

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 23, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0804 to 2005-0826
ORDINANCES – 2005-0974 to 2005-1010
RESOLUTION – 2005-0018

2005-803-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Berry

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 2005-0804 to 2005-0806 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 24, 2005 - 9:00 A. M.

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

HEARING

1. Motion 2005-0809 – Close hearing

PUBLIC HEARING regarding the proposed permanent use of up to approximately 6.676 acres of land out of Mason Park and up to approximately 9.327 acres of land out of Gus Wortham Park and Golf Course by Harris County Flood Control District for Flood Control and Drainage purposes **DISTRICT I - ALVARADO - 9:00 A.M.**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 50

MISCELLANEOUS - NUMBERS 2 through 6

2. Motion 2005-0819 – Postpone one (1) week

REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON MEDIASOURCE BOARD OF DIRECTORS**, for terms to expire December 31, 2006:

Position One - **MR. MANUEL “MARCELLO” AUGUSTO MARINI**

Position Three - **MS. PATTY NILSSON**

Position Five - **MR. RODNEY E. NATHAN**

Position Seven - **MR. J. ALLEN PROVOST**

Position Eleven - **MR. RUDY GONZALEZ**

Position Thirteen- **MS. TERRI BAILEY PARRIS**

Position Fifteen - **MR. AL VERA**

3. Council Members Wiseman and Sekula-Gibbs tagged

REQUEST from Mayor for confirmation of the appointment of **MS. GILDA MCFAIL** to Position Nine to the **HOUSTON MEDIASOURCE BOARD OF DIRECTORS**, for a term to expire December 31, 2006

Motion 2005-0807 – Suspend rules to consider Item 4 out of order

4. Motion 2005-0808

CONFIRMATION of the reappointment of **MR. KASE LAWAL** to Position 3 of the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term

5. Motion 2005-0820

RECOMMENDATION from Director Planning & Development Department to accept the July 2005 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program

a. Motion 2005-0821

RECOMMENDATION from the Director Department of Public Works & Engineering to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$6,394,810.03 to Revenue Bond Debt Service as recommended in the July 2005 Semiannual Report of the Capital Improvements Advisory Committee (CIAC)

6. Motion 2005-0812

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **SECTION SIX HOMEOWNERS ASSOCIATION, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 5

DAMAGES - NUMBER 7

7. Motion 2005-0822

RECOMMENDATION from City Attorney for settlement of lawsuit styled **TAMMY THATCHER v. Edward L. Rutland**; in the 61st Judicial District Court of Harris County, Texas; Cause No. 2004-34642 - \$27,500.00 - Property and Casualty Fund

PROPERTY - NUMBER 8

8. Motion 2005-0813

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kenneth and Sandra Manesh, for the abandonment and sale of two excess portions of West Fuqua Road right of way in exchange for the conveyance to the City of a 10- to 20-foot-wide combination drainage/water line easement and a right of way easement, all located within the James Bailey Survey, A-145 and/or C. V. Uglow Survey, A-819, Parcels SY5-049A, SY5-049B, QY6-002 and AY6-020 - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13

9. Motion 2005-0814

PORTABLE CHURCH INDUSTRIES, INC for Emergency Response Trailers for Health & Human Services Department - \$111,245.82 - Grant Fund

10. Motion 2005-0815

WILTON'S OFFICEWORKS, LTD. for Training Center Furniture including Installation from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health and Human Services Department - \$41,146.27 Grant Fund

11. Motion 2005-0816

TEXAS STERLING CONSTRUCTION, L.P. for Emergency Repair of 24-inch Water Main at Westheimer and Interstate 610 West Loop South for Department of Public Works & Engineering \$139,474.55 - Enterprise Fund - **DISTRICT G - HOLM**

12. Motion 2005-0817

ACTION CLEANING EQUIPMENT CO., INC - \$162,459.08 and **WORKING SOLUTIONS, INC** \$42,878.65 for Cleaner, Shop Floor, Truck and Parts for Various Departments - General Fund

13. Motion 2005-0818

AMEND MOTION #2003-0118, 2/5/03, TO EXTEND expiration date from February 5, 2006 to February 4, 2008, for Transmission, Allison Rebuilt and Repair Parts Contract for Various Departments, awarded to **STEWART & STEVENSON**

