

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 8, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2008-0233 to 2008-0250
ORDINANCES - 2008-0277 to 2008-0310
RESOLUTION – None

2008-0232-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Brown

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

Motion 2008-0233 – Procedural motion
Motion 2008-0234 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 9, 2008 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 42

MISCELLANEOUS - NUMBER 1

1. Council Members Clutterbuck and Noriega tagged

RECOMMENDATION from Director General Services Department to approve the Fiscal Year 2009-2013 Capital Improvement Plan and establish a charge of \$75.00 plus postage for the adopted CIP documents (\$5.00 plus postage for CD)

DAMAGES - NUMBER 2

2. Council Member Lawrence tagged

RECOMMENDATION from City Attorney for settlement of lawsuit styled **MICHAEL COX** vs. the City of Houston; Cause No. H-04-4318; in the United States District Court; Southern District of Texas - \$155,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBER 3

3. Motion 2008-0235

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,937,621.58 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in the Lindale Area, WBS S-000035-00C7-4 6.12% under the original contract amount - **DISTRICT H - GARCIA**

PROPERTY - NUMBERS 4 through 6

4. Motion 2008-0242

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY7-005, located at the SW Corner of Monroe Road and Hall Road, owned by Four Seasons Self Storage at Pearland Parkway, L.P., a Texas limited partnership [LPT Development, Inc. (Courtland Peddy, Vice President and Chief Financial Officer) General Partner], for the **MONROE PAVING PROJECT from Fuqua to the Beltway**, WBS N-000711-0001-2 - **DISTRICT E - SULLIVAN**

5. Motion 2008-0236

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY7-243, located at 950 Lehman Street, owned by Gary L. Meyer and Francine F. Meyer, for the **WATER LINE REPLACEMENT IN THE SHEPHERD PARK TERRACE AREA PROJECT**, WBS S-000035-00N5-2 - **DISTRICT A - LAWRENCE**

6. Motion 2008-0237

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-065, located in the 10777 block of Southwest Freeway, owned by SRL Properties - Houston, Ltd., a Texas limited partnership, SRL Properties, Inc., General Partner, Ed Sebesta, President, for the **KEEGANS BAYOU HIKE AND BIKE TRAIL PROJECT from Brays Bayou to Kirkwood**, WBS N-00420B-0025-2-01 - **DISTRICT C - CLUTTERBUCK**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 14

7. Pulled - Not Considered

SHI GOVERNMENT SOLUTIONS, INC for Microsoft Enterprise License Agreement through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Airport System - \$939,928.00 - Enterprise Fund

8. Ordinance 2008-0277

ORDINANCE appropriating \$133,781.63 out of C & E Construction Fund for Interior Signage Upgrade at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department, WBS B-000130-0001-4-01

a. Motion 2008-0238

ALLPRO SIGN & BANNER COMPANY for Interior Signage Upgrade at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department - \$127,411.08 and contingencies for a total amount not to exceed \$133,781.63

9. Ordinance 2008-0278

ORDINANCE appropriating \$67,977.00 out of Fire Consolidated Construction Fund to Furnish and Install a HVAC System at Fire Station No. 62 for the General Services Department, WBS C-0000EQ-0002-4-01

a. Motion 2008-0239

HUNTER ALLIED OF TEXAS, INC to Furnish and Install a HVAC System at Fire Station No. 62 for the General Services Department - \$64,740.00 and contingencies for a total amount not to exceed \$67,977.00

PURCHASING AND TABULATION OF BIDS - continued

10. Motion 2008-0243

LAKEHILLS CONSULTING, L.P. d/b/a LAKEHILLS ENTERPRISE TECHNOLOGY SOLUTIONS (LAKEHILLS) for Salamander Technologies Patient Tracking System through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Office of Emergency Management of the Mayor's Office - \$1,654,181.64 - Grant Fund

11. Motion 2008-0244

NORTEX MODULAR SPACE for Modular Office Building from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department - \$208,252.94 - Police Special Services Fund

