

AGENDA

CITY OF HOUSTON • CITY COUNCIL
March 28 & 29, 2017

MAYOR
SYLVESTER TURNER

CONTROLLER
CHRIS B. BROWN

DISTRICT COUNCIL MEMBERS

Brenda Stardig
District A

Steve Le
District F

Jerry Davis
District B

Greg Travis
District G

Ellen R. Cohen
District C

Karla Cisneros
District H

Dwight A. Boykins
District D

Robert Gallegos
District I

Dave Martin
District E

Mike Laster
District J

Larry V. Green
District K

AT-LARGE COUNCIL MEMBERS

Mike Knox
Position 1

Michael Kubosh
Position 3

David W. Robinson
Position 2

Amanda K. Edwards
Position 4

Jack Christie D.C.
Position 5

Marta Crinejo Director - City Council Agenda

Anna Russell City Secretary

In accordance with the Texas Open Meetings Act the agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 901 Bagby.

The agenda may be accessed via the Internet at

<http://houston.novusagenda.com/agendapublic/>. Copies of the agenda are available in the Office of the City Secretary in the City Hall Annex, Public Level at no charge. To receive the agenda by mail, send check or money order for \$52.00 for a one year subscription, made payable to the City of Houston to the attention of the City Secretary, P.O. Box 1562, Houston, Texas 77251.

To reserve time to appear before Council call 832-393-1100 or come to the Office of the City Secretary, City Hall Annex, Public Level at least 30 minutes prior to the scheduled public session shown on the agenda.

NOTE: If a translator is required, please advise when reserving time to speak

AGENDA - COUNCIL MEETING Tuesday, March 28, 2017 - 1:30 PM

City Hall - Second Floor - City Hall

PRESENTATIONS

2:00 P.M. – INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Le

ROLL CALL AND ADOPT MINUTES OF PREVIOUS MINUTES

PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office.

NOTE: If a translator is required, please advise when reserving time to speak

SP032817

RECESS

RECONVENE

WEDNESDAY - March 29, 2017 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY
THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 28

MISCELLANEOUS - NUMBERS 1 and 2

1. CONFIRMATION of the appointment or reappointment of the following individuals to the **HOUSTON CLEAN CITY COMMISSION BOARD OF DIRECTORS**, for terms ending January 1, 2019:

Position A - **WARREN SLOAN**, reappointment
Position C - **BEN PROLER**, reappointment
Position D - **JONATHAN HOWARD**, appointment
Position E - **BRIAN GRUEL**, appointment
Position F - **CLAY BROLLIER**, reappointment
Position G - **NANCY D. RUTHERFORD**, reappointment
Position I - **RAMIRO FONSECA**, reappointment
Position J - **JOYCE AKINS**, reappointment
Position K - **BECKY EDMONSON**, reappointment
At-Large Position No. 1 - **JAN ROSE**, reappointment
At-Large Position No. 3 - **LORA-MARIE BERNARD**, reappointment
At-Large Position No. 4 - **KOURTNEY JAMES PERRY**, appointment
At-Large Position No. 5 - **JESSICA MAHAFFEY**, reappointment

2. REQUEST from Mayor for confirmation of the appointment of **DR. KARUN SREERAMA** as **Director** of the **DEPARTMENT of PUBLIC WORKS & ENGINEERING**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 5

3. **DIXON-SHANE, LLC dba R&S NORTHEAST, LLC** for a 340B Drug Pricing Program for Family Planning Contraceptives, Vaccines, and Over-The-Counter Medications for the Houston Health Department - 36 Months with two one-year options - \$1,476,111.30 - General, Grant and Other Funds
4. ORDINANCE appropriating \$54,432.25 out of Contributed Capital Project Fund for the purchase of Replacement Parts for the Parks and Recreation Department
5. **LONE STAR RECREATION, INC** for Playground Replacement Parts through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) for the Parks & Recreation Department - \$54,432.25 - Contributed Capital Project Fund
This item should only be considered after passage of Item 4 above

ORDINANCES - NUMBERS 6 through 28

6. ORDINANCE **AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to encampments in public places; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability
7. ORDINANCE **AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, CITY OF HOUSTON**, relating to aggressive panhandling and impeding the use of a roadway; declaring certain conduct to be unlawful; containing findings and other provisions relating to the foregoing subject; providing for severability
8. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding an area surrounding South Post Oak and West Belfort as a designated area covered by such article

(Civility Ordinance)

9. ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue and Refunding Bonds, Series 2017B in one or more series or subseries as may be further designated; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds including the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain outstanding Combined Utility Commercial Paper Notes and certain Combined Utility System Bonds; authorizing a Bond Counsel Agreement, and a Special Disclosure Counsel Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and other related documents; making other provisions regarding such bonds; and declaring an emergency
10. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use, by the City of Houston, Texas, of Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220; vacating, abandoning and selling said parcel to Aldine Independent School District, the abutting owner, in consideration of (A) owner's payment to the City of \$183,436.00 in cash, (B) the conveyance by owner to the City in Fee Simple Title of a 39,810 square feet tract of land located at Ella Boulevard and West Greens Road for Ground Water Well use by the City, (C) the conveyance by owner to the City of two 10-foot wide water line easements, all situated in the B.B.B. & C.R.R. Co. Survey, A-175, Harris County, Texas, and (D) other good and valuable consideration - Parcels SY16-075, JY16-003, KY16-278 and KY16-279 - **DISTRICT B - DAVIS**
11. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of: (1) Burnett Street, from Maffitt Street east to the Southern Pacific Right-of-Way Line; (2) Semmes Street, from Burnett Street south to the Southern Pacific Right-of-Way Line; (3) Maffitt Street, from Burnett Street south to the Southern Pacific Right-of-Way Line; (4) Brooks Street, from Maffitt Street east 417 feet to Chase Street; and (5) Semmes Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, A-327; abandoning the streets to Kurtz Properties, Ltd., abutting owner, in consideration of its payment to the City of \$787,088.00 - **DISTRICTS B - DAVIS and H - CISNEROS**
12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 20-foot-wide water line easement; abandoning the easement to the Museum of Fine Arts, Houston, the abutting owner, in consideration of: (A) its conveyance to the City of a 23-foot-wide water line easement; (B) its payment to the City of \$300.00; and (C) other good and valuable consideration; located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696, and Joseph Gamble

- Survey A 309 - **DISTRICTS C - COHEN and D - BOYKINS**
13. ~~ORDINANCE~~ appropriating ~~\$2,050,000.00~~ from the ~~THRZ~~ Affordable Housing Fund; approving and authorizing loan of the appropriated funds and \$3,900,000.00 of Federal Home Investment Partnership Funds from the City of Houston to **HARRIS COUNTY HOUSING AUTHORITY** to assist with development of Fenix Estates, a 200 unit Affordable Housing Community, located in the vicinity of 3815 Gulf Freeway, In Houston, Texas - **DISTRICT I - GALLEGOS**
 14. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$400,000 in additional Community Development Block Grant Funds for the continuing administration and operation of a Child Care Program
 15. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide up to \$1,817,200 (\$1,292,200 - Emergency Solutions Grant Funds; \$525,000 - Community Development Block Grant Funds) for the continuing administration and operation of the City's Homeless Services Program
 16. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$400,000 in additional Community Development Block Grant Funds for the continuing administration and operation of a Juvenile Delinquency Program
 17. ORDINANCE appropriating reimbursement of unspent funds of \$588,759.95 to **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD)**, and authorizing transfer of reimbursed funds to Reinvestment Zone Number Fourteen, City of Houston, Texas, pursuant to Ordinance No. 2011-0609
 18. ORDINANCE releasing certain territory consisting of approximately 606.1394 acres in Harris County, adjacent to the extraterritorial jurisdiction of the City of Tomball, Texas, located near the intersection of S.H.249 and Humble Road, from the extraterritorial jurisdiction of the City of Houston
 19. ORDINANCE establishing the west side of the 900 block of **Henke Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - CISNEROS**
 20. ORDINANCE establishing the north and south sides of the 1400 block of **Munger Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**
 21. ORDINANCE establishing the north side of the 4400-4500 blocks of **Rusk Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**
 22. ORDINANCE establishing the north and south sides of the 1400 block of **Scharpe Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston,

Texas - **DISTRICT I - GALLEGOS**

23. ORDINANCE appropriating \$50,000 out of Contributed Capital Project Fund to Reimburse **SCENIC HOUSTON** for Esplanade Beautification on Broadway Street between Interstate 45 and Hobby Airport - **DISTRICT I - GALLEGOS**
24. ORDINANCE appropriating \$1,400,000.00 out of Fire Consolidated Construction Fund and \$500,000.00 out of Police Consolidated Construction Fund to the In-House Renovation Revolving Fund for FY2017 Renovations of the Houston Fire Department Fire House No. 32 and Houston Police Department Gerson Building and Central Police Complex - **DISTRICTS B - DAVIS and H - CISNEROS**
25. ORDINANCE appropriating \$107,734.00 from the Metro Projects Construction DDSRF Fund; approving and authorizing Public Highway Overpass Agreement between the City of Houston and **UNION PACIFIC RAILROAD** for the Buffalo Speedway Grade Separation Project - **DISTRICT K - GREEN**
26. ORDINANCE appropriating \$131,200.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **BRIDGEFARMER & ASSOCIATES, INC** for Antoine Paving and Drainage from Hammerly to Hempstead Hwy. (Approved by Ordinance No. 2015-0329); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT A - STARDIG**
27. ORDINANCE appropriating \$2,150,500.00 out of Metro Construction - Other, awarding contract to **TIKON GROUP, INC** for Safe Sidewalk Program Work Authorization Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Construction - Other
28. ORDINANCE appropriating \$2,540,792.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

MATTERS HELD - NUMBERS 29 through 30

29. RECEIVE nominations for Positions B, H and At-Large Position 2 of the

HOUSTON CLEAN CITY COMMISSION BOARD OF DIRECTORS, for terms ending January 1, 2019

DELAYED BY MOTION #2017-159, 3/22/17

This was a portion of Item 35 on Agenda of March 22, 2017

- 30.** ORDINANCE authorizing the transfer of \$480,000.00 from the NEWPP Expansion–Swift Fund (Fund 8434) into the PWE-NEWPP Construction Fund (Fund 8506), appropriating \$480,000.00 from Fund 8506, and approving the expenditure of said sum from Fund 8506 for services associated with the Northeast Water Purification Plant (“NEWPP”) Expansion Project (“Project”); appropriating \$2,520,000.00 from the Water Authorities Capital Contrib-Newpp Fund (Fund 8505) and approving the expenditure of said sum from Fund 8505 for services associated with Project; approving and authorizing second amendment to the Design-Build Agreement between the City of Houston and **HOUSTON WATERWORKS TEAM**, a Joint Venture between **CH2M HILL ENGINEERS, INC** and **CDM CONSTRUCTORS, INC** (Approved by Ordinance No. 2015-1260) for the Project; amending Ordinance No. 2015-1260 to increase the maximum project amount

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 40 on Agenda of March 22, 2017

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Cohen first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE - CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED.

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSITIONED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE (HOUSTON CITY CODE 2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date:

SP032817

Agenda Item#:

ATTACHMENTS:

Description	Type
SP032817	Signed Cover sheet

***CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR – TUESDAY
MARCH 28, 2017 – 2:00 PM***

NON-AGENDA

3 MIN	3 MIN	3 MIN
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- MR. ROBERT HALL – 7957 Ridgeview Dr. – 77055 – 281-636-9613 – American flagpole is not a weapon
- MS. SUSAN STEIN – 3222 Hazy Park – 77082 – 713-907-1101 – House entry taking in water from improper city re-surface work
- MR. JOHN BRANCH – 4430 Castor St. – 77022 – 310-710-4181 – Mayor’s decision on Independence Heights Community Center
- MS. CATHERINE BELLSHAW – 702 Peddie St. – 77008 – 870-403-3613 – Sewage issue on Peddie Street
- MR. TAYLOR McNEIL – 4414 Clay St., Apt. #1 – 77023 – 214-282-0410 – Flooding
- MS. UNIQUE GREEN – 1116 Elberta St. – 77051 – 281-408-3103 – Vacant lots in District B
- MS. DEBORAH ELAINE ALLEN – P. O. Box 263252 – 77027 – 713-264-0127 – Police brutality
- MR. SHAWN McDERMOTT – 4410 Crawford St. - 77004 – 713-922-5156 – Tent ordinance
- MR. SAM SMITH – 7813 Glass – 77016 – 254-400-5446 – Help with getting a business started
- MR. DARYL BARNES – 6606 Lockwood, Apt. #6 – 77028 – 281-883-6110 – Police response/Civil court action
- MS. EDITH DIAZ – 2423 Moreau St. – 77093 – 832-665-3849 – Racism
- MR. DAVID BUSBY – 8206 North Court Rd. – 77040 - 713-498-1141 – Property/Tax rolls

PREVIOUS

1 MIN	1 MIN	1 MIN
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- PRESIDENT JOSEPH CHARLES – P. O. Box 524373 – 77052-4373 – 832-508-8382 – A/declaration-martial law impose upon-c/Houston w/h-county governments w/Texas State



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date: 2/20/2017

MYR ~ 2017 Houston Clean City Commission CMs Memo
2-20-17

Agenda Item#: 1.

Summary:

CONFIRMATION of the appointment or reappointment of the following individuals to the **HOUSTON CLEAN CITY COMMISSION BOARD OF DIRECTORS**, for terms ending January 1, 2019:

Position A - **WARREN SLOAN**, reappointment
Position C - **BEN PROLER**, reappointment
Position D - **JONATHAN HOWARD**, appointment
Position E - **BRIAN GRUEL**, appointment
Position F - **CLAY BROLLIER**, reappointment
Position G - **NANCY D. RUTHERFORD**, reappointment
Position I - **RAMIRO FONSECA**, reappointment
Position J - **JOYCE AKINS**, reappointment
Position K - **BECKY EDMONSON**, reappointment
At-Large Position No. 1 - **JAN ROSE**, reappointment
At-Large Position No. 3 - **LORA-MARIE BERNARD**, reappointment
At-Large Position No. 4 - **KOURTNEY JAMES PERRY**, appointment
At-Large Position No. 5 - **JESSICA MAHAFFEY**, reappointment

Background:

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from March 8, 2017, to receive nominations for appointments or reappointments to Council Member Positions for the Houston Clean City Commission Board of Directors, for a term ending January 1, 2019. Listed below are the current members.

Position	Members
	Position At-Large 1 Janice Rose
	Position At-Large 2 Tri Tran
	Position At-Large 3 Lora-Marie
Bernard	

	Position At-Large 4	Melanie Scruggs
	Position At-Large 5	Jessica Mahaffey
	Position A	Warren Sloan
Position B		Edna Griggs
Position C		Benjamin Howard Proler
Position D		Charles Cave
	Position E	Frank Weary
	Positon F	Clay Brollier
	Position G	Nancy Rutherford
	Position H	Anna Gonzales
	Position I	Ramiro Fonseca
	Position J	Joyce Akins
	Position K	Becky Edmondson

DB/jsk

ATTACHMENTS:

Description

Type



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date:

MSC placeholder - director PWE

Agenda Item#: 2.

Summary:

REQUEST from Mayor for confirmation of the appointment of **DR. KARUN SREERAMA** as **Director** of the **DEPARTMENT of PUBLIC WORKS & ENGINEERING**

Background:

March 22, 2017

The Honorable City Council
City of Houston, TX

Dear Council Members,

Pursuant to Section 2-277 of the City of Houston Code of Ordinances, I am pleased to appoint Dr. Karun Sreerama, a registered engineer, as Director of the Department of Public Works and Engineering, subject to Council confirmation. His resume is attached.

