hermann Park - **DISTRICT D - EDWARDS**

**a. Ordinance 2002-0418**

ORDINANCE amending **CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Park Food Vendors; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer; containing a savings clause

**25. Ordinance 2002-0415**

ORDINANCE approving and authorizing restated and amended agreement between the City and **LINEBARGER GOGGAN BLAIR PENA & SAMPSON, LLP** for the Collection of Delinquent Ad Valorem Taxes

**RESOLUTIONS AND ORDINANCES** - continued

**a. Ordinance 2002-0416**

ORDINANCE adopting an additional twenty percent (20%) penalty for all property taxes that remain delinquent on July 1, 2002, pursuant to Section 33.07 of the Texas Property Tax Code, and for all property taxes that become delinquent on or after June 1, 2002 pursuant to Section 33.08 of the Texas Property Tax Code; directing the provision of notice thereof; containing findings and other provisions relating to the foregoing subject; providing for severability

**26. Ordinance 2002-0386**

ORDINANCE rescinding City of Houston Ordinance No. 2002-350 and approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FRY ROAD MUNICIPAL UTILITY DISTRICT**

**a. Ordinance 2002-0387**

ORDINANCE rescinding City of Houston Ordinance No. 2002-351 which annexed for limited purposes a certain area located within **FRY ROAD MUNICIPAL UTILITY DISTRICT** in Harris County, Texas; annexing to the City of Houston, Texas for limited purposes a certain area located within Fry Road Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a Regulatory Plan for such area; imposing the Sales and Use Tax of the City of Houston in such area

**27. Ordinance 2002-0388**

ORDINANCE approving and authorizing termination of Tax Abatement Agreement between the City of Houston, Texas and **ROADWAY EXPRESS, INC - DISTRICT I - ALVARADO**

**28. Ordinance 2002-0389**

ORDINANCE appropriating \$21,213.00 out of Parks Special Fund and approving and authorizing Professional Conservation and Restoration Services Agreement between the City of Houston and **BEN WOITENA d/b/a METAL ARTS** for the Restoration of the Artworks "Brownie" and "Leap Frog" located in the Houston Zoological Gardens, "Peggy" located in MacGregor Park and creation of the mural canvas for the commissioned "All God's Chilluns Got Wings" to be located in the Clinton Park Community Center - **DISTRICTS D - EDWARDS and I - ALVARADO**

**29. Ordinance 2002-0403**

ORDINANCE approving authorizing a restatement of the City's Section 457 Deferred Compensation Plan

**30. Ordinance 2002-0404**

ORDINANCE appropriating \$678,430.96 out of Annexed Districts Construction Fund No. 49J, (Fund) and approving authorizing Compromise and Settlement Agreement between the City of Houston and **KINGS HARBOUR JV63** to settle a claim that arose out of activities financed by the Fund

**31. Ordinance 2002-0405**

ORDINANCE awarding contract to **LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC** for Mobilization, Collection, Characterization and Packing of Hazardous Waste for the Solid Waste Management Department

**32. Ordinance 2002-0419**

ORDINANCE awarding contract to **SYED & SONS, INC dba A+ TRANSMISSION SPECIALIST** for Automatic Transmission Repair Services for Various Departments; providing maximum contract amount - 3 Years with two one-year options - \$2,827,500.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**33. Ordinance 2002-0390**

ORDINANCE approving Groundwater Reduction Plan for the City of Houston

**34. Ordinance 2002-0391**

ORDINANCE amending Ordinance 2002-293 to delete the name of Associated Laboratories, Inc from such ordinance; approving and authorizing professional materials engineering laboratory contract with **ASSOCIATED TESTING LABORATORIES, INC**

**35. Ordinance 2002-0406**

ORDINANCE appropriating \$10,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston **ISANI CONSULTANTS, INC** for Neighborhood Street Reconstruction Projects - **DISTRICTS D - EDWARDS and H - VASQUEZ**

**36. Pulled - Not Considered**

ORDINANCE approving and authorizing contract between the City and **A & S ENGINEERS, INC** for Professional Engineering Services Storm Drainage System (SM5026) - \$385,000.00 - Street & Drainage Maintenance Fund

**37. Ordinance 2002-0407**

ORDINANCE appropriating \$2,255,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing third amendment to professional engineering services contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for the Surface Water Transmission Program, CIP S-0900-01-02 (10448) (approved by Ordinance No. 97-0096); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**38. Ordinance 2002-0392**

ORDINANCE appropriating \$602,200.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **WINDSOR CONTRACTING, INC** and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** for Safe Sidewalk Program in Houston; GFS N-0610A-T1-3 (SB9048-3); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY and H - VASQUEZ**

**39. Ordinance 2002-0393**

ORDINANCE appropriating \$1,846,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C AND C SERVICES** for Water Line Replacement in Gulf Palms Subdivision; GFS S-0035-84-3 (WA10670); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN**

