

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 7, 2004 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS – 2004-1205 to 2004-1210**  
**ORDINANCES – 2004-1247 to 2004-1273**  
**RESOLUTION – None**

**2004-1204-1**

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

**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

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

**RECONVENE**

**WEDNESDAY - DECEMBER 8, 2004 - 9:00 A. M.**

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

**MAYOR'S REPORT** - Process for dealing with Legislative Issues

**CONSENT AGENDA NUMBERS 1 through 36**

**ACCEPT WORK** - NUMBERS 1 and 2

**1. Motion 2004-1207**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$40,375.00 and acceptance of work on contract with **ARROW SERVICES, INC** for Asbestos Abatement and Demolition Old Young Branch Library, GFS D-0113-01-5 - 04.94% over the original contract amount - **DISTRICT D - EDWARDS**

**2. Pulled-Not Considered**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,685,555.00 and acceptance of work on contract with **THE TREVINO GROUP, INC** for Construction of Fire Station 27, GFS C-0072-01-3 - 07.63% over the original contract amount **DISTRICT H - GARCIA**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 3 through 4A

3. **Council Member Wiseman tagged**  
**Q-STAR TECHNOLOGY, LLC** for Cameras for Planning & Development Department  
\$42,030.00 - General Fund
4. **Ordinance 2004-1247**  
ORDINANCE appropriating \$1,014,500.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Sewer Line Repair at 12300 Dairy Ashford at Huntington Place Drive for the Public Works & Engineering Department, CIP R-0019-37-3; providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG**
- a. **Motion 2004-1208**  
RECOMMENDATION from Finance & Administration Department for approval of spending authority in an amount not to exceed \$1,014,500.00 for Emergency Sewer Line Repair at 12300 Dairy Ashford at Huntington Place Drive for Department of Public Works & Engineering, awarded to **JALCO, INC**

**ORDINANCES** - NUMBERS 5 through 36

5. **Ordinance 2004-1261**  
ORDINANCE relating to the rescheduling or postponement of certain City Council meetings
6. **Ordinance 2004-1248**  
ORDINANCE consenting to the addition of 87.2875 acres of land to **BISSONNET MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
7. **Ordinance 2004-1249**  
ORDINANCE consenting to the addition of 98.90 acres of land to **CHARTERWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
8. **Ordinance 2004-1250**  
ORDINANCE consenting to the addition of 133.398 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT**, for inclusion in its district
9. **Ordinance 2004-1251**  
ORDINANCE consenting to the addition of 59.137 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 26**, for inclusion in its district
10. **Ordinance 2004-1252**  
ORDINANCE consenting to the addition of 0.9557 acre of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 261**, for inclusion in its district
11. **Ordinance 2004-1253**  
ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 417**
12. **Pulled-Not Considered**  
ORDINANCE consenting to the addition of 46.4 acres of land to **HARRIS COUNTY CONTROL AND IMPROVEMENT DISTRICT NO. 36**, for inclusion in its district

**ORDINANCES** - continued

**13. Ordinance 2004-1254**

ORDINANCE consenting to the addition of 27.50 acres of land to **MOUNT HOUSTON ROAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**14. Ordinance 2004-1255**

ORDINANCE consenting to the creation of **VALLEY RANCH MUNICIPAL UTILITY DISTRICT NO. 1**

**15. Ordinance 2004-1256**

ORDINANCE consenting to the creation of **VALLEY RANCH MUNICIPAL UTILITY DISTRICT NO. 2**

**16. Ordinance 2004-1257**

ORDINANCE approving and authorizing interlocal cooperation contract between the City of Houston and the **TEXAS DEPARTMENT OF CRIMINAL JUSTICE** for the Provision of Death Certificates of Parolees

**Motion 2004-1205 – Amend Item 17 to delete KPMG**

**17. Council Member Ellis tagged**

ORDINANCE approving and authorizing Professional Independent Internal Audit and Consulting Services contracts between the City of Houston and **HIDALGO, BANFILL, ZLOTNIK & KERMALI, P.C., JEFFERSON WELLS INTERNATIONAL, INC, ~~KPMG, LLP~~ and MIR FOX & RODRIGUEZ, PC** - 6 Years - \$3,120,000.00 - General and Enterprise Funds

**18. Ordinance 2004-1262**

ORDINANCE approving and authorizing a Groundwater Reduction Plan Participation Agreement between the City of Houston and **ALTIVIA CORPORATION** - Revenue

**19. Ordinance 2004-1258**

ORDINANCE appropriating \$146,081.00 out of Water & Sewer System Consolidated Construction Fund and \$162,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing Developer Participation Contract between the City of Houston and **ACCESS-ALL SERVICES, LLC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to the Kingspoint Gardens Subdivision, CIP S-0800-F2-03 & R-0800-F2-03 - **DISTRICT E - WISEMAN**