Dr. Sreerama is a highly respected engineer with 28 years of experience managing multi-million dollar capital projects across the U.S. and abroad. He is a registered Professional Engineer and holds a doctorate in civil engineering as well as a Master's degree in business administration. Dr. Sreerama is focused on the organization's culture and spending as well as collaboration with City Council, neighborhoods and the engineering community. He definitely understands the important role the city plays in boosting quality of life for all Houstonians.

I have complete confidence in Dr. Sreerama and look forward to his appointment on March 29th, 2017.

Sincerely,

Sylvester Turner
Mayor, City of Houston

ATTACHMENTS:

Description

Mayor's signed letter

Type

Signed Cover sheet



CITY OF HOUSTON

Sylvester Turner

Mayor

P.O. Box 1562
Houston, Texas 77251-1562

Telephone – Dial 311
www.houstontx.gov

March 22, 2017

The Honorable City Council
City of Houston, TX

Dear Council Members,

Pursuant to Section 2-277 of the City of Houston Code of Ordinances, I am pleased to appoint Dr. Karun Sreerama, a registered engineer, as Director of the Department of Public Works and Engineering, subject to Council confirmation. His resume is attached.

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I have complete confidence in Dr. Sreerama and look forward to his appointment on March 29th, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Sylvester Turner", is written over a horizontal line.

Sylvester Turner
Mayor, City of Houston



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 2/3/2017

S25882 - 340B Drug Pricing Program - MOTION

Agenda Item#: 3.

Summary:

DIXON-SHANE, LLC dba R&S NORTHEAST, LLC for a 340B Drug Pricing Program for Family Planning Contraceptives, Vaccines, and Over-The-Counter Medications for the Houston Health Department - 36 Months with two one-year options - \$1,476,111.30 - General, Grant and Other Funds

Background:

Sole Bid Received for S21-S25882 - Approve an award to Dixon-Shane, LLC dba R&S Northeast, LLC in an amount not to exceed \$1,476,111.30 for a 340B drug pricing program for family planning contraceptives, vaccines, and over-the-counter medications for the Houston Health Department.

Specific Explanation:

The Director of the Houston Health Department and Chief Procurement Officer recommend that City Council approve an award to **Dixon-Shane, LLC dba R&S Northeast, LLC** on its sole bid in an amount not to exceed **\$1,476,111.30** for a 340B drug pricing program for family planning contraceptives, vaccines, and over-the-counter medications for the Houston Health Department (HHD). It is further requested that authorization be given to make purchases, as needed, for a **36-month period, with two one-year options**. The 340B Drug Discount Pricing Program is a U.S. federal government program that requires drug manufacturers to provide outpatient drugs to eligible health care organizations/covered entities at significantly reduced prices. This award is for the purchase of family planning contraceptives, vaccines, and over-the-counter drugs for patients visiting the designated 340B health centers at La Nueva Casa de Amigos, Northside, Sharpstown, and Sunnyside clinics. The award includes a sub-category of value-added affordable medications extended to 340B covered entities and the patients they serve. Additionally, this award includes a \$0.75 federal excise tax when ordering vaccines and shall be imposed accordingly per package/dose on approximately 6,210 doses.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fourteen prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received. Dixon-Shane, LLC dba R&S Northeast, LLC is a prime vendor partner that secures 340B statutory contract pricing applicable to the program.

Dixon-Shane, LLC dba R&S Northeast, LLC: Award on its sole bid for Group I, Line Item Nos. 4 - 8 and 10 - 12 (contraceptives); Group II, Line Item Nos. 1 - 3, 7, 9, and 10 (vaccines); Group III, Line Item Nos. 1, 3, and 4 - 6 (Merck vaccines); Group IV, Line Item Nos. 1 and 2 (federal excise tax); Group V, Line Item Nos. 1 - 3 (federal excise tax); Group VI, Line Item Nos. 1 - 8 (value-added medications) in an amount not to exceed \$1,476,111.30.

Group I, Line Item Nos. 1 - 3, 9 and 13; Group II, Line Item Nos. 4 - 6, 8 and 11; and Group III, Line Item No. 2 are not being awarded. These items will be rebid.

M/WBE:

Zero. Percentage. Goal document approved by the Office of Business Opportunity.

Zero-Percentage Goal document approved by the Office of Business Opportunity.

Hire Houston First:

The proposed award requires compliance with the City's "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Dixon-Shane, LLC dba R&S Northeast, LLC does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

Funding for this item is included in the FY17 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority			
DEPARTMENT	FY2017	OUT YEARS	TOTAL
Houston Health Department	\$20,000.00	\$1,456,111.30	\$1,476,111.30

Amount of Funding:

\$ 239,045.00 - General Fund (1000)
\$ 388,055.30 - Health Special Fund (2002)
\$ 849,011.00 - Fed/Local/State Pass Fund (5030)
\$1,476,111.30

Contact Information:

Kathy Barton 713-393-5045
Desiree Heath 832-393-8742
Laura Guthrie 832-393-8735

ATTACHMENTS:

Description

Coversheet
HHD Memo on program
S25882 Zero-Percent Goal

Type

Signed Cover sheet
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/21/2017

ALL

Item Creation Date: 2/3/2017

S25882 - 340B Drug Pricing Program - MOTION

Agenda Item#:

Background:

Sole Bid Received for S21-S25882 - Approve an award to Dixon-Shane, LLC dba R&S Northeast, LLC in an amount not to exceed \$1,476,111.30 for a 340B drug pricing program for family planning contraceptives, vaccines, and over-the-counter medications for the Houston Health Department.

Specific Explanation:

The Director of the Houston Health Department and Chief Procurement Officer recommend that City Council approve an award to Dixon-Shane, LLC dba R&S Northeast, LLC on its sole bid in an amount not to exceed \$1,476,111.30 for a 340B drug pricing program for family planning contraceptives, vaccines, and over-the-counter medications for the Houston Health Department (HHD). It is further requested that authorization be given to make purchases, as needed, for a **36-month period, with two one-year options**. The 340B Drug Discount Pricing Program is a U.S. federal government program that requires drug manufacturers to provide outpatient drugs to eligible health care organizations/covered entities at significantly reduced prices. This award is for the purchase of family planning contraceptives, vaccines, and over-the-counter drugs for patients visiting the designated 340B health centers at La Nueva Casa de Amigos, Northside, Sharpstown, and Sunnyside clinics. The award includes a sub-category of value-added affordable medications extended to 340B covered entities and the patients they serve. Additionally, this award includes a \$0.75 federal excise tax when ordering vaccines and shall be imposed accordingly per package/dose on approximately 6,210 doses.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fourteen prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received. Dixon-Shane, LLC dba R&S Northeast, LLC is a prime vendor partner that secures 340B statutory contract pricing applicable to the program.

Dixon-Shane, LLC dba R&S Northeast, LLC: Award on its sole bid for Group I, Line Item Nos. 4 - 8 and 10 - 12 (contraceptives); Group II, Line Item Nos. 1 - 3, 7, 9, and 10 (vaccines); Group III, Line Item Nos. 1, 3, and 4 - 6 (Merck vaccines); Group IV, Line Item Nos. 1 and 2 (federal excise tax); Group V, Line Item Nos. 1 - 3 (federal excise tax); Group VI, Line Item Nos. 1 - 8 (value-added medications) in an amount not to exceed \$1,476,111.30.

Group I, Line Item Nos. 1 - 3, 9 and 13; Group II, Line Item Nos. 4 - 6, 8 and 11; and Group III, Line Item No. 2 are not being awarded. These items will be rebid.

M/WBE:

Zero-Percentage Goal document approved by the Office of Business Opportunity.

Hire Houston First:

The proposed award requires compliance with the City's "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Dixon-Shane, LLC dba R&S Northeast, LLC does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

Funding for this item is included in the FY17 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority			
DEPARTMENT	FY2017	OUT YEARS	TOTAL
Houston Health Department	\$20,000.00	\$1,456,111.30	\$1,476,111.30

Amount of Funding:

\$ 239,045.00 - General Fund (1000)

\$ 388,055.30 - Health Special Fund (2002)

\$ 849,011.00 - Fed/Local/State Pass Fund (5030)

\$1,476,111.30

Contact Information:

Kathy Barton 713-393-5045

Desiree Heath 832-393-8742

Laura Guthrie 832-393-8735

ATTACHMENTS:**Description**

S25882 Zero-Percent Goal

S25882 Form A

S25882 Form B

S25882 Affidavit

S25882 Fund 1000 Budget Form

S25882 Fund 2002 Budget Form

S25882 Fund 5030 Budget Form

S25882 Bid Tab

Type

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material



CITY OF HOUSTON

Houston Health Department

Interoffice

Correspondence

To: Mayor Turner

From:  Stephen L. Williams, Director
Houston Health Department

Date: March 23, 2017

CC:

Subject: Family Planning

The Houston Health Department (HHD) is the local public health agency for the City of Houston. One of the primary responsibilities of public health is to serve as a *safety net provider* of certain clinical preventive health services that include immunizations, WIC, STD diagnosis and treatment, tuberculosis diagnosis and treatment and family planning. HHD has provided family planning services since the early 1960's, immunizations since the 1950's.

In 2013, the U.S. Department of Health and Human Services issued a Request for Proposals to administer family planning funds in the State of Texas under Title X. The Women's Health and Family Planning Association of Texas (WHFPT) was awarded the grant pursuant to the provisions of the Public Health Service Act (42 U.S.C. 201, et seq.) to manage a program entitled "The Family Planning Project" involving the provision of family planning services in the State of Texas. The first agreement (sub-recipient contract) between HHD and WHFPT became effective May 13, 2013.

Family planning services are provided at each HHD Health Center - Sunnyside, Casa, Northside and Sharpstown. These services are supported by the General Fund, Women's Health and Family Planning Association of Texas (WHFPT), insurers (Medicaid, United Health Care, Superior, Amerigroup, Community Choice) and client payments. Reimbursements are deposited into the General Fund revenue account under Title XIX Family Planning.

HHD family planning services only provide education and pregnancy prevention products. HHD does not provide any pregnancy termination service.

HHD receives grant funds from the Women's Health and Family Planning Association of Texas (WHFPT) to cover required purchases, which including drugs and medical supplies, outreach staff, and other activities for family planning. WHFPT receives funds from the U.S. Department of Health and Human Services' Office of Population Affairs (OPA) to oversee Title X family planning services in the State of Texas.

This is a year to year grant, awarded based on HHD's ability to reach established deliverables. 30,827 unduplicated family planning clients were provided family planning clinical services (18,771) and non-clinical (reproductive life planning outreach and education) during the last grant year April 1, 2015 to March 31, 2016. WHFPT has recently awarded HHD \$674,972 based on 34,839 unduplicated clients to be served during the current grant period April 1, 2016 to March 31, 2017.

Products

See attachment S25882 Bid Tab for the entire list of this purchase.

- Contraceptives: this group of supplies includes five varieties of birth control pills, one injectable and Nuva ring, an insertible. This group also includes pregnancy tests which may be administered to ensure a female client is not pregnant prior to receiving a contraceptive prescription.
- Vaccines: this purchase includes two groups of vaccines determined by the funding source. 340B Vaccines are funded through a federal program to provide medications to underserved populations. Non-340B vaccines are funded by the other sources and client payment. All of these vaccines are on the recommended list of immunizations for children and adults except for the typhoid vaccine which is recommended for travelers and people with high risk exposures.
- Group VI 340B "Value Added Items:" These are items that may be prescribed related to another treatment or service from an HHD clinic. Permethrin cream is for the treatment of scabbies; triple antibiotic ointment is for abrasions; prenatal vitamins are provided to pregnant patients who have no other resource to acquire them; Colchicine tablets are provided to TB patients to treat gout, a side effect of TB antibiotics; Ferrous Sulfate tablets contain iron and are used to treat anemia; Fluconazole treats yeast infections and Metronidazole treats vaginosis.

Ability to Pay

Per the policy of WHFPT, ability to pay is not a barrier for service. Services are available to all who request them, regardless of ability to pay, residency, citizenship, limited English proficiency, gender, sexual orientation, marital status, disability, religion, age, race, ethnicity, or financial status. Additionally, WHFPT has a priority to provide a broad range of acceptable and effective family planning methods, including Long Acting Reversible Contraceptives (LARCs), such as Nexplanon, when medically appropriate. As sub-recipients, HHD must provide all FDA approved contraceptive methods on-site.

As a sub-recipient of Title V and Title X federal funds, the City of Houston is required to have an ordinance addressing clients and their ability to pay:

Sec. 21-14. - Fees charged for goods or services. (a)The director of the public health is hereby authorized to charge and collect fees for goods or services provided by the department, provided that no person shall be denied goods or service because of his or her inability to pay for it. All fees charged pursuant to this section shall be set out in the city fee schedule. The director shall consider the actual costs, direct and indirect, of the goods and services provided when recommending to the city council fees to be charged pursuant to this section.

Unintended Pregnancy

Unintended pregnancy is a key public health indicator and one half of all pregnancies in the US are unintended.

Cost and Effectiveness

Method	3-Year Cost	Failure Rate
Nexoplanon	\$364	0.05%
Depo Provera	328	6%
Paragard IUD	80	0.8%
Mirena IUD	81	0.2%
Birth control pills	112	9%

Pregnancy and Family Planning

It is estimated that for every dollar spent on family planning saves \$4 in prenatal and delivery costs.

Prenatal to delivery costs range from \$9,000 to \$250,000 per birth depending on the age and health of the mother and complications that may arise during pregnancy.

More women die from pregnancy and delivery complications than die from all methods of family planning combined.



CITY OF HOUSTON
OFFICE
BUSINESS OPPORTUNITY

**Goal Modification
Request Form**

1. Date: July 19, 2016 2. Requesting Department: Houston Health Dept 3. Solicitation Number: S21-S25882

4. Solicitation Name: Contraceptives, Vaccines & Misc Pharmaceuticals 5. Estimated Dollar Amount: \$ 1,476,111.30

6. Description of Solicitation (attach specifications/supporting documents):

This solicitation is for Contraceptives, Vaccines & Misc Pharmaceuticals that qualify for 340B pricing. NOTE: Revision of June 3, 2016 Request

PLEASE INDICATE WHETHER A PREVIOUS CONTRACT EXISTED FOR THIS SOLICITATION.

A. Previous contract (if any): Yes ☒ No ☐ B. Previous contract number: S21-S25281

C. Goal on last contract 0% D. Was goal met? Yes ☒ No ☐

E. If goal was not met, what percentage did the vendor achieve? N/A %

F. Why wasn't goal achieved?

N/A

SELECT ONE TYPE OF GOAL MODIFICATION REQUEST FROM THE FOUR OPTIONS BELOW.

1. WAIVER

A. I am requesting a waiver of the MWSBE Goal: Yes ☒ No ☐

B. Reason for waiver: (Check one)

- ☐ A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy
- ☐ If goods and services are specialized, technical, or unique nature as to require the City department to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants)
- ☐ MWSBE provisions impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or is not in the best interest of the City; or
- ☐ Level of MWSBE availability would produce minimal MWSBE participation.
- ☒ Other: There are no divisible elements within the scope of service of this contract.

C. Detailed explanation for Waiver Reason:

A search was conducted on the OBO Certified Directory and the State of Texas CMBL-HUB Directory websites. None of the vendors are certified by Apexus, the PVP. The divisible work elements did not change with the revision. See attached memo.

