



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District G

Item Creation Date: 9/23/2021

HPW 20PDP61B 2016 FMA Home Elevation Deposit Agreement 14235 Kellywood Lane

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 14235 Kellywood Lane, Houston, Texas 77079.

RECOMMENDATION: (SUMMARY) Adopt an ordinance approving and authorizing the City of Houston / Homeowner 2016 Flood Mitigation Assistance Home Elevation Project Deposit Agreement between the City of Houston and the Homeowner(s) located at 14235 Kellywood Lane, Houston, Texas 77079, and disburse funds.

DESCRIPTION: This project consists of elevating the home located at 14235 Kellywood Lane in accordance with the City of Houston flood plain ordinance (Chapter 19).

SCOPE OF THIS AGREEMENT: The Homeowner(s) entered into a contract ("Homeowner Contract") with the City of Houston to accept 2016 Flood Mitigation Assistance grant funds to elevate their home located at 14235 Kellywood Lane. City Council approved this action on April 28, 2021, under Ordinance 2021-0327. The Homeowner(s) also entered into a contract ("Contractor Agreement") with Planet Three Consulting Corp., as part of the aforementioned 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 \$2,145.00 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.

Homeowner selected non-elevation work:

- Front Porch Footings (required to be done in conjunction with the grant work to avoid a cold joint between the porch foundation and house foundation so the foundation for a future front porch is integrated with the house foundation)

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 14235 Kellywood Lane, Houston, Texas 77079.

FISCAL NOTE:

No Fiscal Note is required on grant items.

Funding for this item is included in the FY2022 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

11/5/2021

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Carol Ellinger Haddock, P.E., Director
Houston Public Works

Prior Council Action:

Ordinance 2018-0103 Dated 02-14-2018
Ordinance 2021-0327 Dated 04-28-2021

Amount and Source of Funding:

The City of Houston will be depositing these funds.

\$ 2,145.00 - Fund 1021 - Grant Match Fund

Contact Information:

David Wurdlow
Division Manager
832-395-2054

ATTACHMENTS:

Description

Prior Council Action Ordinance 2021-0103
Prior Council Action Ordinance 2021-0327
Finance Approval
SAP Document
Tax and Ownership Documents

Type

Backup Material
Backup Material
Backup Material
Financial Information
Backup Material