

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 13, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0885 to 2005-0921
ORDINANCES – 2005-1048 to 2005-1079
RESOLUTION – None

2005-0884-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Wiseman

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

MATTER HELD

1. Motion 2005-0885 – Refer back to the Administration

ORDINANCE approving and authorizing one or more contracts to provide for the disbursement of per diem payments to shelter-providers for a specific period of time, subject to certain limitations; making findings and provisions related to the subject; and declaring an emergency - Not to exceed \$500,000 - Hurricane Katrina Aid and Recovery Fund

POSTPONED BY MOTION #2005-884, 9/8/05

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 2005-0886 to 2005-0891 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - SEPTEMBER 14, 2005 - 9:00 A. M.

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

MAYOR'S REPORT - Project Houston Hope - Land Assemblage - **Presented**

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBERS 2 and 3

2. Motion 2005-0905

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.32 per square foot for properties connecting to the 8-inch sanitary sewer lines constructed by **MR. RALPH R. KELLER III** located along Acorn Lane **DISTRICT E - WISEMAN**

3. Council Member Holm tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of additional allocation of \$33,000.00 to existing contract awarded to **HOWELL MIMS ASSOCIATES, L.L.C.** to provide project management and oversight of the Comprehensive Process Management System - Building Inspection Fund

ACCEPT WORK - NUMBERS 4 and 5

4. Motion 2005-0906

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$667,873.37 and acceptance of work on contract with **TRIMBLE & STEPHENS CONSTRUCTION SERVICES, INC d/b/a STEPHENS CONSTRUCTION SERVICES** for Parks Master Plan - Bid Package 8 River Oaks Park, Tanglewood Park and Waldemar Park, GFS F-504C-20-3, F-504C-15-3 and F-504C-21-3 - 04.68% over the original contract amount **DISTRICT G - HOLM**

5. Motion 2005-0913

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,877,174.78 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Neighborhood Street Reconstruction Project No. 439 (NSR 439), GFS N-0372-01-3 (SB9000) - 01.80% under the original contract amount - **DISTRICT E - WISEMAN**

PROPERTY - NUMBERS 6 through 8

6. Motion 2005-0907

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert V. Johnson, for abandonment and sale of a portion of a 15-foot-wide alley, from Sandman Street ±50 feet west, in exchange for the conveyance to the City of a full-width sanitary sewer easement, located in Block 107, Brunner Addition, Parcels SY6-012, SY6-017, DY6-007 and DY6-008, **STAFF APPRAISERS - DISTRICT H - GARCIA**

7. Motion 2005-0908

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Randy Meador and Samantha Meador, declining the acceptance of, rejecting, and refusing the dedication of a portion of Beverly Street, from East 7th Street ±125 feet north, located within the Studes Second Addition, Parcel SY6-016 - **DISTRICT H - GARCIA**

8. Motion 2005-0909

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY3-010, owned by Royal B. Long and Brian Long, for the **ALMEDA SIMS WASTEWATER TREATMENT PLANT EXPANSION AND BUFFER ZONE PROJECT**, CIP R-0298-01-2 - \$1,470,782.00 - Enterprise Fund - **DISTRICT D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 14

9. **Motion 2005-0910**
EMERGENCY VEHICLES OF TEXAS for Aircraft Rescue and Fire Fighting Vehicles for the Houston Airport System - \$3,557,420.00 - Enterprise Fund
10. **Motion 2005-0911**
AMEND MOTION #2005-333, 4/13/05, TO PURCHASE two additional Lighted Runway Closure Markers for Houston Airport System, awarded to **FLIGHT LIGHT, INC** - \$33,600.00 - Enterprise Fund
11. **Ordinance 2005-1059**
ORDINANCE appropriating \$48,414.00 out of General Improvement Consolidated Construction Fund for Emergency Mold Remediation Services at the Fifth Ward Multi-Service Center for the Building Services Department - **DISTRICT H - GARCIA**
- a. **Motion 2005-0914**
HAZARD ASSESSMENT LEADERS, INC d/b/a HAL, INC for Mold Remediation Services at the Fifth Ward Multi-Service Center for the Building Services Department - **DISTRICT H - GARCIA**
12. **Motion 2005-0915**
TYLER MOTOR COMPANY, INC d/b/a HALL BUICK PONTIAC GMC - \$7,189,805.30 and **MARTIN APPARATUS, INC** - \$1,715,301.60 for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department Fire Consolidated Construction Fund and Equipment Acquisition Consolidated Fund
13. **Ordinance 2005-1074**
ORDINANCE approving and authorizing an interlocal agreement between the City of Houston, and the **CITIES OF BELLAIRE** and **WEST UNIVERSITY PLACE** to establish the West Loop Quiet Zone along the Union Pacific Rail Line - **DISTRICTS C - GOLDBERG and G - HOLM**
- a. **Motion 2005-0916**
JERDON ENTERPRISE, L.P. for Railroad Crossing Quiet Zone Safety Improvements for Department of Public Works & Engineering - \$180,180.00 and contingencies for a total amount not to exceed \$189,189.00 - General Fund
14. **Motion 2005-0912**
TOTER INCORPORATED for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Solid Waste Management Department - \$397,212.80 - Equipment Acquisition Consolidated Fund

