

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

**MOTIONS 2005-0066 to 2005-0089**  
**ORDINANCES – 2005-0092 to 2005-0106**  
**RESOLUTION – None**

**2005-0065-1**

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

**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 2005-0066 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 2, 2005 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**Motion 2005-0064 – Accept reports**

**9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

**CONSENT AGENDA NUMBERS 1 through 23**

**MISCELLANEOUS** - NUMBER 1

**1. Motion 2005-0068**

RECOMMENDATION from Director Finance & Administration for renewal of Annual Membership Dues in the **HOUSTON-GALVESTON AREA COUNCIL** - \$78,145.24 - General Fund

**ACCEPT WORK** - NUMBER 2

**2. Motion 2005-0069**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$854,459.72 and acceptance of work on contract with **SHUMAKER-HARVEY EQUIPMENT CO., INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-P8-3 (4277-9) - 03.1% over the original contract amount

**PROPERTY** - NUMBER 3

**3. Motion 2005-0070**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Farrell Bolz, on behalf of Alejandro and Martin Flores, dba Mex Flores Produce Co., Inc., for encroachment agreement for two building encroachments into Michaux Street, located at 4910 N. Main Street, adjacent to Lots 10 and 11, Block 22, Stude's First Addition, Parcels ENY5-001A and ENY5-001B - **DISTRICT H - GARCIA**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 4 and 5

**4. Motion 2005-0071**

**FUTURE EQUIPMENT COMPANY** for Backhoe Loader from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$73,591.72 - Enterprise Fund

**5. Motion 2005-0072**

**ROBERT CUMMINGS ENTERPRISES, INC** for Replacement of Playground Equipment for Health & Human Services Department - \$147,990.00 and contingencies for a total amount not to exceed \$155,389.50 - Public Health Consolidated Construction Fund

**ORDINANCES** - NUMBERS 6 through 23

**6. Council Members Lawrence, Sekula-Gibbs and Khan tagged**

ORDINANCE **AMENDING CHAPTERS 1 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the licensing of certain wrecker drivers in the City of Houston

**7. Ordinance 2005-0099**

ORDINANCE **AMENDING SECTION 2-139 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Dishonored Checks

Motion by Council Member Holm that Item 8 be amended to remove the provision that one membership position may be occupied by a non-resident of the city – **Council Member Holm tagged**

**8. Council Member Holm tagged**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Membership of the Houston Library Board

**9. Council Members Lawrence, Wiseman and Sekula-Gibbs tagged**

ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code

**ORDINANCES** - continued

**10. Ordinance 2005-0093**

ORDINANCE releasing certain territory consisting of approximately 137 acres in Fort Bend County in the vicinity of the City of Missouri City, Texas, from the extraterritorial jurisdiction of the City of Houston

**11. Ordinance 2005-0094**

ORDINANCE consenting to the creation of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**

**12. Ordinance 2005-0095**

ORDINANCE consenting to the addition of 29.642 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

**13. Council Member Edwards tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **SOUTH CENTRAL HOUSTON ACTION COUNCIL, INC** to provide funding for Renovation of the South Central Federally Qualified Health Center located at 8610 Martin Luther King, Jr. Blvd \$106,700.00 - CDBG Fund - **DISTRICT D - EDWARDS**

**14. Council Members Galloway and Khan tagged**

ORDINANCE approving and authorizing submission of Pre-Disaster Mitigation applications to the Federal Emergency Management Agency, declaring the City's eligibility for such grants; authorizing the Director of the Department of Public Works and Engineering to act in all matters pertaining to the program and to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, related to the Federal Emergency Management Agency Grant Programs

**15. Pulled-Not Considered**

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY DEPARTMENT OF EDUCATION** for Record Storage and Retrieval Services for Various Departments - \$206,000.00 - General, Enterprise and Grant Funds

**16. Ordinance 2005-0100**

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** permitting Harris County residents to bring Household Hazardous Waste to the City of Houston's Environmental Service Center for safe and proper disposal

**17. Council Member Ellis tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **MCGRIFF, SEIBELS & WILLIAMS** for three years with two successive one-year options to provide Audit/Review, Benchmarking and Consulting Services for the Workers' Compensation Program \$298,750.00 - Worker's Compensation Fund

**18. Ordinance 2005-0096**

ORDINANCE approving and authorizing sponsorship agreements between the City and **BOMAR AVENUE HOMEOWNERS ASSOCIATION** and **VILLAS OF CASTLE COURT HOMEOWNERS ASSOCIATION** for Solid Waste Collection Services - 6 Months - \$396.00 - **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**19. Ordinance 2005-0097**

