

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the Ordinance set out below that:

- () Funds have been encumbered out of funds previously appropriated for such purpose.
- () Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the Ordinance set out below.
- () Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- () No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- () The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- () A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereby by this reference.
- () Other - Grant Funds ^{Contingent on the Availability} Available.

[Handwritten Signature]
General Phil

Date: 10-6, 2020

City Controller of the City of Houston

*MS
ECC*

FUND REF: N/A AMOUNT: 1518,700.00 ENCUMBRANCE NO: RF 50080-21
0 At 4600016044
City of Houston, Texas, Ordinance No. 2020 - 859

AN ORDINANCE APPROVING AND AUTHORIZING AN INCREASE IN SPENDING AUTHORITY FOR THE LEASE AGREEMENT BETWEEN HAZARI, LLC, LANDLORD, AND THE CITY OF HOUSTON, TEXAS, TENANT, APPROVED BY ORDINANCE NO. 2020-278; CONTAINING VARIOUS FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

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* * * * *

WHEREAS, on March 27, 2020, the President signed into federal law the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which established the Coronavirus Relief Fund ("Fund"). Pursuant to the CARES Act, the United States Department of Treasury has provided the City with a direct payment from the Fund to cover costs that are necessary expenditures incurred due to the COVID-19 public health emergency. The City has determined the funds the City is providing to Landlord under the Lease Agreement (as defined below) are

reasonable and necessary expenditures to address the COVID-19 public health emergency; and

WHEREAS, on April 1, 2020, the City Council of the City of Houston, Texas ("City"), passed and adopted Ordinance No. 2020-278, approving a lease agreement with a primary term of ninety days, with three option terms of ninety days each, exercisable at the expiration of the then current term (the "Lease Agreement") between Hazari, LLC, Landlord, and the City of Houston, Texas, as Tenant; and

WHEREAS, the Lease Agreement provides approximately 128 hotel rooms located 9902 Gulf Freeway to be used as an emergency quarantine and self-isolation facility; and

WHEREAS, the primary term of the lease expired on June 30, 2020 and the City exercised the first option term, extending the Lease Agreement through September 30, 2020; and

WHEREAS, the additional funding for the rent during the first extension of the Lease Agreement was approved by Ordinance No. 2020-613 (the "First Supplemental Allocation"); and

WHEREAS, the City has determined that it is necessary to exercise the second option term under the Lease Agreement, which will extend the Lease Agreement through December 31, 2020; and

WHEREAS, the base rent for the second option term totals \$578,700.00 and the initial allocation, as increased by the First Supplemental Allocation, is not sufficient to cover the base rent for the second option term; and

WHEREAS, an additional funding allocation totaling \$578,700.00 is needed to cover the base rent during the option term; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the City Council of the City of Houston, Texas, hereby ratifies, confirms and adopts the findings and recitals contained in the preamble to this Ordinance and further finds that the finding and recitals are true and correct.

Section 2. That the spending authority for the Lease Agreement approved by Ordinance No. 2020-278, as increased by Ordinance No. 2020-613, is hereby increased by \$578,700.00, from the current total allocation of \$1,157,400.00 to the amount of \$1,736,100.00, to cover the funding shortfall for the base rent during the second option term expiring December 31, 2020.

Section 3. That the City Attorney is hereby authorized to take all actions necessary to enforce all legal obligations under such contract, agreement, or other undertaking without further authorization from the City Council.

Section 4. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Charter of the City of Houston, Texas.

PASSED AND ADOPTED on this the 7th day of October, 2020.

APPROVED on this the _____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, of the Charter of the City of Houston, Texas, the effective date of the foregoing Ordinance is OCT 13 2020, 2020.

Pat J. Harris
Interim City Secretary

(Prepared by Legal Dept.)
(KTK/gnd 9/21/20)
(Requested by Andrew F. Icken, Chief Development Officer)
(L.D. File No. 042-2000048-002)

DocuSigned by:
Kent Kelsey
7206089C91C14CC
Senior Assistant City Attorney

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	