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 50

14. Resolution 2005-0018

RESOLUTION designating a certain property located at 3274 Holman Street in the City of Houston as a Historic Landmark - **DISTRICT D - EDWARDS**

15. Ordinance 2005-0992

ORDINANCE **AMENDING ARTICLE IV OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Developer Participation Contracts

16. Ordinance 2005-0993

ORDINANCE **AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to provide for the creation of a Public Parking Commission; providing for the appointment of the members thereof and prescribing their qualifications; specifying the jurisdiction and authority of the Public Parking Commission and setting forth its powers and duties

RESOLUTIONS AND ORDINANCES - continued

17. Ordinance 2005-0994

ORDINANCE **AMENDING SECTION 33-14 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to add an additional Ex Officio Member to the Planning Commission

Motion 2005-0823 – Amend Item 18 to read as follows:

“Section 7 shall include the following: “Any and all net revenue shall be transferred to the general fund.””

18. Ordinance 2005-0995 – Adopt as amended

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to transferring the Parking Management Division and its functions, personnel and funding to the Convention and Entertainment Facilities Department; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

19. Ordinance 2005-0974

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use by the City of Houston of a 20-foot-wide storm sewer easement located within Restricted Reserve A, Bear Branch Village, Section 7, Houston, Harris County, Texas; vacating and abandoning said storm sewer easement to the Most Reverend Joseph A. Fiorenza, as Archbishop of the Archdiocese of Galveston-Houston, the owner, in consideration of the owner’s conveyance to the City of a 25-foot-wide storm sewer easement located within the same Restricted Reserve A, Bear Branch Village, and other consideration to the City, Parcels SY2-059 and LY2-037 - **DISTRICT E - WISEMAN**

20. Ordinance 2005-0996

ORDINANCE granting the petition of **THE WOODLANDS LAND DEVELOPMENT COMPANY, L.P.** to include certain land in Montgomery County, Texas within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with section 42.022(b) of the Texas Local Government Code

21. Ordinance 2005-0975

ORDINANCE approving and authorizing first amendment to declaration of Land-Use Restrictions (Restrictive Covenants) for Inwood Properties, consisting of Three Affordable Housing Apartment Complexes located at 5300, 5350 and 5454 W. Gulf Bank Road, Houston, Texas - **DISTRICT A - LAWRENCE**

22. Ordinance 2005-0976

ORDINANCE consenting to the addition of 2.0779 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23**, for inclusion in its district

23. Ordinance 2005-0977

ORDINANCE consenting to the addition of 18.750 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25**, for inclusion in its district

24. Ordinance 2005-0978

ORDINANCE consenting to the addition of 219.87 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 30**, for inclusion in its district

25. Ordinance 2005-0979

ORDINANCE consenting to the addition of 117.408 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 65**, for inclusion in its district

RESOLUTIONS AND ORDINANCES - continued

26. Ordinance 2005-0980

ORDINANCE consenting to the addition of 15.0037 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 401**, for inclusion in its district

27. Ordinance 2005-0981

ORDINANCE consenting to the addition of 25.766 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

28. Ordinance 2005-0982

ORDINANCE consenting to the addition of 177.549 acres of land to **TIMBER LANE UTILITY DISTRICT**, for inclusion in its district

29. Council Members Quan, Garcia, Green and Sekula-Gibbs tagged

ORDINANCE terminating **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE TIRZ)**; containing findings and provisions related to the foregoing subject; providing a severability clause - **DISTRICT H - GARCIA**

30. Ordinance 2005-0997

ORDINANCE amending Ordinance No. 95-743, passed June 28, 1995, as subsequently amended, which approved and authorized the submission of the 1995 Consolidated Plan and the grant application for the Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development under the authority of the Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended

31. Ordinance 2005-0998

ORDINANCE amending Ordinance No. 96-665, passed June 26, 1996, as subsequently amended, which approved and authorized the submission of the 1996 Consolidated Plan and the grant application for the Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development under the authority of the Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended

32. Ordinance 2005-0999

ORDINANCE amending Ordinance No. 98-474, passed June 17, 1998, as subsequently amended, which approved and authorized the submission of the 1998 Consolidated Plan and the grant application for the Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development under the authority of the Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended

33. Ordinance 2005-1000

ORDINANCE amending Ordinance No. 2002-0512, passed June 12, 2002, as subsequently amended, which approved and authorized the submission of the 2002 Consolidated Plan and the grant application for the Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development under the authority of the Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended

34. Ordinance 2005-1001

ORDINANCE amending Ordinance No. 2003-0620, passed June 25, 2003, as subsequently amended, which approved and authorized the submission of the 2003 Consolidated Plan and the grant application for the Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development under the authority of the Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2005-1002

ORDINANCE approving and authorizing contract between the City of Houston and **JPMORGAN CHASE BANK, N.A.**, for Securities Safekeeping Services

36. Ordinance 2005-1003

ORDINANCE amending Ordinance No. 2005-278 to establish a maximum contract amount for contract between the City of Houston and **FRIED, FRANK, HARRIS, SHRIVER & JACOBSON** to lead a project to review the operations and procedures in the Crime Laboratory

37. Ordinance 2005-1004

ORDINANCE approving and authorizing contract between the City of Houston and **GODWIN GRUBER, LLP**, for Legal Services in connection with City of Houston v. Robert Jackson in the Supreme Court of Texas - \$50,000.00 - Property and Casualty Fund

38. Ordinance 2005-1005

ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of four (4) Independent School Districts [**ALIEF ISD, CLEAR CREEK ISD, HOUSTON ISD** and **SPRING BRANCH ISD**] and with each of seven (7) Non-profit Organizations [**ALIEF MONTESSORI COMMUNITY SCHOOL, CHANCELLORS FAMILY CENTER, CHINESE COMMUNITY CENTER, JULIA C. HESTER HOUSE, INC, LIFE-STYLES RECREATIONAL CENTER, YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA, AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON**] to administer an After School Achievement Program ("ASAP") - \$1,615,000.00 - General and Grant Funds

39. Ordinance 2005-0983

ORDINANCE approving and authorizing amendment No. 2 to Bulk Aviation Fuel Storage Facility Lease between the City of Houston and **SOUTHWEST AIRLINES CO.** at William P. Hobby Airport - **DISTRICT I - ALVARADO**

40. Council Member Quan tagged

ORDINANCE appropriating \$2,000,000.00 out of Airport System Consolidated 2001 AMT Construction Fund and approving and authorizing Amendment No. 1 to construction Contract 54607 by and between the City of Houston and **CADDELL CONSTRUCTION CO., INC** for Terminal C Interior/Utility Upgrade at George Bush Intercontinental Airport/Houston (Project 490D, CIP A-0322 and A-0422 - **DISTRICT B - GALLOWAY**)

41. Ordinance 2005-1006

ORDINANCE appropriating \$79,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to Professional Architectural Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Renovation and Addition of Cullen Maintenance Facility, GFS R-0534-01-2 - **DISTRICT D - EDWARDS**

42. Ordinance 2005-0984

ORDINANCE appropriating \$113,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing construction management and inspection services contract between the City of Houston and **JVG INDUSTRIES, LLC** for the Rehabilitation of Two Water Storage Tanks located at the Southwest and Jersey Village Pumping Stations, GFS S-0600-B1-3 (WA10814-01) - **DISTRICTS A - LAWRENCE and C - GOLDBERG**

RESOLUTIONS AND ORDINANCES - continued

43. Ordinance 2005-0985

ORDINANCE appropriating \$1,398,873.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 366** for the Sale of the Water Distribution System within Harris County Municipal Utility District No. 366, CIP S-801-Q1-03 **DISTRICT A - LAWRENCE**

44. Ordinance 2005-0986

ORDINANCE appropriating \$28,721.32 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of the City's Water and Sanitary Sewer Lines in Metro Downtown/Midtown Transit Street Program, GFS R-0537-10-3 (SB9037-04) under construction contract with the **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274) - **DISTRICT I - ALVARADO**

45. Ordinance 2005-0987

ORDINANCE awarding construction contract to **PACE SERVICES, L.P.** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Two of the San Pablo Subdivision; approving and authorizing assignment of construction contract to **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.**, CIP S-0800-A1-03 & R-0800-A1-03 (DPC-048) **DISTRICT D - EDWARDS**