**20. Ordinance 2004-1273**

ORDINANCE appropriating \$148,855.08 out of Water & Sewer System Consolidated Construction Fund and \$177,698.07 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Mills Landing Subdivision, CIP S-0800-F3-03 & R-0800-F3-03 - **DISTRICT A - LAWRENCE**

**21. Ordinance 2004-1259**

ORDINANCE appropriating \$250,141.81 out of Water & Sewer System Consolidated Construction Fund and \$228,000.00 out of Affordable Housing Uptown Fund; approving and authorizing Developer Participation Contract between the City of Houston and **CANNATA CONSTRUCTION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Pierce Junction Village Subdivision, CIP S-0800-F4-03 & R-0800-F4-03 **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**22. Ordinance 2004-1263**

ORDINANCE approving and authorizing third amendment to contract between the City of Houston and **SUPERIOR BUILDING SERVICES, INC** for Window Cleaning Services for Houston Airport System approved and authorized by Ordinance No. 99-536 - \$188,537.05 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E - WISEMAN**

**23. Ordinance 2004-1264**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **IMAGEMAX, INC** for Document Scanning & Retrieval Services for Controller's Office approved and authorized by Ordinance No. 00-194

**24. Ordinance 2004-1265**

ORDINANCE approving and authorizing contract between the City of Houston and **MID-AMERICAN/ERS JOINT VENTURE** for Elevator, Escalator and Moving Sidewalk System Maintenance Services for Houston Airport System - 3 Years with two one-year options \$23,517,902.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY and I - ALVARADO**

**25. Ordinance 2004-1266**

ORDINANCE amending Ordinance No. 2003-1162 to authorize the second year payment on the Lease/Purchase agreement between the City of Houston and **E-ONE, INC** for Five Aerial Ladder Fire Trucks for Houston Fire Department; providing a maximum contract amount - \$295,792.85 General Fund

**26. Ordinance 2004-1267**

ORDINANCE awarding contract to **STEWART & STEVENSON SERVICES, INC** for HVAC Services on Fire Trucks/Heavy-Duty Apparatus for Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$853,851.25 - General Fund

**27. Ordinance 2004-1268**

ORDINANCE awarding contract to **ANTHONY HUTCHISON EXTERIOR DESIGN** for Tree Planting and Maintenance Services for Parks & Recreation Department; providing a maximum contract amount - 2 Years - \$646,093.75 - Street & Bridge Consolidated Construction Fund

**28. Ordinance 2004-1269**

ORDINANCE appropriating \$915,200.00 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Parks Master Plan – Squatty Lyons Park, GFS F-504B-00-03; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

**29. Ordinance 2004-1270**

ORDINANCE approving and authorizing amendment No. 2 to contract between the City of Houston and **CONWAY CONSULTING, LTD.** for Airport Consulting Services for George Bush Intercontinental Airport/Houston and William P. Hobby Airport - \$100,000.00 - Enterprise Fund **DISTRICTS B - GALLOWAY and I - ALVARADO**

**30. Ordinance 2004-1260**

ORDINANCE approving and authorizing contract between the City and **M2L ASSOCIATES, INC** for Professional Landscape Architectural and Engineering Services - \$285,196.89 - Grant Fund **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**31. Ordinance 2004-1271**

ORDINANCE appropriating \$268,946.00 out of Fire Consolidated Construction Fund, approving and authorizing professional architectural services contract between the City of Houston and **HERMES ARCHITECTS, INC** for Renovation and Expansion of the Fire Training Academy Master Plan; CIP C-0068-01-2; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT E - WISEMAN**

**32. Ordinance 2004-1216 – Passed third and final reading**

ORDINANCE No. 2004-1216, passed second reading December 1, 2004

ORDINANCE granting to **DARLING INTERNATIONAL, INC**, a Delaware 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 - **THIRD AND FINAL READING**

**33. Ordinance 2004-1217 – Passed third and final reading**

ORDINANCE No. 2004-1217, passed second reading December 1, 2004

ORDINANCE granting to **FRANK J. GAMBOA**, a Texas Sole Proprietorship, 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 - **THIRD AND FINAL READING**

**34. Ordinance 2004-1224 – Passed third and final reading**

ORDINANCE No. 2004-1224, passed second reading December 1, 2004

ORDINANCE granting to **LONE STAR DISPOSAL, L.P.**, a Texas Limited Partnership, 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 - **THIRD AND FINAL READING**

