

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 9, 2005 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2005-0753 to 2005-0782**  
**ORDINANCES – 2005-0944 to 2005-0957**  
**RESOLUTIONS – 2005-0014 to 2005-0015**

**2005-0752-1**

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

**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

**Motions 2005-0753 to 2005-0756 – Procedural motions**

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

**RECONVENE**

**WEDNESDAY - AUGUST 10, 2005 - 9:00 A. M.**

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

**MAYOR'S REPORT** - Expectation: Graduation: A City-Wide Effort to Increase HISD  
Graduation Rates - **Presented**

**CONSENT AGENDA NUMBERS 1 through 29**

**ACCEPT WORK** - NUMBERS 1 through 3

**1. Motion 2005-0759**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$601,731.00 and acceptance of work on contract with **PARALLAX BUILDERS, INC** for Domestic Water System Upgrade, Bob Lanier Building, GFS S-0019-27-3 - 04.83% over the original contract amount - **DISTRICT I - ALVARADO**

**ACCEPT WORK** - continued

**2. Motion 2005-0765**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,917,958.67 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Renovation and Construction of the Bureau of Animal Regulation & Care (BARC), Animal Control Center, GFS H-0011-05-3 - 04.98% over the original contract amount - **DISTRICT B - GALLOWAY**

**3. Motion 2005-0766**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,197,840.00 and acceptance of work on contract with **NBG CONSTRUCTORS, INC** for 69th Street Wastewater Treatment Plant Storm Damage Rehabilitation, GFS R-0265-28-3 (4760-10) - 06.07% under the original contract amount **DISTRICT I - ALVARADO**

**PROPERTY** - NUMBERS 4 through 6

**4. Motion 2005-0760**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rick Sitts of West Belt Surveying, Inc., on behalf of Alief Independent School District, for abandonment and sale of a 10-foot-wide water line easement in exchange for the conveyance to the City of a 10-foot-wide water line easement, located within Alief Independent School District Elementary School No. 16 Site, a replat of Broadmoor Apartments Phase C, Parcels SY5-072 and KY6-001 - **STAFF APPRAISERS - DISTRICT F - KHAN**

**5. Motion 2005-0767**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel DY4-015, located in the 400 block of State Highway 6 South, owned by MAK Associates, Ltd., a Texas limited partnership [Rue 6 Plaza, Inc., a Texas corporation (Jamal Mollai Mehrjerdi, President) General Partner], for the **IH-10 AT HIGHWAY 6 WATERLINE EASEMENTS PROJECT**, CIP S-0900-96-3 - **DISTRICT A - LAWRENCE**

**6. Pulled-Not Considered**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-172C, owned by Union Pacific Railroad Company, a Delaware corporation, for the **COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT from Polk Avenue to Dixie Drive**, CIP N-0420-22-2 - **DISTRICT I - ALVARADO**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 11

**7. Motion 2005-0761**

**KROLL SCHIFF & ASSOCIATES** for Security Consultant Services for Building Services Department - \$624,432.00 - Grant Fund

**8. Motion 2005-0762**

**DEWBERRY & DAVIS, LLC** for Development of a Structural/Contaminated Debris Management Tool Set for the City of Houston - \$184,500.00 - Grant Fund

**9. Council Member Khan tagged**

**HACH COMPANY** for Chemicals, Water Testing for the Department of Public Works & Engineering - \$441,823.00 - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**10. Motion 2005-0763**

**AMEND MOTION #2002-1416, 12/11/02, TO EXTEND** expiration date from December 12, 2005 to December 11, 2007, for Electrical Supplies and Fittings Contract for Various Departments, awarded to **TURTLE AND HUGHES, INC**

**11. Motion 2005-0764**

**VULCAN CONSTRUCTION MATERIALS, L.P.** - \$5,981,504.30 and **CHERRY CRUSHED CONCRETE, INC** - \$98,987.75 for Flexible Base Materials for Various Departments - General, Enterprise and Storm Water Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 29

