



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District I

Item Creation Date: 10/13/2020

MYR - Houston Forensic Science Center 2nd Amend

Agenda Item#:

Background:

Resolution No. 2012-17, passed and adopted by the City Council of the City of Houston, Texas (the "City") on June 6, 2012, created the Houston Forensic Science LGC, Inc. (the "HFSLGC"), a local government corporation, to operate a forensic science center to provide the City with accurate and timely analysis of forensic evidence and related services which would enhance the welfare and safety of the public and which is independent from actual or perceived influence by law enforcement, prosecutors, elected officials, and special interest groups. Pursuant to Ordinance no. 2014-165, passed and adopted by the City Council on February 26, 2014, the City and HFSLGC entered into that certain First Interlocal Agreement (the "Original ILA") whereby the City transferred into HFSLGC the control of, and responsibility for, the "Forensic Operations" as defined by the Original ILA.

Ordinance 2019-117, the First Amendment to the Original ILA was passed and adopted by City Council on February 20, 2019. The First Amendment provided for the following: 1) ratified the name of HFSLGC to the Houston Forensic Science Center, Inc. (the "HFSC"); 2) ratified HFSC's change of corporate address; and 3) made the terms of the Original ILA and the Sublease coterminous with the Lease Term.

The President of the United States, the Governor of the State of Texas, the County Judge of Harris County, and the Mayor of the City of Houston have issued emergency declarations and executive orders in response to the Coronavirus Disease 2019 ("COVID - 19") pandemic. 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 ("CRF") Fund and appropriated \$150 billion out of the Fund for the Department of Treasury to make payments to, among other governmental entities, certain local governments. As a result of COVID - 19, HFSC has incurred, or may incur in the future, operating expenses relating to services that are critical to support ongoing criminal investigations and adjudications and are eligible for reimbursement from the CRF Fund or other sources including, but not limited to, funds administered by the Federal Emergency Management Agency ("FEMA") or funds from federal or state agencies relating to COVID - 19 or other declared disasters (the "Disaster Funds").

The Second Amendment to the Original ILA allows for HFSC to seek reimbursement for eligible COVID - 19 expenditures or other disaster-related expenses from the City subject to the terms in the Second Amendment, not to exceed \$1,358,652. HFSC agrees to comply with all applicable local, state and federal laws, regulations, executive orders, policies, procedures and directives regarding the use of Disaster Funds, including CRF Funds.

The Mayor's Office recommends approval of a Second Amendment to the Original ILA.

Disaster Note:

This item is related to the impact of COVID-19 and expenditures eligible to be paid under the federal funding source are subject to applicable requirements of the Federal Government related to the funding source.

DocuSigned by:

Andrew F. Icken, Chief Development Officer

Prior Council Action:

Resolution No. 2012-17, 6/6/12; Ordinance No. 2014-165, 2/26/14; Ordinance No. 2019-117, 2/20/19

Amount of Funding:

\$1,358,652

CARES Act 2020

Fund 5307

Contact Information:

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ATTACHMENTS:

Description

Title

Description

PCA - Res 2012-17 Creation

PCA - Ord 2014-165 Original ILA

PCA - Ord 2019-117 1ST Amend Original ILA

Type

Backup Material

Backup Material

Backup Material