

-AGENDA - COUNCIL MEETING - WEDNESDAY - SEPTEMBER 7, 2005 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0856 to 2005-0883
ORDINANCES – 2005-1024 to 2005-1047
RESOLUTION – None

2005-0855-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Goldberg

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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 2005-0856 – Procedural motion

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 48

MISCELLANEOUS - NUMBERS 1 through 4

1. Motion 2005-0861

REQUEST from Mayor for confirmation of the appointment of the following to the **BOARD OF PUBLIC TRUSTS** for terms to expire March 22, 2007:

Position 1 - **MS. ANDREA CHILTON GREER**

Position 7 - **MS. THEOLA PETTEWAY**

Position 9 - **MS. HARRIET FOSTER**

2. Motion 2005-0862

REQUEST from Mayor for confirmation of the appointments or reappointments of the following to the **HOUSTON COMMISSION ON DISABILITIES**:

Position One - **MR. JACK H. EMMOTT III**, appointment, for a term to expire 7/26/2007

Position Three - **MS. MICHELLE LYNN COLVARD**, reappointment, and as Chair,
for a term to expire 7/26/2007

Position Five - **DR. CHARLES E. BRADLEY**, appointment, for a term to expire 7/26/2007

Position Seven - **MR. STEVEN R. HUNTER**, appointment, for a term to expire 7/26/2007

Position Nine - **MR. JASON RANDALL BRUMLEY**, appointment, for a term to expire
7/26/2007

Position Eleven - **MR. JUAN A. RODRIGUEZ**, reappointment, for a term to expire 7/26/2007

Alternate Position One - **MS. CHERYL AMORUSO**, appointment, for a term to expire
7/26/2007

Alternate Position Two - **MS. EVE CUGINI**, appointment, for an unexpired term to end
7/26/2006

Alternate Position Three - **MR. RAUL TELLO**, appointment, for a term to expire 7/26/2007

MISCELLANEOUS - continued

3. Motion 2005-0863

RECOMMENDATION from Director Building Services Department for approval of computer image for dedication plaque for Melrose Park, GFS F-504A-02-3 - **DISTRICT B - GALLOWAY**

4. Motion 2005-0870

RECOMMENDATION from the Chief of Police authorizing, but not requiring, the Police Chief to give 30 days written notice of termination of second amended and restated Major Freeway Tow Agreements

ACCEPT WORK - NUMBERS 5 through 9

5. Motion 2005-0871

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$831,761.99 and acceptance of work on contract awarded to **CYRUS DIVERSIFIED, INC dba BONTERRE CONSTRUCTION CO.** by payment to the contractors Surety, **CAPITAL INDEMNITY CORPORATION** for City of Houston's National Pollution Discharge Elimination System - Storm Water Pollution Minimization Plan - 8002 Airline, GFS M-0126-48-3 (SM-5020) - 24.17% over the original contract amount - **DISTRICT B - GALLOWAY**

6. Ordinance 2005-1040

ORDINANCE appropriating \$31,421.90 out of Street & Bridge Consolidated Construction Fund as additional funding for contract with **SOUTH COAST CONSTRUCTION, INC** for Westpark Drive Bridge over HCFCD Unit D129-00-00, GFS N-0557-01-3, (approved by Ordinance No. 02-125) **DISTRICT G - HOLM**

a. Motion 2005-0872

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$40,324.10, and final contract amount of \$815,265.01 and acceptance of work on contract with **SOUTH COAST CONSTRUCTION, INC** for Westpark Drive Bridge over HCFCD Unit D129-00-00, GFS N-0557-01-3 (N-0557-01) - **DISTRICT G - HOLM**

7. Motion 2005-0873

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,827,201.98 and acceptance of work on contract with **TOTAL SITE, INC formerly known as RAY SMITH CONSTRUCTION, INC** for West Orem Drive Paving from SH 288 to proposed Kirby Drive including Waterlines and Drainage, GFS N-0602-02-3 (SB9106) 03.79% under the original contract amount - **DISTRICT D - EDWARDS**