**40. Ordinance 2002-0394**

ORDINANCE appropriating \$1,974,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C AND C SERVICES** and approving and authorizing professional services contract for engineering testing services with **HTS, INC, CONSULTANTS** for Water Main Replacement in Santa Rosa Subdivision, GFS S-0035-67-3 (WA10583); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO**



RESOLUTIONS AND ORDINANCES - continued

**41. Ordinance 2002-0395**

ORDINANCE appropriating \$1,369,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEJAS CONSTRUCTION COMPANY** and approving and authorizing professional services contract for engineering testing services with **ASSOCIATED TESTING LABORATORIES, INC** for Replacement of Three Ground Water Storage Tanks at Three Pumping Stations, GFS S-0600-27-3 (10596-27); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO**

**42. Ordinance 2002-0396**

ORDINANCE appropriating \$7,746,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.**, and approving and authorizing professional services contract for engineering testing services with **STORK SOUTHWESTERN LABORATORIES, INC** for 54-inch water main along Ella Boulevard, Wheatley Street and West Montgomery from West 43rd Street to Dolly Wright Road, GFS S-0900-69-3 (WA10642); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - VASQUEZ**

**43. Ordinance 2002-0408**

ORDINANCE awarding contract to **TOTAL CONTRACTING LIMITED** for On-call Drainage System Repair and Rehabilitation; approving and authorizing a supplemental allocation of \$42,000.00 for engineering and testing Contract No. 53733 (M-0126-52) - \$1,661,000.00 - Street & Drainage Maintenance Fund

**44. Ordinance 2002-0397**

ORDINANCE appropriating \$8,833.94 out of Park Consolidated Construction Fund, awarding construction contract to **GREY TOK CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING**, a division of **TERRACON, INC** for Construction of Community Building - South Main Estates Park, GFS F-0499-01-3 - \$465,000.00 CDBG Grant Fund - **DISTRICT D - EDWARDS**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 45

**PROPERTY**

**45. Motion 2002-0569**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kurt D. Nondorf, Jackson Walker L.L.P., on behalf of Silver Eagle Distributors, L.P., a Texas limited partnership [Silver Eagle Management L.L.C. (John L. Nau III, manager), general partner], for abandonment and sale of Henderson Street, from Winter Street to its dead-end, located between Blocks 323 and 328, Baker-Shearn Addition, N.S.B.B., John Austin Survey Abstract 1, Parcel SY2-053 (**Frank Flores and Jasmine Quinerly, Appointed**) - **APPRAISERS** - **DISTRICT H - VASQUEZ**

**MATTERS HELD** - NUMBERS 46 through 57

**46. Ordinance 2002-0409**

ORDINANCE appropriating \$330,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **DEMOPULOS & FERGUSON ASSOCIATES, INC** for the Feasibility Study and Design of Long Point Road from Gessner Drive to Bingle Road, CIP N-0674-02-2 (SB9109); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - TATRO**  
**TAGGED BY COUNCIL MEMBERS GALLOWAY and KELLER**  
This was Item 28 on Agenda of May 1, 2002

**47. Ordinance 2002-0410**

ORDINANCE appropriating \$5,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **WCW INTERNATIONAL, INC** for the Design of Paving and Street Reconstruction Projects, GFS N-0367-03-3 - **DISTRICT A - TATRO**  
**TAGGED BY COUNCIL MEMBER GALLOWAY**  
This was Item 29 on Agenda of May 1, 2002

**Motion 2002-0570 – Suspend ;rules to hear from Mr. Michael Fleming on Item 48**

**48. Motion 2002-0572**

MOTION by Council Member Parker/Seconded by Council Member Ellis to uphold appeal and overturn action of the Automotive Board in connection with the review on the record relative to the appeal from the decision of the Automotive Board, filed by Jonathan E. Bruce, Livingston & Associates, P. C. on behalf of **MR. MARK LEMKE'S D/B/A ELTON AUTO STORAGE** regarding Application for Automotive Storage Lot License #63806  
**TAGGED BY COUNCIL MEMBER SEKULA-RODRIGUEZ**  
This was Item 33 on Agenda of May 1, 2002

**Motion 2002-0571 – Call the question on Item 48**

**49. Motion 2002-0573**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Suzan Deison of Galleria Chamber of Commerce and North Houston Greenspoint Chamber of Commerce, on behalf of the abutting property owners, Gerald T. Reese, Michael Moya, Nancy Wren, Elizabeth Rivera, Lorena M. Ruiz, Lewis Pault, and Briarwood-Houston, L.P. [TMC Investments, Inc., (Tom McCauley, president), general partner] for abandonment and sale of Northline Drive, from W. Sunnyside Road to Rosamond Street, in exchange for the conveyance to the City of the entire abandonment area as a utility easement, located within Courtlandt Subdivision, a replat of Mitchell Place Subdivision; Robert H. Ray Subdivision; and Wildrose Gardens Subdivision, Parcels SY2-030, SY2-038, SY2-039, SY2-040, SY2-041, SY2-042, SY2-043, VY2-014, VY2-015, VY2-016, VY2-017, VY2-018, VY2-019 and VY2-020 – **(Sheila Stewart and Cushman & Wakefield, Appointed) - APPRAISERS - DISTRICT H - VASQUEZ**  
**TAGGED BY COUNCIL MEMBER VASQUEZ**  
This was Item 34 on Agenda of May 1, 2002