2. COOPERATIVE OR INTER-LOCAL AGREEMENT

A. Is this a Cooperative/Inter-Local agreement? Yes ☐ No ☒

B. If yes, please specify the name of the agreement: N/A

C. Did the Department explore opportunities for using certified firms? Yes ☐ No ☒

D. Please explain how the department explored opportunities for using certified firms:

N/A

E. Please explain why the Department did not explore opportunities for using certified firms:

N/A



CITY OF HOUSTON
OFFICE
BUSINESS OPPORTUNITY

Goal Modification
Request Form

3. REDUCED GOAL (to be completed by the department prior to advertisement)

A. I am requesting a MWSBE contract-specific goal below the following city wide goals:

Construction (34%) Professional Services (24%) Purchasing (11%)

Yes ☐ No ☒ If yes, please complete a Contract-Specific Goal Request Form and submit with this form.

4. GOAL REVISION AFTER ADVERTISEMENT

A. I am requesting a revision of the MWSBE Goal that has already been advertised: Yes ☐ No ☒

B. Original goal: N/A C. Proposed new goal: N/A D. Advertisement date: N/A

E. Will the project be re-advertised? Yes ☐ No ☒ F. Estimated dollar amount: \$ N/A

G. Detailed reason for request:

N/A

Concurrence:

W B Mathews
Requesting Department Initiator

7-19-16
Date

Michael Smith
Department Director or Designee

7/19/16
Date

FOR OBO OFFICE USE ONLY:			
APPROVED:			
<u>Wanda E. Murray</u>	<u>7/25/16</u>	<u>NON-DIVISIBLE</u>	<u>W-624</u>
OBO Assistant Director or Designee	Date	OBO Reason	Tracking #
DENIED:			
OBO Assistant Director or Designee	Date	OBO Reason	Tracking #



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District C

Item Creation Date: 2/3/2017

N26144 - Appropriation ORDINANCE

Agenda Item#: 4.

Summary:

ORDINANCE appropriating \$54,432.25 out of Contributed Capital Project Fund for the purchase of Replacement Parts for the Parks and Recreation Department

Background:

S21-N26144 - Approve an Appropriation Ordinance

Specific Explanation:

The Director of the Parks and Recreation Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing the appropriation of **\$54,432.25** out of the Contributed Capital Project Fund (4515) for the purchase of playground replacement parts for the Parks and Recreation Department. This appropriation also includes a labor component in the total amount of \$12,360.00.

Fiscal Note:

There is no estimated impact to the operating budget as a result of this CIP project.

Jerry Adams, Chief Procurement Officer
Signature
Finance/Strategic Procurement Division

Department Approval Authority

Amount of Funding:

\$54,432.25

Contributed Capital Project Fund (4515)

Contact Information:

Luci Correa	832-395-7047
Desiree Heath	832-393-8742
Laura Guthrie	832-393-8735

ATTACHMENTS:

Description

Cover sheet

Type

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 3/28/2017

District C

Item Creation Date: 2/3/2017

N26144 - Appropriation

Agenda Item#: 16.

Background:**S21-N26144 - Approve an Appropriation Ordinance****Specific Explanation:**

The Director of the Parks and Recreation Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing the appropriation of **\$54,432.25** out of the Contributed Capital Project Fund (4515) for the purchase of playground replacement parts for the Parks and Recreation Department. This appropriation also includes a labor component in the total amount of \$12,360.00.

Fiscal Note:

There is no estimated impact to the operating budget as a result of this CIP project.



Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division_____
Department Approval Authority Signature**Amount of Funding:****\$54,432.25** - Contributed Capital Project Fund (4515)**Contact Information:**

Luci Correa	832-395-7047
Desiree Heath	832-393-8742
Laura Guthrie	832-393-8735



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District C

Item Creation Date: 2/3/2017

N26144.1 - Playground Replacement Parts - MOTION

Agenda Item#: 5.

Summary:

LONE STAR RECREATION, INC for Playground Replacement Parts through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) for the Parks & Recreation Department - \$54,432.25 - Contributed Capital Project Fund

This item should only be considered after passage of Item 4 above

Background:

S21-N26144.1 - Approve the purchase of playground replacement parts through the Texas Local Government Purchasing Cooperative (BuyBoard) in the total amount of \$54,432.25 for the Parks and Recreation Department.

Specific Explanation:

The Director of the Parks and Recreation Department and the Chief Procurement Officer recommend that City Council approve the purchase of playground replacement parts through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) in the total amount of **\$54,432.25** for the Park and Recreation Department and that authorization be given to issue a purchase order to the cooperative purchasing agency contractor, **Lone Star Recreation, Inc.** The replacement parts consist of, but are not limited to, double and curved slides, panels, square decks and poly roofs, ladders, arches, 4-seated seesaws, motorcycle and animal shaped spring riders. This project includes a separate labor component in the total amount of **\$12,630.00** to demo the pre-existing playground structure and install the new replacement parts at Meyerland Park. The new parts will replace the deteriorated equipment at Meyerland Park and provide the community with a safe and vibrant playground.

The playground replacement parts meet the International Play Equipment Manufacturers Association (IPEMA) current ASTM F1487-11 Standard Consumer Safety Performance Specification for playground equipment for public use.

These replacement parts are only available from Lone Star Recreation, Inc. located in Houston, TX. They are the authorized reseller/distributor for Landscape Structures®.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a)(7)(D) "a procurement of items that are available from only one source, including captive replacement parts or

components for equipment" of the Texas Local Government Code for exempted procurements.

M/WBE

This procurement is exempt from the City's M/WBE subcontracting goals as the total project expenditure does not exceed the City's \$100,000.00 threshold.

Hire Houston First

The procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal Agreement/Cooperative Purchasing Agreement for this purchase.

Fiscal Note

There is no estimated impact to the operating budget as a result of this CIP project. This is a Council District Service Fund project.

Jerry Adams, Chief Procurement Officer
Signature
Finance/Strategic Procurement Division

Department Approval Authority

Amount of Funding:

\$54,432.25 - Contributed Capital Project Fund (4515)

Contact Information:

Luci Correa	832-395-7047
Desiree Heath	832-393-8742
Laura Guthrie	832-393-8735

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:

District C

Item Creation Date: 2/3/2017

N26144.1 - Playground Replacement Parts - MOTION

Agenda Item#:

Summary:**Background:**

S21-N26144.1 - Approve the purchase of playground replacement parts through the Texas Local Government Purchasing Cooperative (BuyBoard) in the total amount of \$54,432.25 for the Parks and Recreation Department.

Specific Explanation:

The Director of the Parks and Recreation Department and the Chief Procurement Officer recommend that City Council approve the purchase of playground replacement parts through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) in the total amount of **\$54,432.25** for the Park and Recreation Department and that authorization be given to issue a purchase order to the cooperative purchasing agency contractor, **Lone Star Recreation, Inc.** The replacement parts consist of, but are not limited to, double and curved slides, panels, square decks and poly roofs, ladders, arches, 4-seated seesaws, motorcycle and animal shaped spring riders. This project includes a separate labor component in the total amount of **\$12,630.00** to demo the pre-existing playground structure and install the new replacement parts at Meyerland Park. The new parts will replace the deteriorated equipment at Meyerland Park and provide the community with a safe and vibrant playground.

The playground replacement parts meet the International Play Equipment Manufacturers Association (IPEMA) current ASTM F1487-11 Standard Consumer Safety Performance Specification for playground equipment for public use.

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This recommendation is made pursuant to Chapter 252, Section 252.022 (a)(7)(D) "a procurement of items that are available from only one source, including captive replacement parts or components for equipment" of the Texas Local Government Code for exempted procurements.

M/WBE

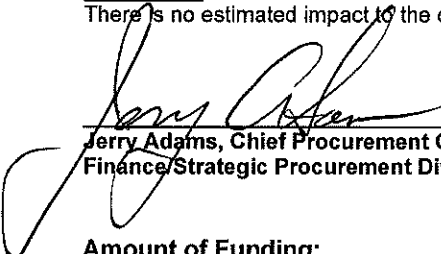
This procurement is exempt from the City's M/WBE subcontracting goals as the total project expenditure does not exceed the City's \$100,000.00 threshold.

Hire Houston First

The procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal Agreement/Cooperative Purchasing Agreement for this purchase.

Fiscal Note

There is no estimated impact to the operating budget as a result of this CIP project. This is a Council District Service Fund project.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

\$54,432.25 - Contributed Capital Project Fund (4515)

Contact Information:

Luci Correa 832-395-7047
Desiree Heath 832-393-8742
Laura Guthrie 832-393-8735

ATTACHMENTS:

DescriptionN26144 Fair Campaign OrdinanceN26144 Form BN26144 Sole Source JustificationN26144 Sole Source Approval by Finance Director**Type**

Backup Material

Backup Material

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 3/23/2017

LGL- Chpt 21 - Anti-Encampment Ordinance

Agenda Item#: 6.

Summary:

ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to encampments in public places; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability

Background:

This ordinance makes it unlawful to engage in encampment in a public place.

The ordinance defines "encampment" to mean the use of fabric, metal, cardboard, or other materials as a tent or other temporary structure for human habitation. However, the ordinance does not prohibit the act of sleeping.

Additionally, this ordinance defines public place to generally include all outdoor areas accessible to the general public.

A citation may be issued only after police officers charged with enforcing this law provide a written warning to a person violating the law and allow the individual a reasonable amount of time for the person to comply with the officer's directive before a citation may be issued.

An officer may arrest a person for violating the law after:

- 1) Issuing a written warning and giving the person a reasonable amount of time for the person to comply with the officer's directive;
- 2) The officer has ascertained whether the person is in need of medical attention or human services attention, including but not limited to mental health treatment, drug or alcohol rehabilitation, or homeless services assistance, and the officer has made a reasonable effort to obtain assistance from the Houston Police Department's Homeless Outreach Team and/or designated outreach organization to informally evaluate the person's condition and needs; and
- 3) At least one of the following circumstances exists:
 - a) The officer has attempted to but has been unable to obtain assistance of HOT or a designated outreach organization.

b) Personnel from HOT or a designated outreach organization has informally evaluated the person and concluded the person has no immediate need for emergency medical treatment or social services; or

c) Personnel from HOT or a designated outreach organization has informally evaluated the persons' needs, concluded the person has an immediate need for emergency medical treatment or social services and has directed the person to an appropriate provider but the person does accept the direction.

Ronald C. Lewis
City Attorney
Legal Department

Contact Information:

CONTACT	TELEPHONE
Tom Allen	832.393.6411
Rashaad Gambrell	832.393.6439

ATTACHMENTS:

Description

Encampment RCA
Anti-Encampment Ordinance - revised

Type

Signed Cover sheet
Ordinance/Resolution/Motion

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 4/4/2017

ALL

Item Creation Date: 3/23/2017

LGL-Encampment Ordinance

Agenda Item#: 37.

Summary:

ORDINANCE amending Chapter 21 of the Code of Ordinances, Houston, Texas, relating to encampments in a public place; declaring certain conduct to be unlawful and providing penalties therefore; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency.

Background:

This ordinance makes it unlawful to engage in encampment in a public place.


The ordinance defines "encampment" to mean the use of fabric, metal, cardboard, or other materials as a tent or other temporary structure for human habitation. However, the ordinance does not prohibit the act of sleeping.

Additionally, this ordinance defines public place to generally include all outdoor areas accessible to the general public.

A citation may be issued only after police officers charged with enforcing this law provide a written warning to a person violating the law and allow the individual a reasonable amount of time for the person to comply with the officer's directive before a citation may be issued.

An officer may arrest a person for violating the law after:

- 1) Issuing a written warning and giving the person a reasonable amount of time for the person to comply with the officer's directive;
- 2) The officer has ascertained whether the person is in need of medical attention or human services attention, including but not limited to mental health treatment, drug or alcohol rehabilitation, or homeless services assistance, and the officer has made a reasonable effort to obtain assistance from the Houston Police Department's Homeless Outreach Team and/or designated outreach organization to informally evaluate the person's condition and needs; and
- 3) At least one of the following circumstances exists:
 - a) The officer has attempted to but has been unable to obtain assistance of HOT or a designated outreach organization.
 - b) Personnel from HOT or a designated outreach organization has informally evaluated the person and concluded the person has no immediate need for emergency medical treatment or social services; or
 - c) Personnel from HOT or a designated outreach organization has informally evaluated the persons' needs, concluded the person has an immediate need for emergency medical treatment or social services and has directed the person to an appropriate provider but the person does accept the direction.


Ronald C. Lewis
City Attorney
Legal Department

Contact Information:

CONTACT	TELEPHONE
Tom Allen	832.393.6411
Rashaad Gambrell	832.393.6439

City of Houston, Texas, Ordinance No. 2017-_____

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO ENCAMPMENTS IN PUBLIC PLACES; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL AND PROVIDING PENALTIES THEREFOR; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Houston (“City”) is a home-rule municipality pursuant to Section 5, Article XI of the Texas Constitution; and

WHEREAS, Section 282.001 of the Texas Local Government Code provides that a home-rule municipality has exclusive control over its public property; and

WHEREAS, a core function of local government is to help ensure its public property is used in a manner that is consistent with the property’s purpose and minimizes hazards to public health and safety; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control “over and under the public highways, streets, and alleys of the municipality” and may “control, regulate, or remove an encroachment or obstruction on a public street or alley of the municipality;” and

WHEREAS, the City has long partnered with other governmental entities and nonprofit organizations to provide housing and social services to homeless persons, which efforts have reduced Houston’s homeless population; and

WHEREAS, notwithstanding the efforts of the City and its partners, from time to time certain homeless persons erect tents or other temporary structures in the City’s public places for use as living quarters, which structures are inconsistent with the property’s purpose; and

WHEREAS, on occasion such structures have been used to shield criminal acts from public view, threatening the safety of the general public and, especially, of persons in or near the structures; and

WHEREAS, on occasion homeless persons have used heating or cooking devices in public places, which devices present a fire hazard threatening the safety of the general public and, especially, of persons near the devices; and

WHEREAS, some homeless persons have maintained in public places substantial amounts of personal property that the City, at significant public expense, must move to another location to clean the public place and reduce health hazards for the general public and, especially, for persons using the places; and

WHEREAS, the City's Homeless Outreach Team, a program of the Mental Health Division of the Houston Police Department, is staffed with police officers and mental health professionals well-trained to address the challenges faced by Houston's homeless population; and

WHEREAS, to assist homeless persons, the Homeless Outreach Team regularly collaborates with the Harris Center for Mental Health and IDD, SEARCH Homeless Services, Lord of the Streets, Star of Hope, and other qualified nonprofit organizations; and

WHEREAS, the City continues to dedicate resources to help provide housing options for homeless persons, including access to shelters, short- and medium-term rental subsidies, and programs to facilitate private employment; and

WHEREAS, the City is obligated to preserve, protect, and maintain public property for its intended purposes and to help ensure its public places are not used in a manner creating health or safety hazards for persons using the property or for the general public;
NOW, THEREFORE,

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

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Chapter 21 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Article III that reads as follows:

"ARTICLE III. ENCAMPMENTS

Sec. 21-61. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

Encampment means any one or more of the following:

- (a) The unpermitted use of fabric, metal, cardboard, or other materials as a tent or other temporary structure for human habitation; or
- (b) The unpermitted use of a *heating device*; or
- (c) The unpermitted accumulation of personal property that would not fit in a container three feet high, three feet wide, and three feet deep.

Designated outreach organization means a nonprofit organization jointly designated by the Houston Police Department's Homeless Outreach Team and the city's Director of Emergency Medical Services to assist the city's Police Department in the manner prescribed in section 21-63 of this Code.

Heating device means a camp stove, grill, heater, or other container or device capable of generating or containing an open flame.