8. Motion 2005-0874

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$222,019.31 and acceptance of work on contract with **CURB PLANET, INC** for Safe Sidewalk Program, GFS N-0610A-G3-3 (SB9029-3) - 24.68% under the original contract amount - **DISTRICTS C - GOLDBERG; D - EDWARDS; G - HOLM and F - KHAN**

ACCEPT WORK - continued

9. Motion 2005-0864

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$647,996.47 and acceptance of work on contract with **ENVIRONMENTAL ENGINEERS AND CONSTRUCTORS II, LTD.**, for Walden Place, Longwoods and Heather Ridge Lift Stations; GFS R-0267-61-3 (4765-10) - 03.05% over the original contract amount - **DISTRICTS B - GALLOWAY and G - HOLM**

PROPERTY - NUMBERS 10 through 12

10. Motion 2005-0875

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Daniel Dobrowski and Shirley Myers Dobrowski, for abandonment and sale of an alley, from East 4th Street to the Interstate Highway 10 service road, in exchange for the conveyance to the City of a full-width utility easement, located within Block 311, Houston Heights, Parcels SY5-073, SY6-003, SY6-004, VY6-003, VY6-004 and VY6-005 - **STAFF APPRAISERS - DISTRICT H - GARCIA**

11. Motion 2005-0865

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceeding styled City of Houston v. Bernadette H. Rosemon, et al., Cause No. 836,707; for acquisition of Parcels AY4-022 and CY4-012, for the **MYRTLE LIFT STATION PROJECT**; CIP/GFS R-0267-60-3 - \$39,227.50 - **DISTRICT H - GARCIA**

12. Motion 2005-0866

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceeding styled City of Houston v. Tuffli Company, Inc, et al., Cause No. 838,859; for acquisition of Parcels AY4-019, AY4-020, AY4-021, AY4-023 and CY4-013, for the **MYRTLE LIFT STATION PROJECT**; CIP/GFS R-0267-60-3 \$101,678.00 - **DISTRICT H - GARCIA**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 19

13. Motion 2005-0867

MUNICIPAL EMERGENCY SERVICES, INC - \$373,000.00 and **DOOLEY TACKABERRY, INC** \$55,500.00 for Fire Fighting Equipment for Fire Department - General Fund

14. Motion 2005-0876

PHILPOTT MOTORS, LTD. for Automobiles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) for Police Department - \$125,680.00 Equipment Acquisition Consolidated Fund

15. Motion 2005-0877

SEQUEL DATA SYSTEMS, INC, a Hewlett Packard authorized reseller, for Three MDT Host Server Systems for Police Department through the City's Master Agreement with the Texas Department of Information Resources for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code - \$396,093.02 - Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

16. Motion 2005-0868

AMEND MOTION #2002-1056, 9/11/02, TO EXTEND expiration date from September 16, 2005 to September 15, 2006, for the Chemical, Hydrated Lime Slurry and Fine Quicklime Contract for Department of Public Works & Engineering, awarded to **CHEMICAL LIME, LTD.**

17. Council Member Quan tagged

CRANE WORKS, INC for Rental of Two Crane Trucks for Department of Public Works & Engineering - \$180,000.00 - Enterprise Fund

18. Motion 2005-0869

C. F. MCDONALD ELECTRIC, INC for Replacement of Two Power Distribution Units for Department of Public Works & Engineering - \$45,537.45 - Enterprise Fund

Motion 2005-0878 – Postpone Item 19 to the end of the Agenda – Council Members Wiseman, Lawrence and Khan tagged

Motion 2005-0882 – Divide the question on Item 19

19. Motion 2005-0883 – All awarded except for Cardinal Health, Inc

AMBU, INC - \$344,100.00, ~~**CARDINAL HEALTH, INC**~~ - ~~\$9,326,636.12~~, **CARDIOVASCULAR CONCEPTS, INC d/b/a CVC, INC** - \$297,000.00, **CRITICAL CARE PRODUCTS** - \$32,500.00, **DIVERSIFIED MEDICAL SERVICES INTERNATIONAL, INC (Bid No. 1)** - \$427,950.00, **FERNO WASHINGTON, INC (Bid No. 1)** - \$337,125.00, **FERNO WASHINGTON, INC (Bid No. 2)** - \$45,600.00, **ORTHO CLINICAL DIAGNOSTICS, INC** - \$101,640.00 and **STRYKER CORPORATION** - \$706,750.00 for Medical, First Aid and Emergency (Just-In-Time) and Family Planning (340B Program) Supplies for Various Departments - \$11,619,301.12 - General and Grant Funds