12. Motion 2008-0245

PITNEY BOWES, INC for Spending Authority to Lease a Digital Mailing System from the State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for Neighborhood Protection Division of the Houston Police Department \$158,400.00 - General Fund

13. Motion 2008-0240

CONTRACT RESOURCE GROUP - \$67,453.80, **CHALLENGE OFFICE PRODUCTS** - \$126,118.01, and **TEKINON** - \$152,439.98 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise and Police Consolidated Construction Funds

14. Motion 2008-0241

216 RESOURCES - \$728,470.00 and **CHAMPION LANDSCAPE SUPPLIES, INC** - \$135,025.00 for Topsoil, Bank Sand, Clay-Filled Dirt and Conditioners for Various Departments - General and Enterprise Funds

ORDINANCES - NUMBERS 15 through 42

15. Ordinance 2008-0292

ORDINANCE amending third amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such Notes, including the approval of two Substitute Credit Agreements, a fourth amended and restated Dealer Agreement, a fourth amended and restated Issuing and Paying Agency Agreement and two Updated Offering Memoranda; and declaring an emergency

16. Ordinance 2008-0293

ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2008A to refund the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2004C-2C and Series 2004C-2D and a portion of Series 2004C-2E; authorizing the Mayor and City Controller to approve the amounts, Interest Rates, Prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, Remarketing Agreement and Reimbursement Agreement; making other provisions regarding such bonds; and declaring an emergency

ORDINANCES - continued

17. Ordinance 2008-0279

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a prescriptive sanitary sewer easement (Parcel SY7-071) located in Lot 5, Block 12, Weston Subdivision, out of the Obedience Smith Survey, A-696, Houston, Harris County, Texas; vacating and abandoning said easement to MD Holdings, L.L.C., the abutting owner, in consideration of its payment of \$16,700.00 and other consideration to the City **DISTRICT D - ADAMS**

18. Ordinance 2008-0280

ORDINANCE consenting to the addition of 35.0369 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 230**, for inclusion in its district

19. Ordinance 2008-0281

ORDINANCE establishing the east side of the 1000 block of Northwood Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

20. Ordinance 2008-0282

ORDINANCE establishing the south side of the 400 block of Omar Avenue, within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

21. Ordinance 2008-0283

ORDINANCE approving an amendment to the Strategic Partnership Agreement between the City and **WEST PARK MUNICIPAL UTILITY DISTRICT** authorized by Ordinance No. 2002-1040 **DISTRICT A - LAWRENCE**

a. Ordinance 2008-0284

ORDINANCE approving an amendment to the annexation for limited purposes of a certain area located within West Park Municipal Utility District, authorized by Ordinance 2002-1041 **DISTRICT A - LAWRENCE**

22. Ordinance 2008-0294

ORDINANCE appropriating \$80,000.00 out of Public Library Consolidated Construction Fund (4507); approving a License Agreement between **DISCOVERY GREEN CONSERVANCY, as licensor**, and the City of Houston, Texas for improved space within Discovery Green for a HPL Express Public Library Facility - **DISTRICT I - RODRIGUEZ**

23. Ordinance 2008-0295

ORDINANCE approving and authorizing Real Estate Marketing Agreement by and between the City of Houston and **COLLIERS APPELT WOMACK, INC d/b/a COLLIERS INTERNATIONAL** for Professional Brokerage/Marketing Services at Ellington Field - \$50,000.00 - Enterprise Fund **DISTRICT E - SULLIVAN**

24. Ordinance 2008-0285

ORDINANCE amending City of Houston Ordinance No. 2008-249 relating to Mobile Automobile Repair Businesses to correct a scrivener's error

25. Ordinance 2008-0296

ORDINANCE rescinding the Real Estate Contract between Steven J. Gibson, Trustee and the City of Houston, Texas and de-appropriating \$6,420,000.00 from the Series E Commercial Paper Amateur Sports Complex Fund passed by Ordinance No. 2008-079 to purchase land (Parcel QY8-002), said funds to be re-appropriated to acquire alternate land for the same purposes in companion ordinances to be submitted for adoption - **DISTRICT D - ADAMS**