**12. Resolution 2005-0015**

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (North Oaks Apartments) Series 2005 - **DISTRICT B - GALLOWAY**

**13. Resolution 2005-0014**

RESOLUTION approving the issuance of a conditional commitment letter to the Enclave, Ltd., to provide \$60,000.00 in Tax Increment Reinvestment Zone ("TIRZ") Affordable Housing Funds (Fund 872) to assist in the Development of Forty (40) Detached Single Family Homes for Rental by eligible very low income families in the Acres Home Area - **DISTRICT B - GALLOWAY**

**Written motion by Council Member Garcia to amend Item 14 as follows:**

"(a) The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for landmark. The HAHC shall not recommend a property to be designated as a protected landmark unless the property:

- (1) Meets at least three of the criteria for designation in section 33-224 of this Code;
- (2) Is at least 100 years old; or
- (3) Is listed on the National Register of Historic Places.

(b) If the HAHC reviews an application for designation of a protected landmark initiated after the designation of the landmark, the HAHC shall review the basis for its initial recommendation for designation and may recommend designation of the landmark as a protected landmark if the landmark:

- (1) Met at least three of the criteria of section 33-224 of this Code at the time of its designation or, based upon additional information considered by the HAHC, the landmark then meets at least three of the criteria of section 33-224 of this Code;
- (2) Is at least 100 years old; or
- (3) Is listed on the National Register of Historic Places."

**Council Member Galloway tagged**

**14. Council Member Edwards and Galloway tagged**

**ORDINANCE AMENDING ARTICLE VII OF CHAPTER 33 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Historic Preservation

**a. Council Member Galloway tagged**

RESOLUTION Designating Eight City-Owned Landmarks as Protected Landmarks - **DISTRICTS H - GARCIA and I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**b. Council Member Galloway tagged**

RESOLUTION establishing the form of marker for Protected Landmarks designated pursuant to Article VII of Chapter 33 of the Code of Ordinances

**15. Ordinance 2005-0946**

ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to functions of the Building Services Department; concerning the disposition of surplus real property; containing other provisions relating thereto; providing for severability; providing an effective date

**16. Ordinance 2005-0944**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two sanitary sewer easements containing 8,047 square feet of land, more or less, and 2,501 square feet of land, more or less, Parcels SY2-006 and SY2-031, being out of Northwest Memorial Hospital, Section One, W. P. Morton Survey, A-539, Harris County, Texas, vacating and abandoning (i) Parcel SY2-006 to Memorial Hermann Hospital System, and (ii) Parcel SY2-031 to Texas-LTC Limited Partnership, abutting owners, in consideration of the owner's payment of \$32,963.00 and other consideration to the City - **DISTRICT H - GARCIA**

**17. Ordinance 2005-0947**

ORDINANCE approving and authorizing Lease No. DTFASW-04-L-00010, Lease No. DTFASW-04-L-00011, and Lease No. DTFASW-04-L-00017 between the City of Houston and the **UNITED STATES OF AMERICA** for Airport Surface Detection Equipment (ASDE-X) Space at William P. Hobby Airport - **DISTRICT I - ALVARADO**

**18. Council Members Green, Alvarado and Khan tagged**

ORDINANCE approving and authorizing Duty Free Concession Agreement by and between the City of Houston and **THE NUANCE GROUP (HOUSTON) LLC** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY**

**19. Ordinance 2005-0948**

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **PORT OF HOUSTON AUTHORITY** for Information Sharing through Shared Access to and use of Video Data Systems as part of the Enterprise Security Information Management System

**20. Ordinance 2005-0949**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS ATTORNEY GENERAL'S OFFICE** for funding for a 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 Homeland Security 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 - \$50,000.00 - Texas Compensation to Victims of Crime Fund

**21. Ordinance 2005-0950**

ORDINANCE approving and authorizing contract between the City and the **SPAY NEUTER ASSISTANCE PROGRAM, INC** for Spay and Neutering Mobile Services for the Houston Department of Health and Human Services; providing a maximum contract amount - 1 Year with four one-year renewals - \$100,000.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**22. Ordinance 2005-0951**