Police officer means an officer of the city's Police Department.

Public place means an outdoor area owned, managed, or controlled by the city to which the public has access, including public rights-of-way, parks, streets, sidewalks, underpasses, and parking lots.

Sec. 21-62. Unauthorized encampments prohibited; penalty.

- (a) Encampment in a public place in the city is unlawful.
- (b) Any person who violates this section shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-6 of this Code.

Sec. 21-63. Procedure for enforcement.

- (a) No police officer may issue a citation for a violation of this article unless prior to issuing the citation:
 - (1) The officer has tendered a written warning to the person stating that a failure to comply with the city's prohibition against encampments may result in the issuance of a criminal citation to the person or in the person's arrest; and
 - (2) The officer has provided a reasonable time for the person to comply with the prohibition, but the person has not complied.
- (b) The written warning required by subsection (a)(1) of this section may be accompanied by written information regarding the availability of medical treatment (including mental health treatment) or social services (including temporary shelter or drug or alcohol rehabilitation).
- (c) No police officer may arrest a person for a violation of this article unless prior to the arrest:
 - (1) The officer has tendered the written warning required by subsection (a) of this section and has provided a reasonable

time for the person to comply with the prohibition, but the person has not complied; and

- (2) The officer has attempted to ascertain whether the person is in need of emergency medical treatment (including emergency mental health treatment) or social services (including temporary shelter or drug or alcohol rehabilitation), and, if the officer has concluded the person may be in need of emergency medical treatment or social services, has made reasonable efforts to obtain assistance from the Houston Police Department's Homeless Outreach Team and/or a designated outreach organization to informally evaluate the person's condition and needs; and
- (3) At least one of the following circumstances exists:
 - a. The officer has concluded the person may be in need of medical treatment or social services, but, notwithstanding the officer's reasonable efforts, the officer has not been able to obtain the assistance contemplated by subsection (b)(2) of this section; or
 - b. Personnel from the Houston Police Department's Homeless Outreach Team and/or a designated outreach organization have informally evaluated the person's condition and needs and concluded the person has no immediate need for emergency medical treatment or social services; or
 - c. Personnel from the Houston Police Department's Homeless Outreach Team and/or a designated outreach organization have informally evaluated the person's needs, concluded the person has an immediate need for emergency medical treatment or social services, and directed the person to an appropriate provider, but the person has not accepted the direction.

Sec. 21-64. Cumulative effect; conflict with other ordinances.

This article is cumulative of all other applicable laws and ordinances. If this article conflicts with another provision of this Code, the more restrictive provision shall govern, except that Chapter 32 of this Code ('Parks and Recreation') shall govern over this article without regard to the restrictive nature of the respective provisions."

Section 3. That, at least five business days before the day on which this Ordinance is effective, the Captain of the Mental Health Division of the Houston Police Department

and the City's Director of Emergency Medical Services jointly shall issue a list of designated outreach organizations to provide the assistance described in Section 2 of this Ordinance.

Section 4. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances to make such nonsubstantive changes to the Code as necessary to conform to the provisions adopted in this Ordinance and to make such nonsubstantive changes to the provisions adopted in this Ordinance to conform to the conventions of the published Code.

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. 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 at 12:01 a.m. on the thirtieth day next following the date of its passage and approval by the Mayor.

PASSED AND APPROVED this ____ day of _____, 2017.

Mayor of the City of Houston

Prepared by Legal Dept. _____
TPA 03/27/2017 First Assistant City Attorney
Requested by the Honorable Sylvester Turner, Mayor
L.D. File No. 0421700026001



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date:

LGL - Chpt 28 - Aggressive Panhandling

Agenda Item#: 7.

Summary:

ORDINANCE AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, relating to aggressive panhandling and impeding the use of a roadway; declaring certain conduct to be unlawful; containing findings and other provisions relating to the foregoing subject; providing for severability

ATTACHMENTS:

Description

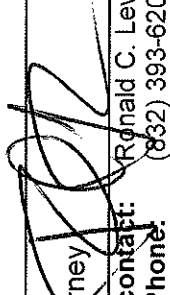
RCA
Redline ordinance
Final Ordinance

Type

Signed Cover sheet
Backup Material
Ordinance/Resolution/Motion

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: AN ORDINANCE AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, RELATING TO AGGRESSIVE PANHANDLING AND IMPEDING THE USE OF A ROADWAY; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department		Origination Date 3/23/2017	Agenda Date
DIRECTOR'S SIGNATURE: Ronald C. Lewis, City Attorney 		Council District affected: All	
For additional information contact: Ronald C. Lewis Phone: (832) 393-6202		Date and identification of prior authorizing Council action: Ordinance No. 92-390 Ordinance No. 92-1449 Ordinance No. 02-504 Ordinance No. 2011-655	
RECOMMENDATION: (Summary) Adopt an ordinance amending section 28-46 of the Code of Ordinances, City of Houston, relating to aggressive panhandling and impeding the use of a roadway.			
Amount and Source of Funding: None			
SPECIFIC EXPLANATION: The City Attorney requests that City Council adopt an ordinance amending section 28-46 of the Code of Ordinances, City of Houston, relating to aggressive panhandling and impeding the use of a roadway. In the ordinance impeding means to render use of the roadway unreasonably difficult or dangerous. The roadway is defined as the portion of the street improved, designed, or ordinarily used for vehicular travel and includes medians or any raised paved surface within the roadway. Before a citation can be issued or an arrest made an officer must: <ul style="list-style-type: none">- Give a verbal warning ; and- The person receiving the warning must fail to comply with the officer's request or order. It is a defense to prosecution that the person impeding the roadway is an employee or agent of the city engaged in the solicitation of funds on behalf of a nonprofit corporation, group, or organization pursuant to a class A certificate issued under Chapter 36, Article V. Finally, since it does not specify a punishment, Sec. 1-6 of the code of ordinances is applicable making a violation punishable by a fine not to exceed \$500.			
REQUIRED AUTHORIZATION			
Other Authorization:		Other Authorization:	

City of Houston, Texas, Ordinance No. 2017-_____

AN ORDINANCE AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, RELATING TO AGGRESSIVE PANHANDLING AND IMPEDING THE USE OF A ROADWAY; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Houston (“City”) is a home-rule municipality pursuant to Section 5, Article XI of the Texas Constitution; and

WHEREAS, Section 282.001 of the Texas Local Government Code provides that home-rule municipality has exclusive control over and under the public grounds of the municipality; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, the City, like other cities, has enacted ordinances that prohibit or limit the ability of a person to use streets in a manner inconsistent with their core purpose or intended use or the use of streets in such a way that presents safety concerns to individuals using the streets; **NOW, THEREFORE**,

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

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Chapter 28 of the Code of Ordinances, Houston, Texas, is hereby amended by amending Section 28-46 to read as follows:

“Sec. 28-46. Aggressive panhandling; impeding the use of a roadway.

(a) The following words, terms, and phrases when used in this section shall have the meanings ascribed to them in this subsection, unless the context of their usage clearly indicates another meaning:

**DRAFT NOT YET APPROVED
BY THE CITY ATTORNEY**

Automated teller machine or *ATM* means a machine, other than a telephone, that is capable of being operated by a patron to communicate to a financial institution:

- (1) A request to withdraw money from an account directly or under a line of credit previously authorized;
- (2) An instruction to deposit money in an account with the financial institution;
- (3) An instruction to transfer money between one or more accounts maintained with the financial institution;
- (4) An instruction to apply money against an indebtedness to the financial institution; or
- (5) A request for information concerning the balance of the account with the financial institution.

Fuel dispensing device means a pump or other machine utilized for dispensing fuel to motor vehicles for a fee.

Impede means to render the use of a roadway unreasonably difficult or dangerous.

Pay telephone means any coin-operated or credit or debit card reader operated telephone located on any public or private property that is accessible for public use.

Parking meter means any coin-operated meter utilized to charge for parking a motor vehicle on public property.

Parking fee collection box means a device utilized to collect coins or currency as a charge for parking a motor vehicle on private property.

Public place means a street, sidewalk, or other place that is open to the public.

Request means any imperative instruction, whether verbal or non-verbal, by a solicitee to a solicitor to desist the solicitation including but not limited to words or gestures such as 'stop,' 'back off,' 'stay back,' 'get away,' 'leave me alone,' or 'withdraw.'

Roadway means the portion of a street improved, designed, or ordinarily used for vehicular travel and includes medians or any raised paved surface within the roadway.

Solicitation means the act of panhandling by seeking through a communication with another person, whether by gesture or verbally, funds or goods for food, personal favors (such as trips, transportation, clothing, or other), drink, lodging, vehicle fare, or any other purpose to directly benefit an individual or his family members.

Solicitee means any individual to whom a solicitor, as defined herein, directs a solicitation.

Solicitor means any person who engages in the act of solicitation as defined above.

Street means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Transit facility means a facility that:

- (1) Is owned and operated by the Metropolitan Transit Authority of Harris County, Texas (METRO);
- (2) Constitutes a permanent and integral part of the transit system of METRO;
- (3) Is designed to serve as a point from which METRO patrons take ingress and egress from the METRO transit system; and
- (4) Includes one or more of the following structures: a sign or signs indicating a transit stop or pick-up point, a shelter for transit patrons or benches or chairs for transit patrons.

(b) Immediately upon any request from a solicitee to a solicitor, a solicitor who is in a public place at the moment the request is made shall discontinue the solicitation until there is a space of at least eight feet between the solicitor and the solicitee or, in the alternative, discontinue all efforts to engage in the solicitation if within eight feet proximity to a requesting solicitee.

(c) For the purposes of subsection (b) of this section, distance shall be measured from any extension of the solicitor's body, including without limitation any sign or other object being used or carried by the solicitor, to any part of the solicitee's body.

(d) Regardless of whether any request is made by the solicitee to the solicitor, no solicitor shall engage in solicitation within a distance of eight feet from any ATM, pay telephone, parking meter, parking fee collection box, transit facility, fuel dispensing device, or outdoor dining establishment, including, but not limited to, a sidewalk cafe.

(e) For the purposes of subsection (d) of this section, distance shall be measured from any extension of the solicitor's body, including without limitation any sign or other object being used or carried by the solicitor, to any part of the physical structure of the ATM, pay telephone, parking meter, parking fee collection box, transit facility, fuel dispensing device, or outdoor dining establishment, including but not limited to, a sidewalk cafe.

(f) Notwithstanding the other provisions of this section, it shall be unlawful for a person to impede the use of a roadway. No police officer shall issue a citation, make an arrest or otherwise enforce a violation of impeding a roadway against any person unless the officer first requests or orders the person to refrain from the alleged prohibited conduct and the person fails to comply.

(g) It is a defense to prosecution under this section that the person impeding the roadway is an employee or agent of the city engaged in the solicitation of funds on behalf of a nonprofit corporation, group, or organization pursuant to a class A certificate issued under Chapter 36, Article V.

(h) Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-6 of this Code."

Section 3. That City Council encourages all City of Houston Municipal Court Prosecutors to exercise considerable prosecutorial discretion in prosecuting violators of this Ordinance.

Section 4. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. 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, Houston City Charter.

PASSED AND ADOPTED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by Legal Dept. _____
RZ: 03/01/2017 First Assistant City Attorney
Requested by the Honorable Sylvester Turner, Mayor
L.D. File No. 0391700064001

City of Houston, Texas, Ordinance No. 2017-_____

AN ORDINANCE AMENDING SECTION 28-46 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, RELATING TO AGGRESSIVE PANHANDLING AND IMPEDING THE USE OF A ROADWAY; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Houston ("City") is a home-rule municipality pursuant to Section 5, Article XI of the Texas Constitution; and

WHEREAS, Section 282.001 of the Texas Local Government Code provides that home-rule municipality has exclusive control over and under the public grounds of the municipality; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, the City, like other cities, has enacted ordinances that prohibit or limit the ability of a person to use streets in a manner inconsistent with their core purpose or intended use or the use of streets in such a way that presents safety concerns to individuals using the streets; **NOW, THEREFORE**,

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

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Chapter 28 of the Code of Ordinances, Houston, Texas, is hereby amended by amending Section 28-46 to read as follows:

"Sec. 28-46. Aggressive panhandling; impeding the use of a roadway.

(a) The following words, terms, and phrases when used in this section shall have the meanings ascribed to them in this subsection, unless the context of their usage clearly indicates another meaning:

Automated teller machine or *ATM* means a machine, other than a telephone, that is capable of being operated by a patron to communicate to a financial institution:

- (1) A request to withdraw money from an account directly or under a line of credit previously authorized;
- (2) An instruction to deposit money in an account with the financial institution;
- (3) An instruction to transfer money between one or more accounts maintained with the financial institution;
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Solicitation means the act of panhandling by seeking through a communication with another person, whether by gesture or verbally, funds or goods for food, personal favors (such as trips, transportation, clothing, or other), drink, lodging, vehicle fare, or any other purpose to directly benefit an individual or his family members.

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- (1) Is owned and operated by the Metropolitan Transit Authority of Harris County, Texas (METRO);
- (2) Constitutes a permanent and integral part of the transit system of METRO;
- (3) Is designed to serve as a point from which METRO patrons take ingress and egress from the METRO transit system; and
- (4) Includes one or more of the following structures: a sign or signs indicating a transit stop or pick-up point, a shelter for transit patrons or benches or chairs for transit patrons.

(b) Immediately upon any request from a solicitee to a solicitor, a solicitor who is in a public place at the moment the request is made shall discontinue the solicitation until there is a space of at least eight feet between the solicitor and the solicitee or, in the alternative, discontinue all efforts to engage in the solicitation if within eight feet proximity to a requesting solicitee.

(c) For the purposes of subsection (b) of this section, distance shall be measured from any extension of the solicitor's body, including without limitation any sign or other object being used or carried by the solicitor, to any part of the solicitee's body.

(d) Regardless of whether any request is made by the solicitee to the solicitor, no solicitor shall engage in solicitation within a distance of eight feet from any ATM, pay telephone, parking meter, parking fee collection box, transit facility, fuel dispensing device, or outdoor dining establishment, including, but not limited to, a sidewalk cafe.

(e) For the purposes of subsection (d) of this section, distance shall be measured from any extension of the solicitor's body, including without limitation any sign or other object being used or carried by the solicitor, to any part of the physical structure of the ATM, pay telephone, parking meter, parking fee collection box, transit facility, fuel dispensing device, or outdoor dining establishment, including but not limited to, a sidewalk cafe.

(f) Notwithstanding the other provisions of this section, it shall be unlawful for a person to impede the use of a roadway. No police officer shall issue a citation, make an arrest or otherwise enforce a violation of impeding a roadway against any person unless the officer first requests or orders the person to refrain from the alleged prohibited conduct and the person fails to comply.

(g) It is a defense to prosecution under this section that the person impeding the roadway is an employee or agent of the city engaged in the solicitation of funds on behalf of a nonprofit corporation, group, or organization pursuant to a class A certificate issued under Chapter 36, Article V.

(h) Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-6 of this Code."

Section 3. That City Council encourages all City of Houston Municipal Court Prosecutors to exercise considerable prosecutorial discretion in prosecuting violators of this Ordinance.

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Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. 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, Houston City Charter.

PASSED AND ADOPTED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by Legal Dept. _____
RZ: 03/23/2017 First Assistant City Attorney
Requested by the Honorable Sylvester Turner, Mayor
L.D. File No. 0391700064001



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date:

HPD - Adopting Civility Ordinance for South Post Oak/W.
Bellfort

Agenda Item#: 8.