ORDINANCES - NUMBERS 20 through 48

Motion 2005-0857 – Suspend rules to consider Items 21, 21a, 21b, 47, 48, 49, 51 and 52 out of order

20. Council Member Holm tagged

ORDINANCE AMENDING SECTION 2-28 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS, relating to Emergency Reassignment of certain employees under extraordinary or catastrophic circumstances

21. Council Members Galloway, Green and Garcia tagged

ORDINANCE enlarging the boundaries of Reinvestment Zone Number Three, City of Houston, Texas, (Main Street/Market Square TIRZ) - **DISTRICT I - ALVARADO**

a. Council Members Galloway, Green and Garcia tagged

ORDINANCE approving a third amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square TIRZ); authorizing the City Secretary to distribute such plans; determining the portion of tax increment the city will pay from the area annexed into the zone - **DISTRICT I - ALVARADO**

ORDINANCES - continued

b. **Council Members Galloway, Green and Garcia tagged**

ORDINANCE approving an Economic Development Program for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square TIRZ) - **DISTRICT I - ALVARADO**

22. Ordinance 2005-1024

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide alley from Shepherd Drive to Parker Street, containing 4,500 square feet of land, more or less, out of Block 54, Brunner Addition, a subdivision plat of record in Volume 42, Page 26 of the Map Records of Harris County, Texas; vacating and abandoning said tract of land to Washington Square Shopping Center, L.P., the owner in fee, in consideration of said owner's payment of \$112,500.00 and other consideration to the City; Parcel SY5-034 - **DISTRICT H - GARCIA**

23. Ordinance 2005-1025

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of seven waterline easements containing an aggregate of 7,730 square feet of land, more or less, Parcels SY3-034A, SY3-034B, SY3-034C, SY3-034D, SY3-034E, SY3-034F and SY3-034G, an electric and telephone easement containing 5,870 square feet of land, more or less, and a waterline, gas and sanitary sewer easement containing 8,197 square feet of land, more or less, Parcels SY3-034H and SY3-034I, all easements being located in the George Bellows Survey, Abstract Number 3, Houston, Harris County, Texas, vacating and abandoning Parcels SY3-034A, SY3-034B, SY3-034C, SY3-034D, SY3-034E, SY3-034F and SY3-034G, SY3-034H and SY3-034I to Memorial City Mall, LP, abutting owner, in consideration of the owner's dedication of a 20-foot-wide waterline easement and two fire hydrant easements and payment of \$38,664.00 and other consideration to the City - **DISTRICT G - HOLM**

24. Ordinance 2005-1026

ORDINANCE approving and authorizing consent to encroach, allowing existing improvements owned by Caps Leeland Enterprises, Ltd., successor in title to, Capsimalis Enterprises, Ltd., the abutting owner, to encroach 3.2-feet, more or less, into Caroline Street, adjoining the property located at 1301 Leeland Street, adjacent to Lots 6 and 7, Block 331, S.S.B.B., Harris County, Texas; Parcel ENY5-02; subject to the terms and conditions of the consent to encroach **DISTRICT I - ALVARADO**

25. Ordinance 2005-1027

ORDINANCE consenting to the addition of 2.169 acres of land to **CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

26. Ordinance 2005-1028

ORDINANCE consenting to the addition of 36.7906 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25**, for inclusion in its district

27. Ordinance 2005-1029

ORDINANCE consenting to the addition of 4.3354 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35**, for inclusion in its district

28. Council Member Galloway tagged

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 461**

ORDINANCES - continued

29. Council Member Galloway tagged

ORDINANCE consenting to the addition of 65.4274 acres of land to **PINE VILLAGE PUBLIC UTILITY DISTRICT**, for inclusion in its district