46. Ordinance 2005-0988

ORDINANCE awarding construction contract to **ABYSS CONSTRUCTION, LLC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Eight, Phase B of the Greenpark Subdivision; approving and authorizing assignment of construction contract to **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.**, CIP S-0800-E7-3 & R-0800-E7-3 (DPC-077) **DISTRICT D - EDWARDS**

47. Ordinance 2005-0989

ORDINANCE awarding construction contract to **B & D CONSTRUCTION CO., INC** for construction of Water, Wastewater and Drainage Facilities serving Section Three of the West Orem Place Subdivision; approving and authorizing assignment of construction contract to **S.S.M., L.P.**, CIP S-0800-F1-03 & R-0800-F1-03 (DPC-082) - **DISTRICT D - EDWARDS**

48. Ordinance 2005-0990

ORDINANCE awarding construction contract to **PACE SERVICES, L.P.** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section One of the Pierce Junction Village Subdivision; approving and authorizing assignment of construction contract to **CANNATA CONSTRUCTION**, CIP S-0800-F4-3 & R-0800-F4-3 (DPC-080) - **DISTRICT D - EDWARDS**

49. Ordinance 2005-0991

ORDINANCE awarding construction contract to **CROSTEX CONSTRUCTION, INC** for construction of Water, Sanitary Sewer and Drainage Systems to serve the Kingspoint Gardens Subdivision; approving and authorizing assignment of contract to **ACCESS-ALL-SERVICES, LLC**, CIP S-0800-F2-3 & R-0800-F2-3 (DPC-081) - **DISTRICT E - WISEMAN**

50. Ordinance 2005-0958 – Passed second and final reading

ORDINANCE No. 2005-958 passed first reading August 17, 2005

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Impact Fees for Water and Wastewater Facilities - **SECOND AND FINAL READING**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 51 through 58

Motion 2005-0810 – Suspend rules to consider Item 51 out of order

51. Motion 2005-0811 – 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 - POSTPONED BY MOTION #2005-758, 8/10/05

This was Item 36 on Agenda of August 10, 2005

52. Ordinance 2005-1007

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 #2005-782, 8/10/05

This was Item 42 on Agenda of August 10, 2005

53. Motion 2005-0824 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of FY2006 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** \$20,345,353.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBERS QUAN and SEKULA-GIBBS

This was Item 4 on Agenda of August 17, 2005

54. Council Member Wiseman tagged

ORDINANCE approving and authorizing Real Estate Marketing Agreement with **CUSHMAN & WAKEFIELD OF TEXAS, INC** in connection with the Fannin Parking Garage (1112 Clay Avenue, Block 316 S.S.B.B.) - **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBER GREEN**

This was Item 15 on Agenda of August 17, 2005

55. Ordinance 2005-1008

ORDINANCE approving and authorizing contract between the City and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)** for the City's Air Pollution Control Program - \$776,854.00 - Grant Fund - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

This was Item 16 on Agenda of August 17, 2005

56. Ordinance 2005-1009

ORDINANCE allocating additional funds to contract between the City and **MAXIMUS, INC** for the Integrated Case Management System (ICMS) for Municipal Courts; providing a maximum contract amount - Total additional funding - \$6,516,686.00 - Municipal Courts Technology and Other Funds - **TAGGED BY COUNCIL MEMBERS KHAN, HOLM and GOLDBERG**

This was Item 18 on Agenda of August 17, 2005

MATTERS HELD - continued

57. Ordinance 2005-1010

ORDINANCE awarding contract to **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning and Janitorial Services for Various Departments; providing a maximum contract amount - 1 Year with four one-year options - \$18,836,112.50 - General, Enterprise and Other Funds

TAGGED BY COUNCIL MEMBER QUAN

This was Item 21 on Agenda of August 17, 2005

Motion 2005-0825 – Suspend rules to remain in session beyond the scheduled noon recess

58. Motion 2005-0826 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **HACH COMPANY** for Chemicals, Water Testing for the Department of Public Works & Engineering - \$441,823.00 Enterprise Fund - **POSTPONED BY MOTION #2005-800, 8/17/05**

This was Item 29 on Agenda of August 17, 2005

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Edwards 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

8/23/2005 – Council Member Galloway out of the City on City business

8/24/2005 – Council Member Galloway out of the City on City business