Summary:

ORDINANCE AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS, by adding an area surrounding South Post Oak and West Bellfort as a designated area covered by such article (Civility Ordinance)

Background:

The Civility Ordinance prohibits certain conduct on sidewalks (lying, sitting or depositing personal possessions) during most daylight hours. It is currently applicable to the Central Business District, Midtown, Old Sixth Ward, Avondale, Hyde Park, East Downtown Management District and the Historic Near Northside. The ordinance contains provisions for a citizen petition procedure to extend the restrictions to other areas of the City.

Residents and business owners in the Greater South Post Oak/West Bellfort submitted a petition to the City Secretary to extend the Civility Ordinance to their neighborhood. In compliance with the procedures set forth in Section 40-353 of the Code of Ordinances, the Legal and Planning and Development Departments certified that the petition meets required criteria.

City Council conducted the required Public Hearing on Wednesday, January 25, 2017, wherein the Houston Police Department presented its report indicating the existence of the kind of conduct that is prohibited under the Civility Ordinance and incidents of criminal misconduct in the South Post Oak/West Bellfort area. Based on HPD's report and public testimony at the hearing, this matter is presented to City Council to consider adopting the proposed ordinance to extend provisions of the Civility Ordinance to the South Post Oak/West Bellfort.

Amount of Funding:

N/A

Contact Information:

Captain K. Anthony, Southwest Division – 713.314-3939

ATTACHMENTS:

Description

RCA

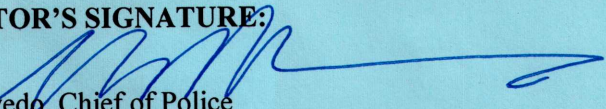
Map

Type

Signed Cover sheet

Backup Material

TO: Mayor via City Secretary**REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance amending Chapter 40 of the Code of Ordinances to extend provisions of the Civility Ordinance to the Greater South Post Oak/West Bellfort.		Page 1 of 1	Agenda Item #
FROM: (Department or other point of origin): Houston Police Department	Origination Date: January 26, 2017	Agenda Date:	
DIRECTOR'S SIGNATURE:  Art Acevedo, Chief of Police	Council District affected: District K		
For additional information contact: Captain K. Anthony, Southwest Division – 713.314-3939		Date and identification of prior authorizing Council Action:	
RECOMMENDATION: Adopt an ordinance amending Chapter 40 of the Code of Ordinances to extend the provisions of the Civility Ordinance to the Greater South Post Oak/West Bellfort.			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: <p>The Civility Ordinance prohibits certain conduct on sidewalks (lying, sitting or depositing personal possessions) during most daylight hours. It is currently applicable to the Central Business District, Midtown, Old Sixth Ward, Avondale, Hyde Park, East Downtown Management District and the Historic Near Northside. The ordinance contains provisions for a citizen petition procedure to extend the restrictions to other areas of the City.</p> <p>Residents and business owners in the Greater South Post Oak/West Bellfort submitted a petition to the City Secretary to extend the Civility Ordinance to their neighborhood. In compliance with the procedures set forth in Section 40-353 of the Code of Ordinances, the Legal and Planning and Development Departments certified that the petition meets required criteria.</p> <p>City Council conducted the required Public Hearing on Wednesday, January 25, 2017, wherein the Houston Police Department presented its report indicating the existence of the kind of conduct that is prohibited under the Civility Ordinance and incidents of criminal misconduct in the South Post Oak/West Bellfort area. Based on HPD's report and public testimony at the hearing, this matter is presented to City Council to consider adopting the proposed ordinance to extend provisions of the Civility Ordinance to the South Post Oak/West Bellfort.</p>			
REQUIRED AUTHORIZATION			
Finance Budget:	Other Authorization:	Other Authorization:	



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date:

FIN-CUS 2017B

Agenda Item#: 9.

Summary:

ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue and Refunding Bonds, Series 2017B in one or more series or subseries as may be further designated; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds including the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain outstanding Combined Utility Commercial Paper Notes and certain Combined Utility System Bonds; authorizing a Bond Counsel Agreement, and a Special Disclosure Counsel Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and other related documents; making other provisions regarding such bonds; and declaring an emergency

Background:

SUBJECT: An Ordinance Supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds Series 2017B

RECOMMENDATION: Approve an Ordinance Supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds Series 2017B

SPECIFIC EXPLANATION: In 1993, City Council began authorizing various commercial paper programs to provide appropriation capacity and on-time funding for various needs of the City. The issuance of commercial paper has provided an expedient, cost-effective method of accessing cash and providing interim financing. The commercial paper notes are later refinanced to fixed rate bonds that match the useful life of the project or equipment being financed.

This transaction represents the normal refunding of the commercial paper notes. The total refunding of commercial paper will be in an amount up to \$250 million. Additionally, as standard course of business, in conjunction with this transaction, the Finance Working Group (FWG) will review possibilities to refinance existing debt if prudent opportunities to achieve present value

savings exist.

The FWG recommends the Series 2017B Bonds be issued through a negotiated financing with RBC Capital Markets as book running manager along with Coastal Securities, Inc. and Raymond James as co-senior managers. Mesirow Financial, Stifel Nicolaus & Co., and Stern Brothers & Co. are recommended as co-managers. Andrews Kurth Kenyon LLP and The Chevalier Law Firm, LLC are recommended as co-bond counsel along with Haynes & Boone and Bratton & Associates as co-disclosure counsel.

This transaction was presented to the Budget & Fiscal Affairs Committee on March 7th 2017.
Recommendation: The FWG recommends approval of this item.

Kelly Dowe, Director
Department of Finance

Chris B. Brown
Controller, City of Houston

Prior Council Action:

April 21, 2004 - Ord. No. 2004-299

Contact Information:

Melissa Dubowski
Charisse Mosely

Phone: 832-393-9101
Phone: 832-393-3529

ATTACHMENTS:

Description

RCA

Type

Signed Cover sheet

SUBJECT: An Ordinance Supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System Revenue Obligations and authorizing the issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds, Series 2017B

**Category
#**

**Page
1 of 1**

**Agenda
Item#**

FROM (Department or other point of origin):
Department of Finance and Office of the City Controller

Origination Date:
3/9/2017

Agenda Date

DIRECTOR'S SIGNATURE:



Council District Affected:
All

For additional information contact:

Melissa Dubowski

Phone: 832-393-9101

Charisse Mosely

Phone: 832-393-3529

**Date and identification of prior authorizing
Council action:**

April 21, 2004 - Ord. No. 2004-299

RECOMMENDATION: (Summary)

Approve an Ordinance Supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System Revenue Obligations and authorizing the issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds Series, 2017B

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

In 1993, City Council began authorizing various commercial paper programs to provide appropriation capacity and on-time funding for various needs of the City. The issuance of commercial paper has provided an expedient, cost-effective method of accessing cash and providing interim financing. The commercial paper notes are later refinanced to fixed rate bonds that match the useful life of the project or equipment being financed.

This transaction represents the normal refunding of the commercial paper notes. The total refunding of commercial paper will be in an amount up to \$250 million. Additionally, as standard course of business, in conjunction with this transaction, the Finance Working Group (FWG) will review possibilities to refinance existing debt if prudent opportunities to achieve present value savings exist.

The FWG recommends the Series 2017B Bonds be issued through a negotiated financing with RBC Capital Markets as book running manager along with Coastal Securities, Inc. and Raymond James as co-senior managers. Mesirow Financial, Stifel Nicolaus & Co., and Stern Brothers & Co. are recommended as co-managers. Andrews Kurth Kenyon LLP and The Chevalier Law Firm, LLC are recommended as co-bond counsel along with Haynes & Boone and Bratton & Associates as co-disclosure counsel.

This transaction was presented to the Budget & Fiscal Affairs Committee on March 7th 2017.

Recommendation

The FWG recommends approval of this item.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District B

Item Creation Date: 1/31/2017

20TP9675/Abandonment and Sale of Aldine High School
Loop Road/SY16-075

Agenda Item#: 10.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use, by the City of Houston, Texas, of Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220; vacating, abandoning and selling said parcel to Aldine Independent School District, the abutting owner, in consideration of (A) owner's payment to the City of \$183,436.00 in cash, (B) the conveyance by owner to the City in Fee Simple Title of a 39,810 square feet tract of land located at Ella Boulevard and West Greens Road for Ground Water Well use by the City, (C) the conveyance by owner to the City of two 10-foot wide water line easements, all situated in the B.B.B. & C.R.R. Co. Survey, A-175, Harris County, Texas, and (D) other good and valuable consideration - Parcels SY16-075, JY16-003, KY16-278 and KY16-279 - **DISTRICT B - DAVIS**

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square feet tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175 for the New/Replacement Ground Water Well – District 203 Project (WBS: S-000100-0019-2). **Parcels SY16-075, JY16-003, KY16-278, and KY16-279**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square feet tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175 for the New/Replacement Ground Water Well – District 203 Project (WBS: S-000100-0019-2). **Parcels SY16-075, JY16-003, KY16-278, and KY16-279**

SPECIFIC EXPLANATION:

Aldine Independent School District (AISD), the abutting property owner, requested the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus. The applicant plans to incorporate the requested abandonment area into its abutting tract for replat and

expansion of the school campus. The Joint Referral Committee reviewed and approved the abandonment request. Subsequent to the City's offer letter pertaining to the abandonment transaction, it was determined that acquisition of properties was required for the proposed installation of a ground water well to meet the increasing demand for water in District 203. It was determined that the abandonment to and acquisition of property from AISD be processed simultaneously as an exchange. Ordinance Number 2016-758 authorizes payment for the costs of land purchases, appraisal fees, title policies/services, recording fees and other acquisition costs and Ordinance 2016-872 determines public convenience and necessity for the acquisition of real property interests for the ground water well in District 203 under WBS Number S-000100-0019-2. AISD will convey three parcels of land, one fee estate (Parcel JY16-003) and two water line easements (Parcels KY16-278 and KY16-279), to the City of Houston for the proposed Replacement Ground Water Well District 203 Project, in exchange for the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road. AISD has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to AISD:

Parcel SY16-075

56,074 square-foot right-of-way easement	\$308,407.00
--	--------------

Valued at \$5.50 PSF x 100%

21,637 square-foot right-of-way easement (Encumbered):	\$59,502.00
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Valued at \$5.50 PSF x 50%

TOTAL ABANDONMENT AND SALE	\$367,909.00
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In exchange, AISD will pay:

Cash:	\$183,436.00
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Plus convey to the City:

Parcel JY16-003

39,810 square-foot fee-owned parcel for a water well site:	\$159,240.00
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Valued at \$4.00 PSF x 100%

Parcel KY16-278

7,934 square-foot water line easement	\$13,885.00 (R)
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Valued at \$3.50 PSF x 50%

Parcel KY16-279

6,052 square-foot water line easement:	\$11,348.00 (R)
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Valued at \$3.75 PSF x 50%

TOTAL CASH AND CONVEYANCES	\$367,909.00
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Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square feet tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175, for the New/Replacement Ground Water Well – District 203 Project.

Prior Council Action:

Ordinance Number 2016-758 (10/05/2016)

Ordinance Number 2016-872 (11/16/2016)

Contact Information:

Nancy P. Collins

Senior Assistant Director-Real Estate

(832) 395-3130

Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

ATTACHMENTS:

Description

Signed Coversheet

Parel Map

Aerial Map

Type

Signed Cover sheet

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 1/31/2017

20TP9675/Abandonment and Sale of Aldine High School Loop Road/SY16-075

Agenda Item#:

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square foot tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175 for the New/Replacement Ground Water Well – District 203 Project (WBS: S-000100-0019-2). **Parcels SY16-075, JY16-003, KY16-278, and KY16-279**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square foot tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175 for the New/Replacement Ground Water Well – District 203 Project (WBS: S-000100-0019-2). **Parcels SY16-075, JY16-003, KY16-278, and KY16-279**

SPECIFIC EXPLANATION:

Aldine Independent School District (AISD), the abutting property owner, requested the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus. The applicant plans to incorporate the requested abandonment area into its abutting tract for replat and expansion of the school campus. The Joint Referral Committee reviewed and approved the abandonment request. Subsequent to the City's offer letter pertaining to the abandonment transaction, it was determined that acquisition of properties was required for the proposed installation of a ground water well to meet the increasing demand for water in District 203. It was determined that the abandonment to and acquisition of property from AISD be processed simultaneously as an exchange. Ordinance Number 2016-758 authorizes payment for the costs of land purchases, appraisal fees, title policies/services, recording fees and other acquisition costs and Ordinance 2016-872 determines public convenience and necessity for the acquisition of real property interests for the ground water well in District 203 under WBS Number S-000100-0019-2. AISD will convey three parcels of land, one fee estate (Parcel JY16-003) and two water line easements (Parcels KY16-278 and KY16-279), to the City of Houston for the proposed Replacement Ground Water Well District 203 Project, in exchange for the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road.

AISD has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to AISD:

Parcel SY16-075

56,074 square-foot right-of-way easement	\$308,407.00
Valued at \$5.50 PSF x 100%	

21,637 square-foot right-of-way easement (Encumbered):	\$59,502.00
Valued at \$5.50 PSF x 50%	

TOTAL ABANDONMENT AND SALE	\$367,909.00
-----------------------------------	---------------------

In exchange, AISD will pay:

Cash:	\$183,436.00
-------	--------------

Plus convey to the City:

Parcel JY16-003

39,810 square-foot fee-owned parcel for a water well site:	\$159,240.00
Valued at \$4.00 PSF x 100%	

Parcel KY16-278

7,934 square-foot water line easement
Valued at \$3.50 PSF x 50%

\$13,885.00 (R)

Parcel KY16-279

6,052 square-foot water line easement:
Valued at \$3.75 PSF x 50%

\$11,348.00 (R)

TOTAL CASH AND CONVEYANCES

\$367,909.00

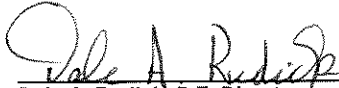
Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220, in exchange for conveyance to the City of: 1) a 39,810 square feet tract of land, located at Ella Boulevard and West Greens Road, and 2) two 10 foot-wide water line easements, out of the B.B.B & C.R.R. Co. Survey, Abstract 175, for the New/Replacement Ground Water Well – District 203 Project.

Prior Council Action:

Ordinance Number 2016-758 (10/05/2016)
Ordinance Number 2016-872 (11/16/2016)

Contact Information:

Nancy P. Collins
Senior Assistant Director-Real Estate
(832) 395-3130



Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

ATTACHMENTS:**Description**

Parcel Map

Aerial Map

Survey Map

Type

Backup Material

Backup Material

Backup Material



1 inch = 85 feet

CITY OF HOUSTON
Department of Public Works and Engineering
Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.



Abandonment and sale of an unnamed street referred to as Aldine High School Loop Road, circling from Airline Drive to Airline Drive within the Aldine Senior High School Campus, out of the Simon Contreras Survey, A-220



1 inch = 85 feet

CITY OF HOUSTON
Department of Public Works and Engineering
Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE
TO THE CITY.
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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District B, District H

Item Creation Date: 2/3/2017

20TP9553/Abandonment and Sale of
Burnett, Semmes, Brooks, Maffitt/SY15-073

Agenda Item#: 11.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of: (1) Burnett Street, from Maffitt Street east to the Southern Pacific Right-of-Way Line; (2) Semmes Street, from Burnett Street south to the Southern Pacific Right-of-Way Line; (3) Maffitt Street, from Burnett Street south to the Southern Pacific Right-of-Way Line; (4) Brooks Street, from Maffitt Street east 417 feet to Chase Street; and (5) Semmes Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, A-327; abandoning the streets to Kurtz Properties, Ltd., abutting owner, in consideration of its payment to the City of \$787,088.00 - **DISTRICTS B - DAVIS and H - CISNEROS**

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. **Parcels SY15-073A through SY15-073E**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, in exchange for a consideration of \$787,088.00, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. **Parcels SY15-073A through SY15-073E**

SPECIFIC EXPLANATION:

Kurtz Properties, Ltd. (Kurtz Properties GP, LLC [Robert Kurtz, President], General Partner), the abutting property owner, requested the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes

Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. The applicant plans to incorporate the subject streets into the abutting tracts to expand its office space and parking areas.