MATTERS HELD – continued

**50. Motion 2002-0574**

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel CY2-002, located in the 23000 block of Lagoon Lane, owned by David T. Walton and wife Rhonda J. Walton, for the **EAST LAKE HOUSTON UNSERVED AREAS LIFT STATION PROJECT**, CIP R-0801-04-2 - **DISTRICT E - WISEMAN**  
**TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 5 on Agenda of May 8, 2002

**51. Ordinance 2002-0399**

ORDINANCE relating to Safety Codes adopted for the protection and preservation of lives and property from fire and other perils; amending and renaming the Building Code of the City of Houston, adopting conforming amendments to the Code of Ordinances, Houston, Texas, and containing other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability  
**TAGGED BY COUNCIL MEMBERS TATRO, ELLIS, BERRY and WISEMAN**  
This was Item 17 on Agenda of May 8, 2002

**52. Motion 2002-0575 – Postpone one (1) week**

ORDINANCE authorizing acceptance of a grant from the Texas General Land Office and approving and authorizing grant agreement between the City of Houston and the **TEXAS GENERAL LAND OFFICE** relating to the Buffalo Bayou East Sector Redevelopment Plan; declaring the City's eligibility for such grant; authorizing the Director of the Houston Parks and Recreation Department to act as the City's representative and to accept such grant funds and all subsequent awards, if any pertaining to the project - **DISTRICT H - VASQUEZ**  
**TAGGED BY COUNCIL MEMBERS VASQUEZ and SEKULA-RODRIGUEZ**  
This was Item 36 on Agenda of May 8, 2002

**Motion 2002-0561 – Suspend rules to consider Items 53 and 51 out of order**

**53. Ordinance 2002-0398**

ORDINANCE approving and authorizing agreement between the City of Houston and **DSI-HP 2002, LTD.**, to provide a loan of Federal Community Development Block Grant Funds in the amount of \$4,277,000.00 to finance a portion of the costs to acquire and rehabilitate a 606-unit apartment building at 11911 Martin Luther King Boulevard to house low and very-low income residents - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBERS ELLIS and KELLER**  
This was Item 38 on Agenda of May 8, 2002

**54. Ordinance 2002-0411**

ORDINANCE awarding contract to **PEDKO PAVING, INC** for Construction of Water, Wastewater and Drainage Facilities serving the Plaza Del Sol Subdivision; approving and authorizing an assignment of the contract to **STATURE CONSTRUCTION, INC**, CIP S-0800-38-3 and R-0800-45-3 - **DISTRICT B - GALLOWAY**  
**TAGGED BY COUNCIL MEMBERS GALLOWAY, KELLER and ALVARADO**  
This was Item 48 on Agenda of May 8, 2002

**55. Ordinance 2002-0412**

ORDINANCE awarding contract to **SER CONSTRUCTION PARTNERS, LTD** for construction of Water, Wastewater and Drainage Facilities to serve the Cullen Estates Subdivision, CIP S-0800-41-3 and R-0800-47-3; approving and authorizing an assignment of the contract to **CPM DEVELOPMENT COMPANY, L.L.C.** - **DISTRICT D - EDWARDS**  
**TAGGED BY COUNCIL MEMBER EDWARDS**

**AGENDA - MAY 15, 2002 - PAGE 12**

This was Item 49 on Agenda of May 8, 2002

**MATTERS HELD** – continued

**56. Ordinance 2002-0413**

ORDINANCE appropriating \$125,999.00 out of Park Consolidated Construction Fund as an additional appropriation for Renovation of the Agnes Moffit Park Building under professional architectural services contract with the **PARK TEAM JOINT VENTURE** (approved by Ordinance No. 98-1014), GFS F-0504-01-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Park Consolidated Construction Fund **DISTRICT A - TATRO** - **TAGGED BY COUNCIL MEMBER TATRO**  
This was Item 57 on Agenda of May 8, 2002

**57. Ordinance 2002-0576**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry of Vernon G. Henry and Associates, Inc., on behalf of Carolyn F. Jackson Family Partners, Ltd. (Specs Liquors) (Carolyn F. Jackson and Karen Lynn Rydman, general partners), for abandonment and sale of McIlhenny Avenue, from Smith Street to Brazos Street, in exchange for the conveyance to the City of a 40-foot wide combination sanitary sewer and storm sewer easement, located in the Upham Interest of the East End of the Settegast & Upham's Addition, Parcel SY2-056 and QY2-001 – **(Charles Reicher and Samuel Stewart, Appointed)** - **APPRAISERS - DISTRICT D - EDWARDS**  
**TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 58 on Agenda of May 8, 2002

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

**5/14/02 – Council Member Wiseman out of the City on City business  
Council Member Keller absent due to being ill**

**5/15/02 – Council Members Wiseman and Vasquez out of the City on City business  
Council Member Keller absent due to being ill**