ORDINANCE appropriating \$130,000.00 out of Airport System Consolidated 2000 AMT Construction Fund (530); authorizing purchase of land and improvements thereon out of Airport Place Subdivision, P. Mahan Survey, A-562, Houston, Harris County, Texas, for Expansion of William P. Hobby Airport, CIP A-0528-01.1; Project 999, approving Purchase and Sale Agreement with the owner of the land (Jose A. Guzman) - **DISTRICT I - ALVARADO**

**23. Pulled-Not Considered**

ORDINANCE authorizing the purchase of land and improvements thereon out of Tierwester 1/4 League, A-75; James Holman Survey, A-323; G.P. Foster League, A-273; and D.W.C. Harris 1/4 League, A-325; Houston, Harris County, Texas, for the Columbia Tap Hike and Bike Trail Project, CIP N-0420-22-2; approving a Purchase and Sale Agreement with the owner of the land (Union Pacific Railroad Company) - \$3,880,338.00 Bond Funds - **DISTRICT D - EDWARDS and I - ALVARADO**

**24. Ordinance 2005-0952**

ORDINANCE amending Ordinance No. 2000-0807 to increase the maximum contract amount and approving and authorizing the first amendment to contract #C51941 between the City of Houston and **BAYLOR COLLEGE OF MEDICINE, DEPARTMENT OF FAMILY AND COMMUNITY MEDICINE** for Psychological Services for the Houston Fire Department; providing maximum contract amount - 6 Years - \$650,000.00 - General Fund

**25. Council Member Khan tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **PROOFPOINT, INC** for Network Appliances and Software that detects Spam, filters content and scans viruses from the City's E-mail System; providing a maximum contract amount - 3 Years with two one-year options - \$320,950.00 - Equipment Acquisition Consolidated and Central Service Revolving Funds

**26. Ordinance 2005-0953**

ORDINANCE approving and authorizing first amendment to Contract #53097 between the City of Houston and **H. S. HICKS, D.V.M.**, and amending Ordinance Number 01-0768 to increase the maximum contract amount - \$65,000.00 - General Fund

**27. Ordinance 2005-0945**

ORDINANCE appropriating \$14,823.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HORACE DARNLEY JAMES** for Construction of Sanitary Sewer Lines to serve development on West Fuqua Street, CIP R-0802-30-03 - **DISTRICT D - EDWARDS**

**28. Ordinance 2005-0954**

ORDINANCE appropriating \$4,349,318.04 out of Series E Commercial Paper Metro Project Fund No. 49M, awarding contract to **DURWOOD GREENE CONSTRUCTION, L.P.** for Generic City Wide Overlay Package #8, GFS N-1037-48-3 (OL2248); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**29. Ordinance 2005-0955**

ORDINANCE appropriating \$4,349,318.04 out of Series E Commercial Paper Metro Project Fund No. 49M, awarding contract to **DURWOOD GREENE CONSTRUCTION, L.P.** for Generic City Wide Overlay Package #9, GFS N-1037-49-3 (OL2249); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 30 through 34

**MISCELLANEOUS**

**30. Motion 2005-0768**

MOTION to set a date not less than seven (7) days from August 10, 2005 to receive nominations for Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY** for a two-year term – **SET AUGUST 17, 2005**

**PROPERTY**

**31. Motion 2005-0769**

RECOMMENDATION from Director Building Services Department that City Council declare surplus the land and building located in the 3800 block of Southlawn Avenue and land and building located in the 3600 block of Faulkner, Parcel G81-002 and authorize sealed bid sale to the highest bidder at the minimum appraised bid amount - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

**32. Motion 2005-0770**

RECOMMENDATION from Director Building Services Department that City Council declare surplus the land and building located at 824 San Antonio Street, Parcel SY5-040 and authorize sealed bid sale to the highest bidder at the minimum appraised bid amount - **STAFF APPRAISERS - DISTRICT I - ALVARADO**