Kurtz Properties, Ltd. has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Kurtz Properties, Ltd.:

Parcel SY15-073A

23,359 square-foot right-of-way easement:	\$208,129.00
Valued at \$9.00 PSF x 99%	

Parcel SY15-073B

5,939 square-foot right-of-way easement:	\$52,917.00
Valued at \$9.00 PSF x 99%	

Parcel SY15-073C

12,938 square-foot right-of-way easement:	\$115,278.00
Valued at \$9.00 PSF x 99%	

Parcel SY15-073D

25,163 square-foot right-of-way easement:	\$224,202.00
Valued at \$9.00 PSF x 99%	

Parcel SY15-073E

16,769 square-foot right-of-way easement:	\$149,412.00
Valued at \$9.00 PSF x 99%	

Depreciated cost of improvements (concrete curb and asphalt)	\$37,150.00
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TOTAL ABANDONMENT AND SALE:	\$787,088.00
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Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, in exchange for a consideration of \$787,088.00, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327.

Contact Information:

Nancy P. Collins
Senior Assistant Director-Real Estate
(832) 395-3130

Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

ATTACHMENTS:

Description

Signed Coversheet
Aerial Map

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District B, District H
Item Creation Date: 2/3/2017

20TP9553/Abandonment and Sale of Burnett,Semmes,Brooks,Maffitt/SY15-073

Agenda Item#:

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. **Parcels SY15-073A through SY15-073E**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, in exchange for a consideration of \$787,088.00, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. **Parcels SY15-073A through SY15-073E**

SPECIFIC EXPLANATION:

Kurtz Properties, Ltd. (Kurtz Properties GP, LLC [Robert Kurtz, President], General Partner), the abutting property owner, requested the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. The applicant plans to incorporate the subject streets into the abutting tracts to expand its office space and parking areas.

Kurtz Properties, Ltd. has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Kurtz Properties, Ltd.:

Parcel SY15-073A

23,359 square-foot right-of-way easement: \$208,129.00
Valued at \$9.00 PSF x 99%

Parcel SY15-073B

5,939 square-foot right-of-way easement: \$52,917.00
Valued at \$9.00 PSF x 99%

Parcel SY15-073C

12,938 square-foot right-of-way easement: \$115,278.00
Valued at \$9.00 PSF x 99%

Parcel SY15-073D

25,163 square-foot right-of-way easement: \$224,202.00
Valued at \$9.00 PSF x 99%

Parcel SY15-073E

16,769 square-foot right-of-way easement: \$149,412.00
Valued at \$9.00 PSF x 99%

Depreciated cost of improvements
(concrete curb and asphalt) \$37,150.00

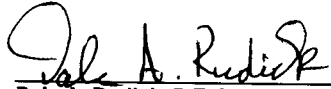
TOTAL ABANDONMENT AND SALE: \$787,088.00

Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of: 1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ±417 feet to

Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, in exchange for a consideration of \$787,088.00, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327.

Contact Information:

Nancy P. Collins
Senior Assistant Director-Real Estate
(832) 395-3130

A handwritten signature in black ink, appearing to read "Dale A. Rudick", written over a horizontal line.

Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

AERIAL MAP - Parcels SY15-073A through SY15-073E

1) Burnett Street, from Maffitt Street east to Southern Pacific right-of-way line; 2) Semmes Street, from Burnett Street south to Southern Pacific right-of-way line; 3) Maffitt Street, from Burnett Street south to Southern Pacific right-of-way; 4) Brooks Street, from Maffitt Street east ± 417 feet to Chase Street; and 5) Semmes Street, from Brooks Street north to Harrington Street, in exchange for a consideration of \$787,088.00, all located within the S.F. Noble's Addition, out of the S.M. Harris Survey, Abstract 327. **Parcels SY15-073A through SY15-073E**



1 inch = 62 feet

CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District C, District D

Item Creation Date: 12/22/2016

20TP9683/Abandonment & Sale of Water Line Easement-
MFAH/SY16-092

Agenda Item#: 12.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 20-foot-wide water line easement; abandoning the easement to the Museum of Fine Arts, Houston, the abutting owner, in consideration of: (A) its conveyance to the City of a 23-foot-wide water line easement; (B) its payment to the City of \$300.00; and (C) other good and valuable consideration; located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696, and Joseph Gamble Survey, A-309 - **DISTRICTS C - COHEN and D - BOYKINS**

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. **Parcels SY16-092 and KY17-058**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. **Parcels SY16-092 and KY17-058**

SPECIFIC EXPLANATION:

The Museum of Fine Arts, Houston, (MFAH) (Willard Holmes, Chief Operating Officer), the fee property owner, requested the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. MFAH plans to develop a tunnel as part of MFAH's expansion master plan in the subject abandonment area. On September 29, 2010, Council approved Ordinance Number 2010-760 that authorized the Director of the Department of Public Works and Engineering to execute individual Developer Participation Contracts and Development Assistance Contracts. In December 2016, the City and MFAH entered into a Developer Participation Contract. Under the cost-sharing agreement, MFAH will relocate a 30-inch water line and construct a 12-inch sanitary sewer line for 30% reimbursement of the construction cost. The relocation of the 30-inch water line is a utility construction requirement associated with this transaction and will not be completed until after the City Council passes the abandonment ordinance. Plans for the utility relocation and

construction have been approved by the Department of Public Works and Engineering.

MFAH has complied with the transaction requirements, has entered into a Developer Participation Contract with the City, and has accepted the City's offer.

The City will abandon and sell to MFAH:

Parcel SY16-092

4,783 square-foot water line easement: \$263,065.00

Valued at \$110.00 PSF x 50%

TOTAL ABANDONMENT AND SALE \$263,065.00

In exchange, MFAH will pay:

Cash: \$ 300.00

Plus convey to the City:

Parcel KY17-058

4,936 square-foot water line easement: \$271,480.00

Valued at \$110.00 PSF x 50%

TOTAL CASH AND CONVEYANCE \$271,480.00

Inasmuch as the value of the \$300.00 minimum parcel fee plus the water line easement being conveyed to the City is greater than the value of the water line easement being abandoned and sold, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309.

Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

Prior Council Action:

Ordinance Number 2010-760 (09/29/2010)

Contact Information:

Nancy P. Collins
Senior Assistant Director - Real Estate
(832) 395-3130

ATTACHMENTS:

Description	Type
Coversheet (revised)	Signed Cover sheet
Survey Map	Backup Material
Maps	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District C, District D
Item Creation Date: 1/9/2017

20TP9683A/Abandonment and Sale of Water Line Easement-MFAH/SY16-092

Agenda Item#:

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. **Parcels SY16-092 and KY17-058**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. **Parcels SY16-092 and KY17-058**

SPECIFIC EXPLANATION:

The Museum of Fine Arts, Houston, (MFAH) (Willard Holmes, Chief Operating Officer), the fee property owner, requested the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309. MFAH plans to develop a tunnel as part of MFAH's expansion master plan in the subject abandonment area. On September 29, 2010, Council approved Ordinance Number 2010-760 that authorized the Director of the Department of Public Works and Engineering to execute individual Developer Participation Contract and Development Assistance Contracts. In December 2016, the City and MFAH entered into a Developer Participation Contract. Under the cost-sharing agreement, MFAH will relocate a 30-inch water line and construct a 12-inch sanitary sewer line for 30% reimbursement of the construction cost. The relocation of the 30-inch water line is a utility construction requirement associated with this transaction and will not be completed until after the City Council passes the abandonment ordinance. Plans for the utility relocation and construction have been approved by the Department of Public Works and Engineering.

MFAH has complied with the transaction requirements, has entered into a Developer Participation Contract with the City, and has accepted the City's offer.

The City will abandon and sell to MFAH:

<u>Parcel SY16-092</u>	
4,783 square-foot water line easement:	\$263,065.00
Valued at \$110.00 PSF x 50%	
TOTAL ABANDONMENT AND SALE	\$263,065.00
In exchange, MFAH will pay:	
Cash:	\$300.00 (minimum fee)
Plus convey to the City:	

<u>Parcel KY17-058</u>	
4,936 square-foot water line easement:	\$271,480.00
Valued at \$110.00 PSF x 50%	
TOTAL CASH AND CONVEYANCE	\$271,780.00

Inasmuch as the value of the \$300.00 minimum parcel fee plus the water line easement being conveyed to the City is greater than the value of the water line easement being abandoned and sold, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line

easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696 and Joseph Gamble Survey, A-309.

Prior Council Action:

Ordinance Number 2010-760 (09/29/2010)

Contact Information:

Nancy P. Collins
Senior Assistant Director - Real Estate
(832) 395-3130


Carol Ellinger Haddock, P.E., Interim Director
Department of Public Works and Engineering

ATTACHMENTS:

Description

Maps

Survey

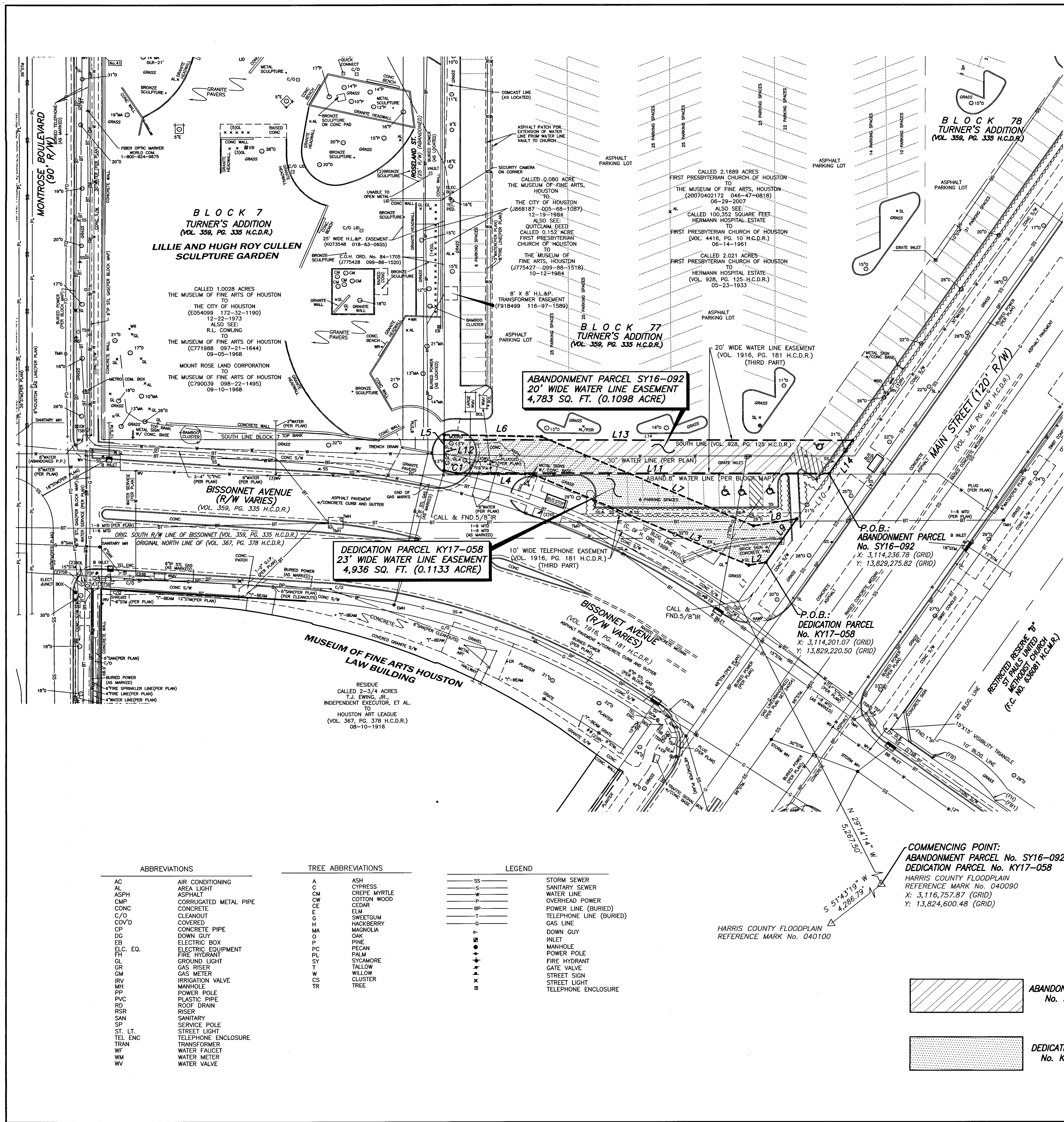
Developer Participation Contract

Type

Backup Material

Backup Material

Backup Material



DEDICATION PARCEL No. KY17-058

LINE	BEARING	DISTANCE
L1	N 32°50'45" E	28.79'
L2	S 78°18'16" W	10.48'
L3	N 69°37'50" W	141.15'
L4	S 88°37'10" W	46.53'
L5	N 02°24'15" W	21.42'
L6	N 88°37'10" E	58.76'
L7	S 69°37'50" E	138.96'
L8	N 78°18'16" E	26.50'
L9	S 32°50'45" W	32.27'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	493.19'	00°52'54" W	7.59'	N 79°22'55" W	7.59'

ABANDONMENT PARCEL No. SY16-092

LINE	BEARING	DISTANCE
L10	N 32°50'45" E	94.64'
L11	S 87°35'45" W	225.02'
L12	N 02°24'15" W	18.29'
L13	N 87°35'45" E	246.55'
L14	S 32°50'45" W	24.49'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	493.19'	00°52'54" W	7.59'	N 79°22'55" W	7.59'

- NOTES:
- THE SURVEYOR HAS NOT ABSTRACTED THE SUBJECT PROPERTY, BUT HAS RELIED ON CHARTER TITLE COMPANY TO PROVIDE DEED COPIES OF THE SUBJECT PROPERTY AND ADJOINERS. SURVEYOR HAS NOT HAD THE BENEFIT OF A TITLE COMMITMENT AND EASEMENTS, RESTRICTIONS OR ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY MAY NOT BE SHOWN HEREON.
 - COORDINATES AND BEARINGS SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4204. DISTANCES SHOWN ARE SURFACE AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999870017. COORDINATES SHOWN ARE GRID.
 - THE SUBJECT PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" UNSHADED, ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 48201C0860 L DATED 06-18-2007. THIS DETERMINATION HAS BEEN MADE BY SCALING THE PROPERTY ON THE REFERENCED MAP AND IS NOT A RESULT OF AN ELEVATION SURVEY.
 - THE BUILDINGS OR IMPROVEMENTS SHOWN HEREON REPRESENT THE OUTLINE AT GROUND SURFACE LEVEL, UNLESS OTHERWISE NOTED.
 - THE UTILITY APPURTENANCES (i.e., utility poles, inlets, etc.) SHOWN HEREON ARE THOSE VISIBLE AT THE TIME OF SURVEY AND MAY NOT BE COMPLETE.
 - TRACT SHOWN HEREON SUBJECT TO CITY OF HOUSTON ORDINANCE NO. 1999-262.
 - UNDERGROUND UTILITIES SHOWN BASED ON CITY OF HOUSTON DRAWINGS & UTILITY COMPANY BLOCK MAPS, WITH FIELD TIES TO EXISTING SURFACE FIXTURES. CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF UNDERGROUND UTILITIES.
 - THIS SURVEY PLAT IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION PER TEXAS BOARD OF PROFESSIONAL LAND SURVEYOR'S "GENERAL RULES OF PROCEDURES AND PRACTICES" SECTION 663.19(9).