ORDINANCES - continued

a. Ordinance 2008-0297

ORDINANCE appropriating an additional amount of \$2,127,905.00 from the miscellaneous land fund to acquire additional land in the James Hamilton Survey, Abstract No. 880 from Maryfield, Ltd., a Texas limited partnership, Amerifirst Corporation, general partner, for an Amateur Sports Complex (Parcel QY8-011) as previously authorized under Ordinance 2008-065, dated January 23, 2008; eliminating the provisions relating to the Veterans' Land Board of the State of Texas; and reconfiguring the amount assigned to the Wesley Chapel AME Church of Houston, Texas, a Texas non-profit corporation, resulting in the City acquiring a total of approximately 52.75 acres (Parcel QY8-011) WBS K-002008-0001-2 - **DISTRICT D - ADAMS**

b. Ordinance 2008-0298

ORDINANCE approving the Purchase and Sale Agreement between the City of Houston and Hannover Estates Ltd., a Texas Limited Partnership, Amvest corporation, General Partner, for the purchase of approximately 38.88 acres out of the James Hamilton Survey, Abstract No. 880 for an Amateur Sports Complex (Parcels QY8-012 and QY8-013); authorizing the appropriation of \$4,290,930.00 from the Miscellaneous Land Fund; and authorizing payment of the purchase price and related expenses for the acquisition of Parcels QY8-012 and QY8-013 **DISTRICT D - ADAMS**

26. Council Member Lovell tagged

ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **CLEAR CHANNEL OUTDOOR, INC** to settle outstanding disputes and controversies

27. Ordinance 2008-0299

ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Grounds Maintenance and Landscaping Services for the General Services Department; providing a maximum contract amount - 1 Year with 2 one-year options - \$1,686,711.16 - General Fund

28. Ordinance 2008-0300

ORDINANCE approving and authorizing contract with **ARMOR HOLDINGS PRODUCTS, LLC** for Bullet-Resistant Body Armor for the Houston Police Department; providing a maximum contract amount - 5 Years - \$4,875,713.00 - General and Asset Forfeiture Funds

29. Ordinance 2008-0301

ORDINANCE awarding contract to **LION TOTALCARE, INC** for Cleaning, Decontamination & Repair Services for Fire Protective Ensembles for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$8,869,164.50 - General and Enterprise Funds

30. Ordinance 2008-0302

ORDINANCE awarding contract to **RBEX, INC d/b/a APPLE TOWING CO.** for Towing Services for Vehicles and Equipment for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$2,109,120.50 - General and Fleet Management Funds

31. Ordinance 2008-0286

ORDINANCE amending Ordinance No. 2008-87, which awarded contract to **TOTAL CONTRACTING LIMITED** for an On-Call Drainage Construction Contract (Work Order), WBS M-000126-0058-4 to correct the Engineering and Testing Services Outline Agreement Number

ORDINANCES - continued

32. Ordinance 2008-0287

ORDINANCE approving the purchase of a Public Street Right-of-way easement over 9.2400 acres of land (Parcel AY5-052), more or less, in the William J. Lovett Survey, A-526, and the William B. Walker Survey, A-857, from BNSF Railway Company, a Delaware Corporation ("BNSF"), for a Grade Separation to connect two at-grade sections of Fuqua Street over Mykawa Road and BNSF's Railroad Tracks; approving and authorizing an Overpass Agreement between the City and BNSF for construction and maintenance of such grade separation - **DISTRICT E - SULLIVAN**

33. Ordinance 2008-0288

ORDINANCE appropriating \$295,387.40 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Safe Sidewalk Program (approved by Ordinance No. 06-0254), WBS N-00610A-00D0-3 - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - KHAN and G - HOLM**