**33. Motion 2005-0771**

RECOMMENDATION from Director Building Services Department that City Council declare surplus the land and building located at 7400 Park Place Boulevard, Parcel H93-013 and authorize sealed bid sale to the highest bidder at the minimum appraised bid amount **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICT I - ALVARADO**  
**Sheila Stewart and George Coleman, Jr. and Michael Urban (alternate)**

**PROPERTY** - continued

**34. Motion 2005-0772**

RECOMMENDATION from Director Building Services Department that City Council declare surplus the land and building located at 3719 Dowling Street, Parcel SY5-018 and authorize sealed bid sale to the highest bidder at the minimum appraised bid amount

**APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER  
DISTRICT I – ALVARADO**

**Jasmine Quinerly and Vanessa Hendrickson and Patricia Keys (alternate)**

**MATTERS HELD** - NUMBERS 35 through 42

**Motion 2005-0773 – Postponed thirty (30) days**

Written motions by Council Member Wiseman to amend Item 35 as follows:

“Amend Article III. Duties of Contractor, Section G to read:

“At all reasonable times during the term of this agreement and for three years thereafter the Director and City Representatives shall have access to all books and records of Contractor related to the performance of this Agreement and may conduct any audit of such books and records as may deemed necessary and proper by the Director and/or City Representatives. Contractor shall make all information related to this Agreement available in Houston, Texas, to the Director and City Representatives upon request”

Amend Article III. Duties of Contractor, Section H. to include:

“Contractor shall be required to verify and maintain records of artist licensing agreements and/or proof of all copyright ownership. Such licensing verification must be approved prior to broadcast.  
Houston MediaSource must obtain from every “producer” copies of execute license agreements and/or proof of copyright ownership for all programming broadcast on Houston MediaSource.”

Amend Article III. Duties of Contractor, Section A (1) to include:

(d) Operational Controls shall include staff review of all programming, prior to transmittal via cablecast, to ensure compliance with all applicable laws, contracts, City Ordinances and the City’s cable franchise agreements.

Amend Article III. Duties of Contractor to include:

Contractor shall provide written strategic plan within 30 days of the execution of this contract to include fundraising goals and objectives.

Amend Article III. Duties of Contractor, Section A (2) to read:

(b) to involve the community in the development and production of public access programming, including educational institutions located within the service area; and

(d) a plan of work to achieve the actions required herein shall be provided within 60 days of execution of this agreement.

**MATTERS HELD** – continued

**Motion 2005-0773** - continued

Amend Exhibit “A” Policies and Procedures, section 1 to include:

(h) In connection with the performance of its obligations hereunder, Contractor shall establish, implement and perform quality control and monitoring of programming contract compliance

Amend Exhibit “A” Policies and Procedures, section 2 (g) to read:

(g) Material that is indecent and/or obscene according to local community standards or is otherwise illegal, or non compliant with the City of Houston’s Code of Ordinances.

and

Amend Article VI. Section Q to include:

“Contractor shall not delegate any portion of its performance under this agreement as it relates to Article III.”

**35. Motion 2005-0774 – Postpone thirty (30) days**

ORDINANCE approving and authorizing renewal contract for Programming Services between the City of Houston and **HOUSTON MEDIASOURCE** for Public Access Channel

**POSTPONED BY MOTION #2005-684, 7/13/05**

This was Item 32 on Agenda of July 13, 2005

**Motion 2005-0757 – Suspend rules to consider Items 36, 14 and 13 out of order**

**36. Motion 2005-0758 – Postpone two (2) weeks**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel AY2-173 and AY2-173A, located in the 2300 block of Dixie Drive, owned by The Grocers Supply Company, Inc., a Texas corporation, Jim N. Arnold, Vice President Real Estate and Store Development, for the **COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT**, CIP N-0420-22-2 **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBERS EDWARDS and QUAN**