**35. Ordinance 2004-1218 – Passed third and final reading**

ORDINANCE No. 2004-1218, passed second reading December 1, 2004

ORDINANCE granting to **ROSE METAL PROCESSING, LTD.**, a Texas Limited Partnership, 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 - **THIRD AND FINAL READING**

**36. Ordinance 2004-1219 – Passed third and final reading**

ORDINANCE No. 2004-1219, passed second reading December 1, 2004

ORDINANCE granting to **SNEADS, 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 - **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA - NUMBER 37**

**PROPERTY**

**37. Motion 2004-1209**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from C. L. Davis of C. L. Davis & Company, on behalf of the Houston Independent School District (HISD), for abandonment and sale of: (1) Florence Street, from Merrill Street to Redan Street; (2) Redan Street, from Beauchamp Avenue to Rural Street; and (3) a portion of an alley contiguous to Lots 3, 4, and 7, Block 3 in exchange for the conveyance to the City of: (a) a 5-foot-wide strip of right of way to widen Rural Street; (b) a 5-foot-wide strip of right of way to widen Quinn Street; (c) a 1-foot-wide strip of right of way to widen Beauchamp Avenue; and (d) right of way to extend and construct Rural Street to Merrill Street, all located in either Stinde's Second Addition or Woodland Park Addition, and a right of entry for Houston Independent School District, Parcels SY5-020A, SY5-020B, SY5-020C, SY5-026, AY5-043A, AY5-043B, AY5-043C and AY5-043D – **(Patrick O'Connor and Frank Flores appointed and John Fox appointed alternate) - TWO APPRAISERS AND ONE ALTERNATE APPRAISER - DISTRICT H - GARCIA**

**MATTERS HELD - NUMBERS 38 through 42**

**38. Ordinance 2004-1272**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 14-foot-wide utility easement, Parcel SY4-023, and its attendant aerial easement, both located within the D.W.C. Harris Survey, A-325, Harris County, Texas; vacating and abandoning both said easements to **URBAN LOFTS VII, LTD.**, the abutting owner, in consideration of its payment of \$26,333.00 and other consideration to the City - **DISTRICT D - EDWARDS** - **TAGGED BY COUNCIL MEMBERS WISEMAN and EDWARDS**  
This was Item 13 on Agenda of December 1, 2004

**39. Council Member Goldberg tagged**

ORDINANCE approving and authorizing first amendment to agreement between the City and **500 TEXAS AVENUE LIMITED PARTNERSHIP** for Lease and Development of Property formerly known as Albert Thomas Convention Center - **DISTRICT I - ALVARADO**  
**TAGGED BY COUNCIL MEMBER ELLIS**  
This was Item 16 on Agenda of December 1, 2004

**40. Motion 2004-1206 – Refer back to the Administration**

ORDINANCE approving and authorizing: (1) second amendment and Modification Agreement between the City of Houston ("City") and **LEISURE LIFE SENIOR APARTMENT HOUSING, LTD.** ("borrower") to reinstate and extend term of City's loan conditioned upon new Senior Financing; and (2) Subordination and Modification Agreement between the City, borrower and **GREYSTONE SERVICING CORPORATION, INC - DISTRICT F - KHAN**  
**TAGGED BY COUNCIL MEMBERS QUAN, HOLM and EDWARDS**  
This was Item 17 on Agenda of December 1, 2004

**41. Council Member Goldberg tagged**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SOUTHWESTERN BELL TELEPHONE, L.P.** for Jail Inmate Telephone and Security/ Surveillance Systems for the Houston Police Department to add a concession for commissions on local and long distance calls on public pay telephones at non-jail locations - Revenue  
**TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN**  
This was Item 24 on Agenda of December 1, 2004

**MATTERS HELD** - continued

**42. Motion 2004-1210**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Cameron Armstrong, on behalf of Earhart Interests, L.L.C., A Texas limited liability company (Cecily Horton, owner-manager), for abandonment and sale of a portion of Colquitt Street, from ±40 feet west of Ferndale Street to its dead-end, in exchange for the conveyance to the City of two 5-foot wide utility easements, located within the Second Replat of David Crockett Subdivision or Forrester Addition, Parcels SY3-040, SY5-027, VY3-009 and VY5-003 – **(Sheila Stewart and Lynette Fornerette appointed and Vanessa Hendrickson appointed alternate) - TWO APPRAISERS AND ONE ALTERNATE APPRAISER - DISTRICT C - GOLDBERG - TAGGED BY COUNCIL MEMBER ALVARADO**

This was Item 33 on Agenda of December 1, 2004

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

**12/7/2004 – Council Member Holm absent on personal business  
Council Member Garcia out of the City on City business**

**12/8/2004 – All Present**