



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 1/4/2023

District C, District H

Item Creation Date: 9/7/2021

HPW – 20KFH13 Agreement / Texas Department of Transportation (TxDOT)

Agenda Item#: 35.

Summary:

ORDINANCE approving and authorizing Advance Funding Agreement for North Houston Highway Improvement Project (NHHIP) North Canal both On-System and Off-System between City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Phase I and Phase II North Canal High Flow Diversion Channel Project - **DISTRICT C - KAMIN** and **DISTRICT H - CISNEROS**

Background:

SUBJECT: Advanced Funding Agreement between the City of Houston (City) and the Texas Department of Transportation (TxDOT) for Phase I and Phase II North Canal High Flow Diversion Channel Project ("Project").

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advanced Funding Agreement between the City of Houston and Texas Department of Transportation for Phase I and Phase II North Canal High Flow Diversion Channel Project and accept funds.

PROJECT NOTICE/JUSTIFICATION: This Project is part of the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). This Agreement defines terms between the City and TxDOT for the management of design and permitting activities and construction activities, in accordance with federal requirements, and terms for reimbursement of incurred costs eligible under the HMGP grant.

DESCRIPTION: This Project consists of the design and permitting ("Phase I") and the construction ("Phase II") of the North Canal High Flow Diversion Channel Project, which is intended to reduce the risk of localized flooding to adjacent communities.

The City is partnering with the Harris County Flood Control District (HCFCD), the Texas Department of Transportation (TxDOT), and Tax Increment Reinvestment Zone Number 5 (TIRZ No. 5) to implement the Project. Interlocal Agreements between the City and HCFCD and TIRZ No. 5 defining their roles and responsibilities for the Project, including financial participation in non-federal project costs, have previously been approved by Council.

LOCATION: The Project is located in downtown Houston with three (3) primary components: North Canal Channel Diversion at the confluence of White Oak and Buffalo Bayous, South Canal Channel Diversion/Detention along the south side of Buffalo Bayou at IH-69, and upstream improvements along White Oak Bayou at both the Yale Street and Heights Boulevard bridges.

SCOPE OF THE AGREEMENT AND FEE: The Agreement between the City and TxDOT entails the terms for the management of the design and permitting activities and construction activities, in accordance with federal requirements, and terms for reimbursement of incurred costs eligible under the HMGP grant. Under the scope of the Agreement, the City will be responsible for the design work, permit acquisition, and construction completion.

TxDOT shall reimburse the City for eligible expenses incurred to complete the Phase I activities as outlined in the Agreement. The total amount reimbursable to the City shall not exceed \$1,220,138.00 and constitutes TxDOT's project partner funding portion of the Phase I Local Cost Share or 16.58% of the total Phase I project cost. The Phase I Federal Cost Share will be \$2,586,539.29 or 35.15% of the total Phase I project cost.

Should the City be successful in securing approval by TDEM to proceed with construction activities, TxDOT shall reimburse the City for eligible expenses incurred to complete the Phase II activities as outlined in the Agreement. The total amount reimbursable to the City shall not exceed \$18,779,862.00, which constitutes TxDOT's project partner funding portion of the Phase II Local Cost Share or 15.18% of the total project Phase II cost. The Phase II Federal Cost Share will be \$43,485,275.71 or 35.15% of the total Phase II project cost.

The funds contributed by TxDOT will reimburse the City for funds already appropriated for design services and for those that will be appropriated through later council actions to award real estate support services, subsequent design services and construction services.

FISCAL NOTE: No significant fiscal operating impact is anticipated as a result of this Project.

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 12/22/2022
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Carol Ellinger Haddock, P.E.,
Director
Houston Public Works

WBS No(s). M-43E101-0001-3

Amount and Source of Funding:

\$20,000,000.00 - Fund 4510 Contribution for Capital Projects Fund (to be received)

Contact Information:

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Houston Public Works Department

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ATTACHMENTS:

Description

MAPS

Ordinance

Type

Backup Material

Ordinance/Resolution/Motion