ORDINANCE appropriating \$19,570.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of a certain tract of land out of Hartland Acres, W.C.R.R. Co. Survey, Section One, A-935, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-59.1 (Project 617); approving purchase and sale agreement with the owners of the land (Leslie Victor Gregg and Hazel Gregg) **DISTRICT B - GALLOWAY**

**20. Ordinance 2005-0101**

ORDINANCE appropriating \$854,700.00 out of Fire Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **PROZIGN, INC** for New Downtown Fire Station 1; CIP C-0149-02-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT I - ALVARADO**

**21. Council Member Edwards tagged**

ORDINANCE awarding construction contract to **MERIDIAN COMMERCIAL, L.P.** for Crestmont Park (GFS F-504A-10-3); 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; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies; professional engineering testing, and construction management relating to construction of facilities financed by Community Development Block Grant Funds - \$847,709.00 - CDBG Funds - **DISTRICT D - EDWARDS**

**22. Ordinance 2005-0102**

ORDINANCE appropriating \$7,480,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing the sixth amendment to professional engineering services contract between the City of Houston and **LOCKWOOD, ANDREWS, AND NEWNAM, INC** for Surface Water Transmission Program; GFS S-0900-01-02 (WA10448)

**23. Ordinance 2005-0098**

ORDINANCE awarding construction contract to **TRIPLE B SERVICES, L.L.P.** for Construction of Water, Sanitary Sewer and Storm Drainage Systems to serve Section One of the Mills Landing Subdivision, CIP S-0800-E5-3 and R-0800-E5-3 (DPC-74); approving and authorizing assignment of the contract to **UNIVERSITY DEVELOPMENT, INC** - **DISTRICT A - LAWRENCE**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 24 and 25

**MISCELLANEOUS**

**24. Motion 2005-0075**

**SET A PUBLIC HEARING DATE** on recommendation from Director Planning & Development Department to consider the proposed amendments to the Planning and Zoning regulations for Tax Increment Reinvestment Zone Number One (St. George Place) (TIRZ) and zoning map to rezone Reserve "A" Big Ben Shopping Center, and Lots 3 and 4, Block 18 Lamar Terrace Subdivision and authorize publication of notice - **DISTRICT C - GOLDBERG**  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - 4 WEEKS AFTER DATE OF PASSAGE**

**PROPERTY**

**25. Motion 2005-0076**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ke Chen, of K. Chen Engineering, on behalf of Rob Johnson Interests, Inc (Robert E. Johnson Jr., president) for abandonment and sale of a 15-foot-wide alley, form Shepherd Drive to Parker Street, located within Block 54, Brunner Addition, Parcel SY5-034 – **(Frank Flores and John Fox appointed appraiser and Patrick O'Connor appointed alternate appraiser) - TWO APPRAISERS and one ALTERNATE APPRAISER DISTRICT H - GARCIA**

**MATTERS HELD** - NUMBERS 26 through 34G

**26. Ordinance 2005-0103**

ORDINANCE appropriating \$332,162.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction on IH-610 South Loop from N. Braeswood Blvd to Kirby Drive, GFS S-0521-S3-3 (WA10852); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG**  
**POSTPONED BY CONSENT**  
This was Item 26 on Agenda of January 19, 2005

**27. Motion 2005-0077**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Houston Emergency Center for supplemental allocation of funds for contract with the **MITRE CORPORATION**, a not-for-profit company, for the purpose of expediting the reliability performance process of the Consolidated Computer-Aided Dispatch and Records Management Systems located at the Houston Emergency Center (HEC) - \$29,000.00 General Fund - **TAGGED BY COUNCIL MEMBERS QUAN, WISEMAN and SEKULA-GIBBS**  
This was Item 2 on Agenda of January 25, 2005

**28. Motion 2005-0078**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Houston Airport System for approval of final contract amount of \$3,857,807.18 and acceptance of work on contract with **THYSSEN STEARNS, INC** for Passenger Loading Bridges at William P. Hobby Airport; Project No. 417C; CIP A-0141 - 35.85% under the original contract amount - **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS KHAN, GALLOWAY and GREEN**  
This was Item 3 on Agenda of January 25, 2005

**MATTERS HELD** – continued

**29. Ordinance 2005-0104**

ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the Bureau of Animal Regulation and Care  
**TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS**  
This was Item 11 on Agenda of January 25, 2005

**30. Ordinance 2005-0105**

ORDINANCE approving and authorizing contract between the City and **AKIN GUMP STRAUSS HAUER & FELD LLP** for Federal Representation; providing a maximum contract amount 2 Years - \$552,000.00 - General Fund  
**TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS**  
This was Item 18 on Agenda of January 25, 2005

