



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 8/25/2020

HPW20PDP52B 2015 FMA Home Elevation Deposit Agreement 5115 S Braeswood Blvd

Agenda Item#:

Background:

SUBJECT: This Home Elevation Project Deposit Agreement is entered into by and between the City of Houston and the property owner(s) at 5115 S. Braeswood Blvd., Houston, Texas 77096.

RECOMMENDATION: (SUMMARY) Adopt an ordinance approving and authorizing the City of Houston / Homeowner 2015 Flood Mitigation Assistance Home Elevation Project Deposit Agreement between the City of Houston and the Homeowner(s) located at 5115 S. Braeswood Blvd., Houston, Texas 77096 and disburse funds.

DESCRIPTION: This project consists of elevating the home located at 5115 S. Braeswood Blvd., in accordance with the City of Houston flood plain ordinance (Chapter 19).

SCOPE OF THIS AGREEMENT: The Homeowner(s) will enter into a contract ("Homeowner Contract") with the City of Houston to accept 2015 Flood Mitigation Assistance grant funds to elevate their home located at 5115 S. Braeswood Blvd. in a separate Council action. In addition, the Homeowner(s) will also enter into a contract ("Contractor Agreement") with Byrdson Services, LLC d/b/a Excellio Homes, as part of the aforementioned separate Council action, to complete the engineering and construction of the home elevation project described in the Contractor Agreement.

Upon City Council approval of this agreement the Homeowner(s) have agreed to deposit the amount of \$724.00 with the City to hold and disburse, as appropriate, to pay for costs associated with the engineering and construction of the elevation project not covered by the Flood Mitigation Assistance Grant ("Non-Eligible Work"). The City will disburse funds to the Contractor as the Homeowner(s) verifies completion of non-eligible grant contracted work.

The "Homeowner Agreement," Attachment F, "Non-Eligible Work Acknowledgement," requires that all Non-Eligible Work performed at the homeowner's property related to the elevation project be contracted and paid for 100% prior to the City's initial Notice to Proceed, to prevent any possible liens or encumbrances. The purpose of this "Deposit Agreement" is to hold the Non-Eligible Work funds in escrow for compliance of the "Non-Eligible Work Acknowledgement," and ensures the Homeowner's Non-Eligible Work will be completed by the Contractor prior to payment. The amount of \$39,373.00 is allocated for non-eligible expenses via a separate council action, Right of First Refusal Agreement and \$724.00 via this Deposit Agreement for a total of \$40,097.00.

Homeowner selected non-elevation work:

- Additional Elevation of 2.16 feet
- Upgrade to split-face block and capstone
- Upgrade standard handrails to iron handrails
- Upgrade front stairs to concrete
- Additional front and rear decking

M/WBE: The Contractor under this Agreement was encouraged but not required to participate in the City's M/WBE Program, because it involves the use of federal funds and is subject to specific contract rules of the federal government for this Grant.

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving and authorizing the "Deposit Agreement" for Non-Eligible Grant Work between the City of Houston and the Homeowner(s) at 5115 S. Braeswood Blvd., Houston, Texas 77096.

FISCAL NOTE:

No Fiscal Note is required on grant items.

Funding for this item is included in the FY2021 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies

DocuSigned by:

10/2/2020

Carol Elinger Haddock, P.E.

Director

Houston Public Works

Prior Council Action:

Ordinance 2016-735 Dated 09-28-2016

Amount of Funding:

The City of Houston will be depositing these funds.

\$ 724.00 - Fund 1021 - Grant Match Fund

Contact Information:

Jedediah Greenfield
Assistant Director
832.395-3754

ATTACHMENTS:

Description	Type
Prior Council Action Ordinance 2016-735	Backup Material
Ownership Information Form & Tax Report	Backup Material
Tax Memo	Backup Material
Finance Approval Email	Financial Information