08-05-2016
DATE
C.L. DAVIS
R.P.L.S. No. 4464

C.L. DAVIS & CO.
LAND SURVEYING
1500 WINDING WAY
FRIENDSWOOD, TEXAS 77546
281-482-9490
FIRM NO. 10082000

ABANDONMENT & DEDICATION SURVEY

ABANDONMENT:
PARCEL No. SY16-092 4,783 SQUARE FEET
20' WIDE WATER LINE EASEMENT
BEING OUT OF
BLOCK 77, TURNER'S ADDITION
(VOL. 359, PG. 335 H.C.D.R.)
OBEDIENCE SMITH SURVEY, ABSTRACT 696
AND BEING OUT OF
JOSEPH GAMBLE SURVEY, ABSTRACT 309

DEDICATION:
PARCEL No. KY17-058 4,936 SQUARE FEET
23' WIDE WATER LINE EASEMENT
BEING OUT OF
BLOCK 77, TURNER'S ADDITION
(VOL. 359, PG. 335 H.C.D.R.)
OBEDIENCE SMITH SURVEY, ABSTRACT 696
AND BEING OUT OF
JOSEPH GAMBLE SURVEY, ABSTRACT 309
HOUSTON, HARRIS COUNTY, TEXAS

DATE: 05-20-2016 SCALE: 1" = 30' JOB NO: 11-209-2016
DWG: 11-209-2016-WL-ABAND-DED

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

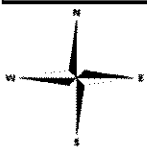
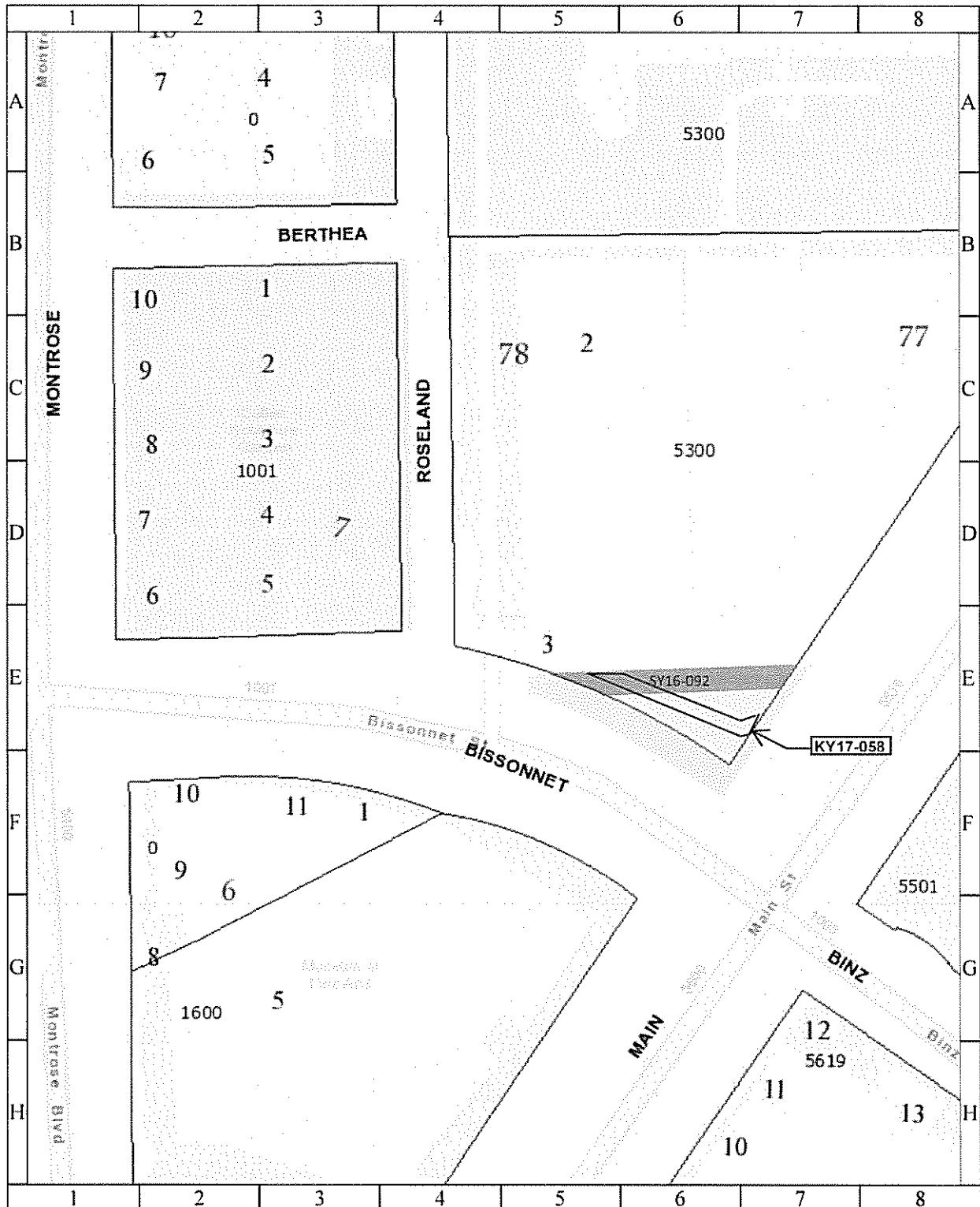
APPROVAL
DATE 9-8-16
RIGHT OF WAY SECTION

KEY MAP No. 493W GIMS MAP No. 5356D
PARCEL NO.
KY17-058
SY16-092
JOB NO.
WBS NO.
C.M. NO.



Parcel Map - Parcels SY16-092 and KY17-058

Abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696, and Joseph Gamble Survey, A-309.



1 inch = 29 feet

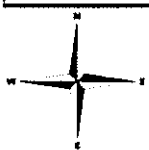
CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)

DISCLAIMER THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE
 TO THE CITY
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.



Council District Map - Districts C and D - Parcels SY16-092 and KY17-058

Abandonment and sale of a 20 foot-wide water line easement, in exchange for conveyance to the City of a 23 foot-wide water line easement, both located within Block 77 of the Turner's Addition, out of the Obedience Smith Survey, A-696, and Joseph Gamble Survey, A-309.



1 inch = 34 feet

CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE
 TO THE CITY
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.



**Department of Public Works and Engineering
Geographic Information & Management System
(GIMS)**

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District I

Item Creation Date: 11/7/2016

HCD16-102a Harris County Housing Authority for Fenix
Estates

Agenda Item#: 13.

Summary:

ORDINANCE appropriating \$2,050,000.00 from the TIRZ Affordable Housing Fund; approving and authorizing loan of the appropriated funds and \$3,900,000.00 of Federal Home Investment Partnership Funds from the City of Houston to **HARRIS COUNTY HOUSING AUTHORITY** to assist with development of Fenix Estates, a 200 unit Affordable Housing Community, located in the vicinity of 3815 Gulf Freeway, In Houston, Texas - **DISTRICT I - GALLEGOS**

Background:

The Housing and Community Development Department (HCDD) recommends Council approve a \$5,950,000 loan between the City of Houston and Harris County Housing Authority for the construction of a 200-unit multifamily rental complex for families. The HOME funds of \$3,900,000 will be provided as a performance based, forgivable loan that will operate as a grant. The \$2,050,000 TIRZ funds will be an actual loan to be repaid over a 20 year timeframe. This new complex will have supportive services space for case managers, health providers, other social services, and space for HCHA central office operations. Total project costs are anticipated to be \$46,212,536 of which \$39,280,655 is for the residential component. In exchange for HCDD's funding, up to 70 units will be designated by the City as Permanent Supportive Housing (PSH) units, and 110 units will be designated by Harris County as PSH.

Located at 1-45 and Cullen, the area around Fenix Estates has numerous amenities that provide for future residents' transportation, shopping, educational, medical, cultural, recreational and spiritual needs. Besides direct access to 1-45 by car, residents have the option of using METRO's Southeast light rail line and buses at the nearby transit center. The area has also been identified for revitalization by Lovett Commercial, which has plans for retail and restaurant developments to be located next to the Fenix Estates community.

The project's total cost will be financed as follows:

<u>Sources</u>		<u>Uses</u>	
County CDBG-DR	\$14,018,683	Hard Costs	\$32,401,824
Limited Partner Equity	10,774,076	Soft Costs	6,898,712
HCHA GLO	6,754,831	Developer Fee	5,900,000
HCDD HOME	3,900,000	Project Reserves	1,002,000
HCHA Office Financing	3,888,668	Acquisition	\$10,000

Def Developer Fee	2,380,516		
County HOME	2,270,000		
HCDD TIRZ 2409	2,050,000		
GIC Income	<u>175,762</u>		
Total	\$46,212,536	Total	\$46,212,536

This item was reviewed by the Housing and Community Affairs Committee on November 15, 2016.

Amount of Funding:

\$3,900,000.00 HOME Investment Partnership - Fund 5000

\$2,050,000.00 Tax Increment Reinvestment Zone (TIRZ) - Fund 2409

Contact Information:

Roxanne Lawson

Phone: 832.394.6307

ATTACHMENTS:

Description

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/21/17

District I

Item Creation Date: 11/7/2016

HCD16-102a Harris County Housing Authority for Fenix Estates

Agenda Item#:

Background:

The Housing and Community Development Department (HCDD) recommends Council approve a \$5,950,000 loan between the City of Houston and Harris County Housing Authority for the construction of a 200-unit multifamily rental complex for families. The HOME funds of \$3,900,000 will be provided as a performance based, forgivable loan that will operate as a grant. The \$2,050,000 TIRZ funds will be an actual loan to be repaid over a 20 year timeframe. This new complex will have supportive services space for case managers, health providers, other social services, and space for HCHA central office operations. Total project costs are anticipated to be \$46,212,536 of which \$39,280,655 is for the residential component. In exchange for HCDD's funding, up to 70 units will be designated by the City as Permanent Supportive Housing (PSH) units, and 110 units will be designated by Harris County as PSH.

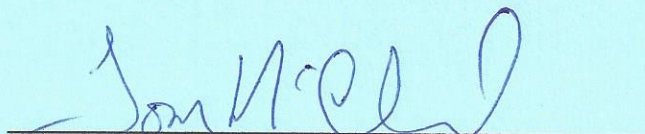
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The project's total cost will be financed as follows:

Sources		Uses	
County CDBG-DR	\$14,018,683	Hard Costs	\$32,401,824
Limited Partner Equity	10,774,076	Soft Costs	6,898,712
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HCHA Office Financing	3,888,668	Acquisition	\$10,000
Def Developer Fee	2,380,516		
County HOME	2,270,000		
HCDD TIRZ 2409	2,050,000		
GIC Income	175,762		
Total	\$46,212,536	Total	\$46,212,536

This item was reviewed by the Housing and Community Affairs Committee on November 15, 2016.

Funding for this item is included in the FY 2018 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078.



Tom McCasland, Interim Director

Amount of Funding:

\$3,900,000.00 HOME Investment Partnership – Fund 5000

\$2,050,000.00 Tax Increment Reinvestment Zone (TIRZ) – Fund 2409

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 1/31/2017

HCD17-22 Child Care Council of Greater Houston, Inc. -
Child Care Program

Agenda Item#: 14.

Summary:

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$400,000 in additional Community Development Block Grant Funds for the continuing administration and operation of a Child Care Program

Background:

The Housing and Community Development Department (HCDD) recommends approval of a Second Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Child Care Program (CCP).

The Child Care Program provides quality child care services and parental development to low- and moderate-income families. The program will serve 75 families.

Child Care Council of Greater Houston, Inc. will provide the following administrative services: selection of nonprofit CCP providers through a Request for Proposal process, negotiating contracts with selected providers, processing reimbursement requests, monitoring providers for performance and compliance with HUD regulations, and providing technical assistance. This grant funds 100% of the costs for this program.

Category	Contract Amount	Percentage
Administration	\$82,000	20.5%
Program Services	\$318,0000	79.5%
Total	\$400,000	100%

HCDD conducted a Request for Proposals for Child Care Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as Administrative Agency. This Second Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.

Prior Council Action:

3/30/16, (O) 2016-249

Amount of Funding:

\$400,000.00

Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

Phone: 832.394.6307

ATTACHMENTS:**Description**

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/21/2017

ALL

Item Creation Date: 1/31/2017

HCD17-22 Child Care Council of Greater Houston, Inc. - Child Care Program

Agenda Item#:

Background:

The Housing and Community Development Department (HCDD) recommends approval of a Second Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Child Care Program (CCP).

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Category	Contract Amount	Percentage
Administration	\$82,000	20.5%
Program Services	\$318,0000	79.5%
Total	\$400,000	100%

HCDD conducted a Request for Proposals for Child Care Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as Administrative Agency. This Second Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.


Tom McCasland, Director

Prior Council Action:

3/30/16, (O) 2016-249

Amount of Funding:

\$400,000.00

Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 2/1/2017

HCD17-23 Child Care Council of Greater Houston, Inc. -
Homeless Services Program

Agenda Item#: 15.

Summary:

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide up to \$1,817,200 (\$1,292,200 - Emergency Solutions Grant Funds; \$525,000 - Community Development Block Grant Funds) for the continuing administration and operation of the City's Homeless Services Program

Background:

The Housing and Community Development Department (HCDD) recommends approval of a First Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Homeless Services Program (HSP). The City will grant Child Care Council of Greater Houston Inc. up to \$1,817,200 in Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) funds to provide services to approximately 2,000 homeless or near homeless individuals.

The Homeless Services Program is designed to address the needs of families who are homeless or at risk of becoming homeless. Homeless Services Program activities include: emergency shelter for individuals, families and victims of domestic violence; food, street outreach, medical and mental health services; assistance in obtaining permanent housing; assistance in obtaining services or benefits; and assistance with short-term rent and utility payments to prevent eviction or termination of services.

Child Care Council of Greater Houston Inc. will provide the following administrative services: selection of nonprofit HSP providers through a Request for Proposal process, negotiating contracts with selected providers, processing reimbursement requests, monitoring providers for performance and compliance with HUD regulations, and providing technical assistance and training. The City will fund 100% of the costs for this program.

Category	Contract Amount	Percentage
Administration	\$419,291	23%
Program Services	\$1,397,909	77%
Total	\$1,817,200	100.00%

HCDD conducted a Request for Proposals for Homeless Services Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as the Administrative Agency. The City opted to do a new contract, rather than an amendment, for fiscal year 2016. This First Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.

Prior Council Action:

3/20/16, (O) 2016-0315

Amount of Funding:

\$1,292,200.00 - Emergency Solutions Grant (ESG) - Fund 5000

525,000.00 - Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/21/2017

ALL

Item Creation Date: 2/1/2017

HCD17-23 Child Care Council of Greater Houston, Inc. - Homeless Services Program

Agenda Item#:

Background:

The Housing and Community Development Department (HCDD) recommends approval of a First Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Homeless Services Program (HSP). The City will grant Child Care Council of Greater Houston Inc. up to \$1,817,200 in Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) funds to provide services to approximately 2,000 homeless or near homeless individuals.