30. Ordinance 2005-1030

ORDINANCE approving and authorizing lease agreement between the City of Houston and **FLETCHER AVIATION, INC** for Certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO**

31. Ordinance 2005-1031

ORDINANCE approving and authorizing Lease No. DTFASW-03-L-02030 between the City of Houston and **THE UNITED STATES OF AMERICA** for Aircraft Navigational Aids for Runways 8R and 26L at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

32. Ordinance 2005-1032

ORDINANCE approving and authorizing supplemental agreement No. 1 to Lease No. DTFA07-02-L-05883 between the City of Houston and **THE UNITED STATES OF AMERICA** for the Remote Transmitter/Receiver (RTR) Site at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY**

33. Council Member Galloway tagged

ORDINANCE repealing Ordinance No. 2004-0885 and appropriating \$509,338.00 out of the TIRZ Affordable Housing Fund (Fund 872) and approving and authorizing grant agreement between the City and **NEW VISION COMMUNITY DEVELOPMENT** to finance a portion of the costs to acquire land upon which will be constructed a seventy-one unit Elderly Housing Complex located at 1580 Greensmark Drive - **DISTRICT B - GALLOWAY**

34. Ordinance 2005-1041

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Speed Selective Traffic Enforcement Program (SPEED STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's representative in all matters pertaining to the program

35. Ordinance 2005-1042

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and **THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Holiday Driving While Intoxicated Selective Traffic Enforcement Program (DWI STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's representative in all matters pertaining to the program

36. Ordinance 2005-1043

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Occupant Protection Selective Traffic Enforcement Program (OP STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's representative in all matters pertaining to the program

ORDINANCES - continued

37. Ordinance 2005-1044

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Intersection Traffic Control Selective Traffic Enforcement Program (ITC STEP); authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

38. Ordinance 2005-1045

ORDINANCE approving and authorizing Texas Traffic Safety Program Grant Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Safe Trucks Driven Safely Selective Traffic Enforcement Program (STDS STEP) authorizing the Chief of the Police Department, or any designated Assistant Chief, to accept such grant funds and to act as the City's Representative in all matters pertaining to the program

39. Ordinance 2005-1033

ORDINANCE approving and authorizing an interlocal agreement among the City of Houston and **HARRIS COUNTY** and the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Development of Stormwater Detention and Recreational Facilities at Keith-Weiss Park, GFS F-504A-06-3 **DISTRICT B - GALLOWAY**

40. Ordinance 2005-1034

ORDINANCE approving and authorizing second amendment to Waste Disposal Contract between and among the City of Houston, **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119**, assignee for part of the Waste Disposal Contract

41. Ordinance 2005-1035

ORDINANCE approving and authorizing an agreement between the City of Houston and the **FORT BEND COUNTY FIRE FIGHTERS ASSOCIATION** for Fire Training for Houston Fire Department Cadets - \$66,060.00 - General Fund

42. Ordinance 2005-1036

ORDINANCE approving and authorizing amendment to sponsorship agreement approved by Ordinance No. 98-918 with **STONEHENGE III ASSOCIATION, INC** for Solid Waste Collection Services - 11 Months - \$132.00 - General Fund - **DISTRICT G - HOLM**

Motion 2005-0879 – Postpone Item 43 to the end of the Agenda

43. Ordinance 2005-1047

ORDINANCE appropriating \$2,245,000.00 out of Street & Bridge Consolidated Construction Fund (Number N-0663-RE-1), and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for appraisal fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees, for and in connection with, and finding a public necessity for, the Capital Improvement Projects identified in the body of this ordinance

ORDINANCES - continued

44. Ordinance 2005-1037

ORDINANCE appropriating \$1,724,000.00 out of Airport System Subordinate Lien Revenue Bonds, Series 2000B (NON-AMT) Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **DMJM AVIATION, INC** for Engineering Services in connection with Rehabilitation of Runway 12R-30L at William P. Hobby Airport (Project No. 619), CIP A-0438 - **DISTRICT I - ALVARADO**