**31. Motion 2005-0079**

Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$4,400,666.87 and acceptance of work on contract with **PEDKO PAVING, INC** for Neighborhood Street Reconstruction Project No. 441, GFS N-0374-01-3 (SB9042) 01.55% over the original contract amount - **DISTRICTS D - EDWARDS and H - GARCIA** **TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 29 on Agenda of January 25, 2005

**32. Motion 2005-0080**

Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$7,521,636.50 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Construction of West Fuqua from South Belt to Campden Hill, GFS N-0489-01-3 (N-0489-01) - 00.90% under the original contract amount - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER EDWARDS**  
This was Item 30 on Agenda of January 25, 2005

**Motion 2005-0073 – Suspend rules to consider Items 33, 13, 14 and 21 out of order**

**Motion 2005-0074 – Written motion Council Member Goldberg to amend Item 33 as follows:**

“Amend Article VI, Paragraph D to read as follows:

D. **Use Restriction.**

**Prior** to disbursement to the County of any of the City Funds, the City will obtain execution of the document attached hereto as **EXHIBIT “D”** Memorandum of Interlocal Agreement and Use Restriction (the “Memorandum”) which gives the City a ten (10) year restriction on the property described in the survey attached hereto as **EXHIBIT “E”**, which Memorandum is enforceable should the County cease to use the property to meet the national objective set out under 24 CFR §208(a)(2) prior to the execution of the Program Term. After the expiration of the Program Term, the City agrees to file a release of said use restriction in the real property records and the Country agrees that the Project facility will be open to the public.”

**MATTERS HELD** – continued

**33. Ordinance 2005-0092 – Adopt as amended**

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** to provide up to \$4,000,000.00 in Community Development Block Grant Funds to assist in the Design and Construction of the Aquatic Center-Natatorium - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 32 on Agenda of January 25, 2005

**34. Motion 2005-0081 – Adopt**

MOTION by Council Member Quan/Seconded by Council Member Garcia to amend Item 34G below:

Credit towing contractors for towing vehicles to “safe drop” locations shall be the responsibility of the City where towing contractors have exclusive rights to provide freeway service.

**TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN**

**a. Motion 2005-0082 – “FAILED”**

WRITTEN Motion by Council Members Mark Ellis and Council Member Toni Lawrence to amend Item 31a of the January 25, 2005 City Council Agenda:

Delete the Initial Annual Estimate of \$300,000. No funding necessary.

This amendment and restatement of the 29 Major Freeway Tow Agreements is intended to respond to concerns about the SafeClear Program

1. The Police Chief is being authorized to promulgate response times based on the time of day and nature of the incident, but not less than the six (6) minutes as stated in the current agreement;
2. REVISED - The City’s non-consent tow fee will be \$124.00 for all abandoned vehicles, accidents, and arrests while retaining the \$75.00 fee and creating a new \$35.00 fee for all other tows. The citizen has the choice of a \$75.00 fee for up to 5 miles with \$1.50 fee for every mile thereafter or a \$35.00 fee for up to one-mile or the nearest point of relief. For those individuals unable to pay at the time of the tow, the tow operator will issue an invoice and the individual will have 30 days to pay the fee or schedule an administrative hearing
3. DELETE
4. REVISED - The city will reimburse tow operators within 60 days for invoiced tows. Tow operators will invoice all vehicles owned or leased by the City.
5. The Amended and Restated Freeway Tow Agreement with Allied Collision Center for segment 18 also includes an amendment to Section 2.02 (4) to correct a typographical error.

**TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS and SEKULA-GIBBS**

**Motion 2005-0083 – Suspend rules to remain in session beyond the scheduled 12 noon recess**

**b. Motion 2005-0084 – Adopt**

WRITTEN Motion presented by Council Member Holm to amend Item 34G below:

Motion that Item 31a on the Agenda of January 25, 2005, be amended to cap the amount of funding for the shoulder removal program at \$150,000.00 for six months (no more than \$75,000.00 per quarter)

**TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS and SEKULA-GIBBS**

**MATTERS HELD** – continued

**c. Motion 2005-0085 – “FAILED”**

WRITTEN Motion presented by Council Member Quan to amend Item 34G below:

Amendments to the Safe-Clear Program

A. City Attorney shall be directed to prepare and present an ordinance amending the Houston Municipal Code relative to the Safe Clear program to provide the following:

1. Clarify that the intent of the Safe Clear program is to improve safety and congestion relief by removing disabled vehicles from freeways and from the view of other drivers as rapidly as possible
2. Specify that vehicles removed from any portion of a freeway under the Safe Clear program shall be, at the sole discretion of the vehicle's driver or other person having control of the vehicle, either –
  - a. Towed to a proximate “safe drop” location at no charge to the driver, or
  - b. Towed to a storage, repair or service facility, or other location, designated by the driver, at the driver's expenseNotwithstanding (a), any vehicle which is abandoned, disabled as a result of collision, or involved in a crime or arrest shall be deemed to be a “non-consent tow” subject to the standard towing fee.
3. Require the Police Department, in consultation with other agencies as appropriate, to designate a network of “safe drop” locations, which at a minimum shall be well-lit, have a public telephone, be accessible to the disabled, and be located in well-frequented public or commercial areas not more than two miles from the vehicle disablement. These designated areas shall be the only locations utilized for “safe drop” tows unless specifically directed otherwise by a police officer.
4. Require the Police Department to develop and implement a service feedback and grievance procedure that will facilitate determining the level of satisfaction with service under this program and the resolution of service problems and complaints.

**TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS, SEKULA-GIBBS and KHAN**

**d. Motion 2005-0086 – “FAILED”**

WRITTEN Motion presented by Council Member Sekula-Gibbs:

A motion to rescind the Safe Clear program:

- a. Ordinance No. 2004-498 relating to impairments and obstructions of roadways and sidewalks; amending the code of ordinances, Houston, Texas, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability; and declaring an emergency.
- (b) Ordinance No. 2004-1228 approving contracts with towing company operators and authorizing the Chief of Police to enter into contracts between the city and North Houston Motors, Inc, Unified Auto Works, T&T Motors, Cannino West, Inc, Milam Street Auto Storage, Inc, Allied Collision Center, Corporate Auto Services, Inc and Westside Wrecker Service, Inc for major freeway tow agreements; containing provisions relating to the subject; and declaring an emergency.
- (c) Ordinance No. 2004-1242 approving contracts with towing company operators and authorizing the Chief Police to enter into contracts between the city and North Houston Motors, Inc., Unified Auto Works, Fiesta Wrecker Service, National Auto Collision, Inc., Wrecker Service, Inc. and Corporate Auto Services, Inc. for major freeway tow agreements; containing provisions relating to the subject; and declaring an emergency.

**TAGGED BY COUNCIL MEMBER EDWARDS**



**MATTERS HELD** – continued

**Item 34e – continued**

**Motion 2005-0087 – Call the question on Item 34e**

**e. Motion 2005-0088 – “**FAILED**”**

WRITTEN Motion presented by Council Member Wiseman to amend Item 34G below to read:

Motion to amend Agenda item 31a to read:

Amend Section 8-127 Major Tow Agreement Section (c) to read:

“(c) For purposes of this section, the term “major freeway” shall include those limited access roadways in the designated state highway system. Application of the agreement and the requirements of this section shall include moving lanes of traffic, excluding shoulders and frontage or service roads.”

**TAGGED BY COUNCIL MEMBERS EDWARDS and ALVARADO**

**f. Motion 2005-0089 – “**FAILED**”**

WRITTEN Motion presented by Council Member Wiseman to amend Item 34G below:

Motion to amend Agenda Item 31 a:

“The City of Houston will place a 6 month moratorium on Ordinance #2004-497, which was passed by Houston City Council on May 26, 2004.”

**TAGGED BY COUNCIL MEMBERS EDWARDS and ALVARADO**

**Written motion by Council Member Galloway to amend Item 34g as follows:**

“Please let this letter serve as a written reflection of my desire to amend the February 2, 2005 Houston City Council Agenda item identified as Item 34.

The intention of this amendment is to allow for the non-consent towed motorist to have twenty-four hours of vehicular storage at no charge.”

**Tagged by Council Members Alvarado and Garcia**

**g. Ordinance 2005-0106 – Adopt as amended**

ORDINANCE approving and authorizing amended and restated contracts with towing company operators and authorizing the Chief of Police to enter into contracts between the City of Houston and **ALLIED COLLISION CENTER, CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NATIONAL AUTO COLLISION, INC, NORTH HOUSTON MOTORS, INC, T&T MOTORS, UNIFIED AUTO WORKS** and **WESTSIDE WRECKER SERVICE, INC**, for Major Freeway Tow Agreements and approving and authorizing a Major Freeway Tow Agreement between the City of Houston and **KTL ENTERPRISES, INC**; providing a maximum contract amount - **TAGGED BY COUNCIL MEMBERS WISEMAN and EDWARDS**

This was Item 31A on Agenda of January 25, 2005

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Lawrence 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**

**AGENDA - FEBRUARY 2, 2005 - PAGE 10**

**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

**2/1/2005 – Council Member Wiseman absent due to being ill  
Council Member Ellis out of the City on City business**

**2/2/2005 – All Present**