This was Item 10 on Agenda of August 3, 2005

**37. Ordinance 2005-0956**

ORDINANCE approving and authorizing an interlocal Agreement between the City of Houston and Harris County for support of the **JOINT CITY-COUNTY COMMISSION ON CHILDREN**; providing a maximum contract amount - 5 years - \$400,000.00 - General Fund

**TAGGED BY COUNCIL MEMBERS WISEMAN and LAWRENCE**

This was Item 22 on Agenda of August 3, 2005

**38. Motion 2005-0776 – Postpone one (1) week**

MOTION by Council Member Sekula-Gibbs/Seconded by Council Member Khan to amend Item 38a below, to provide that the scope of services provide a provision to also be an opportunity to study the affects of smoking - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

**MATTERS HELD** - continued

**a. Motion 2005-0776 – Postpone one (1) week**

ORDINANCE approving and authorizing contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Environmental Public Health Services; providing a maximum contract amount \$253,998.00 - Grant Fund - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**  
This was Item 23 on Agenda of August 3, 2005

**39. Motion 2005-0778 – Adopt**

WRITTEN Motion by Council Member Sekula-Gibbs to amend Item 39a below to include the following changes to the contract:

- A. A detailed report of legal expenses will be given by Berg and Androphy to all Council Members, when expenses reach \$100,000.00 increments.
- B. Berg and Androphy will supply City Council Members with a report of legal fees awarded by any tribunal at each \$100,000.00 increment.

**TAGGED BY COUNCIL MEMBER GREEN, SEKULA-GIBBS and WISEMAN**

**Motion 2005-0779 – Suspend rules to call to question Item 39a**

**Motion 2005-0780 – Motion by Council Member Green/seconded by Council Member Wiseman to amend Item 39a as follows:**

“III. DUTIES OF THE FIRM

A. Scope of Services

Firm shall represent City in litigation concerning violations of clean air requirements and related matters, (“the Litigation”). The Litigation may seek to recover certain statutory fines, penalties and attorneys fees. The Firm agrees to provide the services *pro bono*. ~~provided, however, the Firm shall have the right to recover attorney’s fees from violators as allowed by law.~~ All statutory fines, penalties and attorney’s fees recovered from violators shall be for the benefit of, and become the property of City. Additionally, any and all monetary damages recovered from violators shall be for the benefit of, and become the property of City. David Berg will be the principal attorney representing City in the Litigation.” - **Adopt**

**a. Ordinance 2005-0957 – Adopt as amended**

ORDINANCE approving and authorizing contract between the City of Houston and **BERG & ANDROPHY** for Legal Services in connection with representing the City in Litigation concerning violations of Clean Air requirements and related matters providing a maximum contract amount \$100,000.00 - Property and Casualty Fund  
**TAGGED BY COUNCIL MEMBERS GREEN, WISEMAN and SEKULA-GIBBS**  
This was Item 27 on Agenda of August 3, 2005

**40. Motion 2005-0775**

RECOMMENDATION from Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcel SY5-037 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER DISTRICT G - HOLM - POSTPONED BY MOTION #2005-742, 8/3/05**  
This was a portion of Item 30 on Agenda of August 3, 2005  
**Julie Nagel and George Sims and Alan Doming (alternate)**

**MATTERS HELD** – continued

**41. Motion 2005-0781 – Adopt**

MOTION by Council Member Garcia/Seconded by Council Member Khan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,425,465.80 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Westbury West Subdivision, GFS S-0035-98-3 (WA10739) - 00.39% over the original contract amount - **DISTRICT C - GOLDBERG - POSTPONED BY MOTION #2005-746, 8/3/05**  
This was Item 33 on Agenda of August 3, 2005

**42. Motion 2005-0782 – Adopt**

ORDINANCE issuing permit to **GRAMERCY COURT, LTD.**, for using, occupying, operating, maintaining and repairing a waterline within the 2600 block of Gramercy Street, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT C - GOLDBERG**  
**POSTPONED BY MOTION #2005-751, 8/3/05**  
This was Item 37 on Agenda of August 3, 2005

**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

**8/9/2005 – All Present**

**8/10/2005 – All Present**