45. Ordinance 2005-1038

ORDINANCE approving and authorizing Amendment No. 1 to the agreement between the City Of Houston and **JOHNSON CONTROLS, INC**, formerly **JOHNSON CONTROLS WORLD SERVICES, INC**, for Inter-Terminal Train System (ITT) Operations and Maintenance Services at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

46. Ordinance 2005-1039

ORDINANCE deappropriating \$34,875.00 from the Public Library Consolidated Construction Fund (GFS E-0143-01-5 from Contract No. 54941 with **GREYHAWK NORTH AMERICA L.L.C.**); appropriating \$89,592.00 out of Public Library Construction Fund (GFS E-0022-01-2 Contract No. 53175) for the existing contract with **RAY BAILEY ARCHITECTS, INC** to perform additional Professional Architectural Services at Stella Link Branch Library - **DISTRICT C - GOLDBERG**

47. Council Members Edwards, Galloway and Lawrence tagged

ORDINANCE approving and authorizing an amendment to the Advanced Funding Agreement (approved by Ordinance No. 97-1042, Contract No. 38250) between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Columbia Tap Rails to Trails, GFS N-0420-22-2 (SB9155-01) - **DISTRICTS D - EDWARDS and I - ALVARADO**

48. Council Members Edwards, Galloway and Green tagged

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) - \$3,900,553.00 Bond Funds - **DISTRICT D - EDWARDS and I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 49 and 50

PROPERTY

49. Council Members Galloway, Green and Edwards tagged

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 D - EDWARDS**

PROPERTY - continued

50. Motion 2005-0880

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Victor Zambrano, on behalf of MDM Realty L.L.C. (Marshall Mansour, general partner), for abandonment and sale of Pawnee Street, from Alameda Road east to its terminus at the railroad tracks; a 14-foot-wide alley, from Pawnee Street to Lydia Avenue; and a 14-foot-wide alley, from the railroad tracks west to its terminus, in exchange for the conveyance to the City of a 14-foot-wide and a 10-foot-wide utility easement, all located within Institute Place Addition, Parcels SY5-074A, SY5-074B, SY6-005, SY6-006, VY6-001, VY6-002 and VY6-006 – **(John Chambless and George Coleman, Jr. appointed – Sheila Stewart, Alternate) - APPRAISERS - DISTRICT D - EDWARDS**

MATTERS HELD - NUMBERS 51 through 54

51. Motion 2005-0858 – Postpone one (1) week

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 #2005-811, 8/24/05**

This was Item 51 on Agenda of August 24, 2005

52. Motion 2005-0859 – Postpone one (1) week

RECOMMENDATION from Director Finance & Administration that City Council approve a motion granting a variance to 3520 Old Spanish Trail from the 1,000-foot distance requirement of Section 3-2(e) of the Code of Ordinances relating to the sale of alcoholic beverages, under the condition that such location's alcoholic beverage permits remain in good standing with the Texas Alcoholic Beverage Commission and that the premises will not be open for business during the hours that school is in session at Thompson Elementary School

TAGGED BY COUNCIL MEMBER LAWRENCE

This was Item 4 on Agenda of August 31, 2005

Motion 2005-0860 – Suspend rules to hear Mr. Aaron Gray relative to Item 52

53. Motion 2005-0881

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Trish Ricklefsen, on behalf of Label Imaging Technology, Inc., (William Hossley, Jr., president), declining the acceptance of, rejecting, and refusing the dedication of Washington Avenue and Trinity Avenue, from Brinkman Street to Live Oak Street, located within the Live Oak Addition, Parcels SY6-015A and SY6-015B **DISTRICT A - LAWRENCE** - **TAGGED BY COUNCIL MEMBER LAWRENCE**

This was Item 13 on Agenda of August 31, 2005

MATTERS HELD - continued

54. Ordinance 2005-1046

ORDINANCE appropriating \$1,188,200.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in the Alameda Manor Subdivision, GFS S-0035-B3-3 (WA10776); 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 29 on Agenda of August 31, 2005

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Garcia 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

**9/7/2005 – Mayor White absent on City business
Mayor Pro Tem Alvarado presiding**