34. Ordinance 2008-0289

ORDINANCE appropriating \$572,700.00 out of Library Capital Project Fund and \$372,300.00 out of Public Library Consolidated Construction Fund as an additional appropriation for Clayton Library Renovation, WBS E-000156-0001-4, and approving and authorizing first amendment to construction contract between the City of Houston and **WORKMAN COMMERCIAL CONSTRUCTION SERVICES, LTD.**, (approved by Ordinance No. 2007-0555); providing funding for architectural services and contingencies relating to construction of facilities financed by the Library Capital Project Fund and the Public Library Consolidated Construction Fund - **DISTRICT D - ADAMS**

35. Ordinance 2008-0303

ORDINANCE approving and authorizing first amendment to Professional Architectural Services Contract between the City of Houston and **NATALYE APPEL & ASSOCIATES ARCHITECTS, LLC** for Library ADA Renovations, WBS E-000157-0002-3, (passed by Ordinance 2007-553) \$221,444.44 - Public Library Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; G - HOLM and I - RODRIGUEZ**

36. Ordinance 2008-0290

ORDINANCE appropriating \$860,171.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **RATNALA AND BAHL, INC** for North Corridor Consolidation Plan, Package 2B, WBS R-000536-0015-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

37. Ordinance 2008-0291

ORDINANCE appropriating \$520,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS US, INC** for Northside Sewer Relief Tunnel Evaluation, WBS R-002003-0004-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON and H - GARCIA**

ORDINANCES - continued

38. Ordinance 2008-0304

ORDINANCE appropriating \$1,381,500.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **PYRAMID CONSTRUCTORS, LLP** for Renovation of Magnolia Health and Multi-Service Center, WBS D-000080-0001-4, 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 and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund and Federal Government-Grants Fund - \$3,053,000.00 - Grant Fund **DISTRICT I - RODRIGUEZ**

39. Ordinance 2008-0305

ORDINANCE appropriating \$1,659,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in the Greensboro Area, WBS S-000035-00E5-4; 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, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

40. Ordinance 2008-0306

ORDINANCE appropriating \$1,050,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS CONSTRUCTION, L.L.C.** for Waterline Replacement in Wrenwood Subdivision, WBS S-000801-0017-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

41. Ordinance 2008-0242 – Adopted third and final reading

ORDINANCE No. 2008-242, passed second reading April 2, 2008

ORDINANCE granting to **CLEANSERVE, INC., a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

42. Ordinance 2008-0243 – Adopted third and final reading

ORDINANCE No. 2008-243, passed second reading April 2, 2008

ORDINANCE granting to **TROY CONSTRUCTION, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MISCELLANEOUS

43. Motion 2008-0246 – Date approved

SET A PUBLIC HEARING DATE relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Ten (Lake Houston Zone)
DISTRICT E - SULLIVAN
SUGGESTED HEARING DATE - WEDNESDAY - APRIL 23, 2008 - 9:00 A.M.

MATTERS HELD - NUMBERS 44 through 48

44. Withdrawn by Council Member Brown

WRITTEN Motion by Council Member Brown to amend Item 44C as follows:
Amendment to the Developer Participation Contract Section 47-164. Construction by developers under developer contract.

After:

Subject to the availability of funds allocated for that purpose by City Council, the City may share in the expense of construction of the main and other eligible costs by any of the following methods, as applicable, at the option of the developer:

ADD:

Awards of Developer Participation Contracts will be subject to compliance with standards and guidelines issued by Department of Public Works and Engineering, and approved by city council, which reflect principles of sustainable growth and mixed income neighborhoods.

TAGGED BY COUNCIL MEMBERS BROWN, KHAN and GREEN

Motion 2008-0247 – Motion to allow Council Member Johnson to withdraw Item 44a

a. Withdrawn by Council Member Johnson

WRITTEN Motion by Council Member Johnson to amend Item 44C as follows:

Amendment to Agenda Item 44C

Pursuant to Chapter 47 of the Code of Ordinances relating to Developer Participation contracts, district council members must be notified and approve all individual DPC contracts prior to approval of the Director of the Department of Public Works and Engineering.