ORDINANCES - NUMBERS 15 through 34

15. **Ordinance 2005-1060**
ORDINANCE **AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the filing of Financial Disclosure Statements; containing other provisions relating to the foregoing subject; providing for severability; providing an effective date
16. **Ordinance 2005-1061**
ORDINANCE amending Ordinance No. 85-842 relating to approval of Solid Waste Sponsorship Agreements

ORDINANCES - continued

17. Ordinance 2005-1062

ORDINANCE authorizing publication of notice of intention to issue City of Houston, Texas Certificates of Obligation, Series 2005D, in a principal amount not to exceed \$60,000,000 for the purchase of materials, supplies, equipment, machinery, buildings, and land for authorized needs and purposes and for payment of contractual obligations for professional services in connection therewith; approving or declaring other matters incidental to the issuance and sale of such certificates; making various findings and provisions related thereto; and declaring an emergency

18. Council Member Goldberg tagged

ORDINANCE approving and authorizing the sale to **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**, of an aerial easement above a tract of land containing 634 square feet, more or less, being out of a tract of land containing 1.0148 acres, more or less, located at 201 McKee Street, South Side Buffalo Bayou, John Austin Two League Grant, Abstract 1, Harris County, Texas; Parcel SY5-015; in consideration of its payment of \$15,850.00, and other consideration to the City - **DISTRICT H - GARCIA**

19. Ordinance 2005-1055

ORDINANCE making certain findings and approving the permanent use by the Harris County Flood Control District of 1.2743 acres of land out of Mason Park and 2.7278 acres of land out of Gus Wortham Park and Golf Course for Flood Control and Drainage purposes consisting of Channel improvements to widen and/or deepen Brays Bayou; said findings made after a public hearing held at 9:00 a.m. on Wednesday, August 24, 2005, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code; and making other findings and stating other matters generally relating thereto **DISTRICT I - ALVARADO**

Motion 2005-0892 – Suspend rules to consider Item 20 out of order

Motion 2005-0897 – Postpone Item 20 prior to Matters Held

20. Ordinance 2005-1073

ORDINANCE appropriating \$800,000.00 out of Low Income Housing Fund (Fund 872) and approving and authorizing second amendment to Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority (“LARA”) to (1) increase funding; (2) authorize LARA to make direct purchases of vacant, non-homestead properties adjacent to or located near tax-delinquent properties which the City has designated for Affordable Housing Development; and (3) authorizing LARA to amend its corporate documents as may be necessary or appropriate

21. Ordinance 2005-1063

ORDINANCE approving and authorizing the submission of the budgets for Bureau of Nutritional Services, Women and Children (WIC), Tuberculosis, Title V-Part A, Associateship for Family Health Services, and the Immunization Program for the 2005-2006 contracts with the Department of State Health Services (TDH Contract No. 7460011640-06); authorizing the Director of the Health & Human Services Department to accept the initial funding and applicable contract change notices and expend approved funding; to accept any supplemental change notices during the grant period; declaring the city’s eligibility for such grants; authorizing the use of interim funding from the General Fund, not to exceed 15% of the requested level of funding for the WIC Program, and declaring intent to reimburse the General Fund from proceeds received from the Department of State Health Services for the WIC Program; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any

ORDINANCES - continued

22. Ordinance 2005-1064

ORDINANCE appropriating \$4,559,810.00 out of Equipment Acquisition Consolidated Fund and authorizing the issuance of a purchase order to **DYONYX, L.P.** through the City's Master Agreement with Texas Procurement Center, L.L.C., for Phase Two of the City's Network Implementation Project

23. Ordinance 2005-1065

ORDINANCE amending Ordinance No. 97-543, which authorized contract between the City and **ZUMMO & MIDKIFF, L.L.P. (Formerly ZUMMO & SCHIRRMEISTER)** for Legal Services relating to the defense of the City's Sexually Oriented Businesses Ordinances - \$125,000.00 - Property and Casualty Fund