TAGGED BY COUNCIL MEMBERS SULLIVAN, KHAN and GREEN

Motion 2008-0249 – Motion to allow Council Member Green to withdraw Item 44b

b. Withdrawn by Council Member Green

WRITTEN Motion by Council Member Green to amend Item 44C as follows:

I move to amend Section 6 of Section 47-164 of the Code of Ordinances, relating to developer participation contracts, as follows:

Section 6. Once this ordinance has been passed by the Mayor and Council, it shall take effect on and not before January 1, 2010.

TAGGED BY COUNCIL MEMBER GREEN

Motion 2008-0248 – Written motion by Council Member Johnson to amend Item 44c as follows:

“Written motion by Council Member Johnson to amend Item 44c by adding the following language to proposed Subsection 47-164(5) of the Code of Ordinances:

When a DPC application is administratively complete, but at least 10 days prior to approval by director, the dept. shall provide the members of the City Council notice of the scope and location of the proposed budget as well as contact information for the developer. – Adopted

MATTERS HELD – continued

c. Ordinance 2008-0307 – Adopt as amended

ORDINANCE AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to developer participation contracts; containing findings and other provisions relating to the subject; providing for severability - **TAGGED BY COUNCIL MEMBER GREEN**
This was Item 8 on Agenda of April 2, 2008

45. Ordinance 2008-0308

ORDINANCE amending Ordinance No. 2005-322 (passed by City Council on March 30, 2005) to increase the maximum contract amount for the Interlocal Agreement between the City and the **TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR)** and the Intergovernmental Agreement with **FAIRFAX COUNTY, VIRGINIA** for the procurement of Technology Products and Services for Various Departments - \$60,000,000.00 - Various Funds
TAGGED BY COUNCIL MEMBERS JONES, KHAN and JOHNSON
This was Item 10 on Agenda of April 2, 2008

46. Ordinance 2008-0309

ORDINANCE approving and authorizing first amendment to Contract (C56218) between the City of Houston and **PETDATA, INC** for Animal Licensing Services for the Health & Human Services Department - Revenue - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 11 on Agenda of April 2, 2008

47. Ordinance 2008-0310

ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **KIMLEY-HORN & ASSOCIATES, INC** for Comprehensive City Mobility Planning Tool, WBS N-000662-0031-3 - \$596,616.00 - Mobility Response Team Fund
TAGGED BY COUNCIL MEMBERS LOVELL and KHAN
This was Item 16 on Agenda of April 2, 2008

Motion by Council Member Lawrence/seconded by Council Member Lovell to amend Item 48 to add the following:

“The ordinance authorizing the abandonment and sale of property shall provide that, as part of the consideration for such abandonment and sale, the owner shall execute an instrument in a form acceptable to the City Attorney within thirty (30) days following passage of the ordinance, establishing as a covenant running with the land that the property may never: (1) be used or have located on it an off-premises sign as defined in the City of Houston Sign Code, as amended to date of passage of the ordinance, or (2) be eligible for relocation of an off-premises sign under the Sign Code. The abandonment ordinance shall provide, that in the event that the owner does not execute such instrument before the expiration of the thirty (30) day period, the abandonment shall be null and void.
– adopted as amended to Motion 2008-0250

48. Motion 2008-0250 – Adopt as amended

MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen Riddle, Abel Permits, on behalf of Pedro Arreguin, for abandonment and sale of ±21,760-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75 of the Eureka Acres Subdivision, Parcel SY8-010 - **APPRAISERS - DISTRICT H - GARCIA**
POSTPONED BY MOTION #2008-231, 4/2/08
This was Item 29 on Agenda of April 2, 2008

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

4/8/2008 – Council Member Holm absent on personal business

4/9/2008 – Council Member Holm absent on personal business