24. Ordinance 2005-1066

ORDINANCE approving and authorizing contract between the City of Houston and **HOWREY LLP** for Legal Services - \$150,000.00 - Property and Casualty Fund

Motion 2005-0903 – Suspend rules to consider Items 25 and 41 out of order

25. Ordinance 2005-1054

ORDINANCE appropriating \$146,318.84 out of TIRZ Affordable Housing Fund (Fund 872) and approving and authorizing Settlement Agreement with **LARUS BUILDERS, INC** in connection with Design and Construction of certain public improvements in support of the provision of affordable housing

26. Ordinance 2005-1067

ORDINANCE approving and authorizing lease agreements between the City of Houston and the **UNITED STATES DEPARTMENT of HOMELAND SECURITY - CUSTOMS AND BORDER PROTECTION, THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES - FOOD AND DRUG ADMINISTRATION** and the **UNITED STATES DEPARTMENT OF THE INTERIOR - U. S. FISH AND WILDLIFE SERVICE** for certain space at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

27. Ordinance 2005-1068

ORDINANCE approving and authorizing lease agreement between the City of Houston and **NORTH AMERICAN CONTROLS CORP.** at Ellington Field - **DISTRICT E - WISEMAN**

28. Ordinance 2005-1069

ORDINANCE approving and authorizing the execution of a transfer agreement and lease agreement DTFASW-05-L-00093 for Runway 22 Medium Approach Lighting System Runway Alignment Indicator Light Site at Ellington Field between the City of Houston and the **UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION** - **DISTRICT E - WISEMAN**

29. Ordinance 2005-1070

ORDINANCE approving and authorizing lease agreement between the City of Houston and **ASTRO TECHNOLOGY INCORPORATED** at Ellington Field - **DISTRICT E - WISEMAN**

30. Ordinance 2005-1056

ORDINANCE approving and authorizing lease agreement between the City of Houston and **UNITED STATES POSTAL SERVICE** at William P. Hobby Airport - **DISTRICT I - ALVARADO**

ORDINANCES - continued

31. Ordinance 2005-1071

ORDINANCE appropriating \$219,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **WASHINGTON GROUP INTERNATIONAL, INC** for Professional Engineering Services in connection with Landside Roadway Improvements at George Bush Intercontinental Airport/Houston, (Project No. 418); CIP A-0487 - **DISTRICT B - GALLOWAY**

32. Ordinance 2005-1057

ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to Professional Engineering Services Contract between the City of Houston and **TSC ENGINEERING COMPANY** for Engineering Services in connection with the new perimeter fence and obstruction removal at William P. Hobby Airport (Project No. 576), CIP A-0439 - **DISTRICT I - ALVARADO**

33. Ordinance 2005-1072

ORDINANCE appropriating \$995,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing second amendment to Professional Program Management Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC. (PGAL)** (Approved by Ordinance No. 01-0863, Contract No. 53122) for Street & Bridge Program Management, GFS N-0668-06-2 (SB9061)

34. Ordinance 2005-1058

ORDINANCE appropriating \$518,600.00 out of Parks Consolidated Construction Fund, awarding construction contract to **RESICOM, INC** for Construction of Gutierrez Park, GFS F-504C-19-3; 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; providing funding for engineering and testing service, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 35 through 35D

MATTERS RELATING TO THE HOUSTON PAVILIONS PROJECT

Motion 2005-0894 – Suspend rules to consider Items 35, 35a, 35b, 35c and 35d out of order

35. Ordinance 2005-1049

ORDINANCE enlarging the boundaries of Reinvestment Zone Number Three, City of Houston, Texas, (Main Street/Market Square TIRZ) - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA
This was Item 21 on Agenda of September 7, 2005

MATTERS RELATING TO THE HOUSTON PAVILIONS PROJECT - continued

Motion 2005-0898 – Amend Item 35a to substitute new pages 54 thru 57 in Exhibit “A”

a. Ordinance 2005-1050 – Adopt as amended

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**
TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA
This was Item 21A on Agenda of September 7, 2005

b. Ordinance 2005-1051

ORDINANCE approving an Economic Development Program for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square TIRZ) - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA
This was Item 21B on Agenda of September 7, 2005

c. Ordinance 2005-1052

ORDINANCE approving and authorizing first amendment to interlocal agreement between the City of Houston, **HARRIS COUNTY** and **REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET SQUARE TIRZ)** relating to the participation of Harris County in the Reinvestment Zone - **DISTRICT I - ALVARADO**

d. Motion 2005-0899

RECOMMENDATION from Director Planning & Development that City Council authorize permits for the following in connection with the construction of the Houston Pavilions Project: air rights, vault rights, and extension of canopies, balconies, and awnings beyond the property line and servicing the ground floor level of the project - **DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 36 through 47

36. Motion 2005-0917 – Adopted as amended except “G” as noted below

WRITTEN Motions presented by Council Member Wiseman to amend Item 36A below:
“By copy of this memorandum, I offer the following amendments to Agenda Item 35, on the August 10, 2005, in reference to the contract between the City of Houston and Houston Media Source.

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~~ Council Members 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~~ Council Members 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 executed 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:

MATTERS HELD – continued

Item 36 – continued

(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~~ 60 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~~ 90 days of execution of this agreement.

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. – Motion 2005-0918 – "FAILED"

and

"By copy of this memorandum, I offer the following amendments to Agenda Item 35, on the August 10, 2005, in reference to the contract between the City of Houston and Houston Media Source.

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."

POSTPONED BY MOTION #2005-773, 8/10/05

a. **Ordinance 2005-1075 – "FAILED"**

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

POSTPONED BY MOTION #2005-774, 8/10/05

This was Item 35 on Agenda of August 10, 2005

37. Motion 2005-0919

RECOMMENDATION from Finance & Administration to award to **CRANE WORKS, INC** for Rental of Two Crane Trucks for Department of Public Works & Engineering - \$180,000.00 Enterprise Fund - **TAGGED BY COUNCIL MEMBER QUAN**

This was Item 17 on Agenda of September 7, 2005

Motion 2005-0920 – Divide question in Item 38 to separate 340B Program purchases – Motion died for lack of second

38. Motion 2005-0921 – Adopt

RECOMMENDATION from Finance & Administration to award to **CARDINAL HEALTH, INC** for Medical, First Aid and Emergency (Just-In-Time) and Family Planning (340B Program) Supplies for Various Departments - \$9,326,636.12 - General and Grant Funds

TAGGED BY COUNCIL MEMBER WISEMAN

This was a portion of Item 19 on Agenda of September 7, 2005

MATTERS HELD – continued

39. Ordinance 2005-1076

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 - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 20 on Agenda of September 7, 2005

40. Ordinance 2005-1077

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 461 - TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 28 on Agenda of September 7, 2005

41. Motion 2005-0904 – Postpone two (2) weeks

ORDINANCE consenting to the addition of 65.4274 acres of land to **PINE VILLAGE PUBLIC UTILITY DISTRICT**, for inclusion in its district - **TAGGED BY COUNCIL MEMBER GALLOWAY**
This was Item 29 on Agenda of September 7, 2005

Motion 2005-0893 – Suspend rules to consider Item 42 out of order

42. Ordinance 2005-1048

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**
TAGGED BY COUNCIL MEMBER GALLOWAY
This was Item 33 on Agenda of September 7, 2005

43. Ordinance 2005-1078

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**
TAGGED BY COUNCIL MEMBERS EDWARDS, GALLOWAY, LAWRENCE and GREEN
This was Item 47 on Agenda of September 7, 2005

44. Ordinance 2005-1079

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** - **TAGGED BY COUNCIL MEMBERS EDWARDS, GALLOWAY and GREEN**
This was Item 48 on Agenda of September 7, 2005

Motion 2005-0895 – Suspend rules to consider Items 45, 46 and 47 out of order

45. Motion 2005-0900

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**
TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and EDWARDS
This was Item 49 on Agenda of September 7, 2005

MATTERS HELD – continued

46. Motion 2005-0901

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 #2005-858, 9/7/05**

This was Item 51 on Agenda of September 7, 2005

47. Motion 2005-0902 – Refer back to the Administration

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

POSTPONED BY MOTION #2005-859, 9/7/05

This was Item 52 on Agenda of September 7, 2005

SUPPLEMENTAL EMERGENCY NOTICE

Motion 2005-0895 – Suspend rules to consider Item 48 out of order

48. Ordinance 2005-1053

ORDINANCE authorizing the Mayor of Houston to extend or continue a proclamation of a Local State of Disaster for the City of Houston beyond the seven day period after the proclamation was issued, making certain findings related thereto, and declaring an emergency

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Holm 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

9/13/2005 – Council Member Green on personal business

9/14/2005 – Council Member Green on personal business