The Homeless Services Program is designed to address the needs of families who are homeless or at risk of becoming homeless. Homeless Services Program activities include: emergency shelter for individuals, families and victims of domestic violence; food, street outreach, medical and mental health services; assistance in obtaining permanent housing; assistance in obtaining services or benefits; and assistance with short-term rent and utility payments to prevent eviction or termination of services.

Child Care Council of Greater Houston Inc. will provide the following administrative services: selection of nonprofit HSP providers through a Request for Proposal process, negotiating contracts with selected providers, processing reimbursement requests, monitoring providers for performance and compliance with HUD regulations, and providing technical assistance and training. The City will fund 100% of the costs for this program.

Category	Contract Amount	Percentage
Administration	\$419,291	23%
Program Services	\$1,397,909	77%
Total	\$1,817,200	100.00%

HCDD conducted a Request for Proposals for Homeless Services Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as the Administrative Agency. The City opted to do a new contract, rather than an amendment, for fiscal year 2016. This First Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.



Tom McCasland, Director

Prior Council Action:

3/20/16, (O) 2016-0315

Amount of Funding:

\$1,292,200.00 - Emergency Solutions Grant (ESG) - Fund 5000

525,000.00 - Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 2/1/2017

HCD17-24 Child Care Council of Greater Houston, Inc. - Juvenile Delinquency Prevention Program

Agenda Item#: 16.

Summary:

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON**, providing up to \$400,000 in additional Community Development Block Grant Funds for the continuing administration and operation of a Juvenile Delinquency Program

Background:

The Housing and Community Development Department (HCDD) recommends approval of a Second Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Juvenile Delinquency Prevention Program (JDP).

The purpose of the JDP program is to deter delinquency for at-risk youths or to prevent further delinquency from youths who are status offenders. The JDP services include substance abuse deterrence and treatment, adolescent health education, educational services designed to prevent/decrease school drop-out, youth employability programs, whole family functioning, prevention of gang membership, and cultural enrichment and recreational activities. The program will provide services for 1,088 youths.

Child Care Council of Greater Houston Inc. will provide the following administrative services: selection of nonprofit JDP providers through a Request for Proposal process, negotiating contracts with selected providers, processing reimbursement requests, monitoring providers for performance and compliance with HUD regulations, and providing technical assistance. This grant funds 100% of the costs for this program.

Category	Contract Amount	Percentage
Administration	\$82,000	20.5%
Program Services	\$318,000	79.5%
Total	\$400,000	100%

HCDD conducted a Request for Proposals for Juvenile Delinquency Prevention Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as Administrative Agency. This Second Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.

Prior Council Action:

3/30/16, (O) 2016-0248

Amount of Funding:

\$400,000.00

Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/21/2017

ALL

Item Creation Date: 2/1/2017

HCD17-24 Child Care Council of Greater Houston, Inc. - Juvenile Delinquency Prevention Program

Agenda Item#:

Background:

The Housing and Community Development Department (HCDD) recommends approval of a Second Contract Amendment between the City of Houston and Child Care Council of Greater Houston Inc. to administer the City's Juvenile Delinquency Prevention Program (JDP).

The purpose of the JDP program is to deter delinquency for at-risk youths or to prevent further delinquency from youths who are status offenders. The JDP services include substance abuse deterrence and treatment, adolescent health education, educational services designed to prevent/decrease school drop-out, youth employability programs, whole family functioning, prevention of gang membership, and cultural enrichment and recreational activities. The program will provide services for 1,088 youths.

Child Care Council of Greater Houston Inc. will provide the following administrative services: selection of nonprofit JDP providers through a Request for Proposal process, negotiating contracts with selected providers, processing reimbursement requests, monitoring providers for performance and compliance with HUD regulations, and providing technical assistance. This grant funds 100% of the costs for this program.

Category	Contract Amount	Percentage
Administration	\$82,000	20.5%
Program Services	\$318,000	79.5%
Total	\$400,000	100%

HCDD conducted a Request for Proposals for Juvenile Delinquency Prevention Program administrative services for fiscal year 2015. Child Care Council of Greater Houston Inc. was selected as Administrative Agency. This Second Contract Amendment provides funding for a 12-month period from April 1, 2017 - March 31, 2018.

This item was reviewed by the Housing and Community Affairs Committee on February 21, 2017.

Tom McCasland, Director

Prior Council Action:

3/30/16, (O) 2016-0248

Amount of Funding:

\$400,000.00

Community Development Block Grant (CDBG) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 1/31/2017

MYR - TIRZ 14 Appropriating \$588,759.95

Agenda Item#: 17.

Summary:

ORDINANCE appropriating reimbursement of unspent funds of \$588,759.95 to **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD)**, and authorizing transfer of reimbursed funds to Reinvestment Zone Number Fourteen, City of Houston, Texas, pursuant to Ordinance No. 2011-0609

Background:

SUBJECT: Ordinance appropriating a \$588,759.95 reimbursement of unspent funds due to Tax Increment Reinvestment Zone No. 14 and authorizing the transfer of the reimbursed funds to Tax Increment Reinvestment Zone No. 14 ("TIRZ") pursuant to Ordinance 2011-0609

RECOMMENDATION: (Summary)

City Council approve an ordinance appropriating the reimbursement of \$588,759.95 in unspent funds due to Tax Increment Reinvestment Fund No. 14. and authorizing the transfer of the reimbursement of unspent funds pursuant to the City's Interlocal Agreements with HISD and the TIRZs.

SPECIFIC EXPLANATION:

In July 2011, the City and HISD entered into an interlocal agreement to jointly provide funding for various improvements in the general area of Genessee, Andrews, West Gray and West Dallas streets in conjunction with the construction of Carnegie Vanguard High School. The Fourth Ward Redevelopment Authority (the Authority), on behalf of the Tax Increment Reinvestment Zone No. 14, provided \$2,500,000 toward the improvements; \$588,759.95 remained unspent and is due to the Authority per the Sponsorship Agreement between the City and the TIRZ.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Ronald C. Lewis, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord. No. 2011-0609, 07/13/2011

Amount of Funding:

No funding required

Contact Information:

Gwendolyn F. Tillotson

Phone: (832) 393-0937

ATTACHMENTS:**Description****Type**

RCA TIRZ 14 Appropriation 588,759.95

Signed Cover sheet

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance appropriating a \$588,759.95 reimbursement of unspent funds due to Tax Increment Reinvestment Zone No. 14 and authorizing the transfer of the reimbursed funds to Tax Increment Reinvestment Zone No. 14 ("TIRZ") pursuant to Ordinance 2011-0609

Category #

Page
1 of 1

Agenda Item#

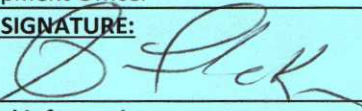
FROM: (Department or other point of origin):

Andrew F. Icken
Chief Development Officer

Origination Date

Agenda Date

DIRECTOR'S SIGNATURE:



Council Districts affected:
All

For additional information contact:

Gwendolyn F. Tillotson

Phone: (832) 393-0937

Date and identification of prior authorizing Council Action:

Ord. No. 2011-0609, 07/13/2011

RECOMMENDATION: (Summary)

City Council approve an ordinance appropriating the reimbursement of \$588,759.95 in unspent funds due to Tax Increment Reinvestment Fund No. 14. and authorizing the transfer of the reimbursement of unspent funds pursuant to the City's Interlocal Agreements with HISD and the TIRZs.

Amount of Funding: No Funding Required

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☒ Other (Specify)

SPECIFIC EXPLANATION:

In July 2011, the City and HISD entered into an interlocal agreement to jointly provide funding for various improvements in the general area of Genessee, Andrews, West Gray and West Dallas streets in conjunction with the construction of Carnegie Vanguard High School. The Fourth Ward Redevelopment Authority (the Authority), on behalf of the Tax Increment Reinvestment Zone No. 14, provided \$2,500,000 toward the improvements; \$588,759.95 remained unspent and is due to the Authority per the Sponsorship Agreement between the City and the TIRZ.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Ronald C. Lewis, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Other Authorization:



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ETJ

Item Creation Date: 2/8/2017

PLN-Harris County Improvement District No. 17 (RE)

Agenda Item#: 18.

Summary:

ORDINANCE releasing certain territory consisting of approximately 606.1394 acres in Harris County, adjacent to the extraterritorial jurisdiction of the City of Tomball, Texas, located near the intersection of S.H.249 and Humble Road, from the extraterritorial jurisdiction of the City of Houston

Background:

Management districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, water and sewerage improvements, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the district to provide improvements and services. Districts may levy a tax only after holding an election within the district.

Harris County Improvement District No. 17, authorized by the 81st Legislature in 2009, contains approximately 606.1394 acres of undeveloped and partially developed land. The District is partially located in Houston's extraterritorial jurisdiction (ETJ) boundary in Harris County. The District is requesting City consent to the creation of the district and release of the 606.1394 acres to be annexed by the City of Tomball.

Public Works and Engineering has reviewed this request and has no objection to granting the District's consent requests for a limited duration and releasing this property from the City of Houston's ETJ.

The Planning and Development Department recommends that City Council consent to the creation of Harris County Improvement District No. 17, and the release of 606.1394 acres from the City of Houston's ETJ.

Patrick Walsh, P.E.

Director

Planning and Development

cc: Andy Icken

Contact Information:

Nicole Smothers

Phone: 832-393-6580

ATTACHMENTS:

Description

RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 2/8/2017

PLN-Harris County Improvement District No. 17

Agenda Item#:

Background:

Management districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, water and sewerage improvements, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the district to provide improvements and services. Districts may levy a tax only after holding an election within the district.

Harris County Improvement District No. 17, authorized by the 81st Legislature in 2009, contains approximately 606.1394 acres of undeveloped and partially developed land. The District is partially located in Houston's extraterritorial jurisdiction (ETJ) boundary in Harris County. The District is requesting City consent to the creation of the district and release of the 606.1394 acres to be annexed by the City of Tomball.

Public Works and Engineering has reviewed this request and has no objection to granting the District's consent requests for a limited duration and releasing this property from the City of Houston's ETJ.

The Planning and Development Department recommends that City Council consent to the creation of Harris County Improvement District No. 17, and the release of 606.1394 acres from the City of Houston's ETJ.

A handwritten signature in blue ink, appearing to read "Patrick Walsh", is written over a horizontal line.

Patrick Walsh, P.E.
Director
Planning and Development

cc: Andy Icken

Prior Council Action:

n/a

Amount of Funding:

n/a

Contact Information:

Nicole Smothers

832-393-6580

ATTACHMENTS:

Description

Map

Petition

Type

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District H

Item Creation Date: 2/23/2017

PLN – Special Minimum Lot Size Block App 639 (900 block
of Henke Street, west side)

Agenda Item#: 19.

Summary:

ORDINANCE establishing the west side of the 900 block of **Henke Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - CISNEROS**

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lots 47 & 48, Block 30, of the Denver Addition Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLS B). The application includes written evidence of support from the owners of 58% of the block. The Planning and Development Department mailed notifications to twelve (12) property owners indicating that the SMLS B application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 3,125 square feet for the 900 block of Henke Street, west side.

Patrick Walsh, P.E.

Director

Planning and Development Department

Contact Information:

Annette Mitchell

Phone: (832) 393-6563

ATTACHMENTS:

Description

Type



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District I

Item Creation Date: 1/10/2017

PLN - Special Minimum Lot Size Block App 632 (1400
Block of Munger Street, north and south sides)

Agenda Item#: 20.

Summary:

ORDINANCE establishing the north and south sides of the 1400 block of **Munger Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 13, Block 12, of the Broadmoor Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 55% of the block. The Planning and Development Department mailed notifications to 39 property owners on December 5, 2016 indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,250 square feet for the 1400 block of Munger Street, north and south sides.

Patrick Walsh, P.E.
Director
Planning and Development Department

Prior Council Action:

N/A

Amount of Funding:

N/A

Contact Information:

Christopher Andrews (832) 393-6520

ATTACHMENTS:**Description**

Signed RCA Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District I

Item Creation Date: 1/10/2017

PLN - Special Minimum Lot Size Block App 632 (1400 Block of Munger Street, north and south sides)

Agenda Item#:

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 13, Block 12, of the Broadmoor Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 55% of the block. The Planning and Development Department mailed notifications to 39 property owners on December 5, 2016 indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,250 square feet for the 1400 block of Munger Street, north and south sides.

Patrick Walsh, P.E.
Director
Planning and Development Department

Prior Council Action:

N/A

Amount of Funding:

N/A

Contact Information:

Christopher Andrews (832) 393-6520

ATTACHMENTS:

Description

Map
Subdivision Plat

Type

Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District I

Item Creation Date: 2/8/2017

PLN - Special Minimum Lot Size Block App 638 (4400-4500 block of Rusk Street, north side)

Agenda Item#: 21.

Summary:

ORDINANCE establishing the north side of the 4400-4500 blocks of **Rusk Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lots 1 and 2, Block 11, of the Eastwood Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 72% of the block. The Planning and Development Department mailed notifications to twenty (20) property owners indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 8,125 square feet for the 4400-4500 block of Rusk Street, north side.

Patrick Walsh, P.E.

Director

Planning and Development Department

Contact Information:

Annette Mitchell

Phone: (832) 393-6563

ATTACHMENTS:

Description	Type
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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District I

Item Creation Date: 1/11/2017

PLN - Special Minimum Lot Size Block App 631 (1400
Block of Scharpe Street, north and south sides)

Agenda Item#: 22.

Summary:

ORDINANCE establishing the north and south sides of the 1400 block of **Scharpe Street**, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 16, Block 14, of the Broadmoor Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 51% of the block. The Planning and Development Department mailed notifications to thirty-five (35) property owners on December 6, 2016 indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,250 square feet for the 1400 block of Scharpe Street, north and south sides.

Patrick Walsh, P.E.
Director
Planning and Development Department

Prior Council Action:

N/A

Amount of Funding:

N/A

Contact Information:

David Welch, Planner I
Phone: 832-393-6638

ATTACHMENTS:**Description**

Signed Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District I

Item Creation Date: 1/11/2017

PLN - Special Minimum Lot Size Block App 631 (1400 Block of Scharpe Street, north and south sides)

Agenda Item#:

Background:

In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 16, Block 14, of the Broadmoor Subdivision initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 51% of the block. The Planning and Development Department mailed notifications to thirty-five (35) property owners on December 6, 2016 indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing. In accordance with the Code, since no protest was filed, no action was required by the Houston Planning Commission in order to submit the application to City Council.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,250 square feet for the 1400 block of Scharpe Street, north and south sides.

A handwritten signature in blue ink, appearing to read "Patrick Walsh", written over a horizontal line.

Patrick Walsh, P.E.
Director
Planning and Development Department

Prior Council Action:

N/A

Amount of Funding:

N/A

Contact Information:

David Welch, Planner I
Phone: 832-393-6638

ATTACHMENTS:

Description

Boundary Map

Type

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District I

Item Creation Date: 2/23/2017

PRD - Appropriate funds for Broadway/Hobby Corridor
Redevelopment Project

Agenda Item#: 23.

Summary:

ORDINANCE appropriating \$50,000 out of Contributed Capital Project Fund to Reimburse **SCENIC HOUSTON** for Esplanade Beautification on Broadway Street between Interstate 45 and Hobby Airport - **DISTRICT I - GALLEGOS**

Background:

The Houston Parks and Recreation Department recommends City Council appropriate \$50,000 from the Contributed Capital Project Fund (4515) allocated from Council District I Service Funds to reimburse Scenic Houston for esplanade beautification on Broadway Street between Interstate 45 (Gulf Freeway) and Hobby Airport.

The \$6.2 million Broadway/Hobby Corridor Redevelopment Project was completed in January 2017 with funding from various private sector donors secured by Scenic Houston. Enhancements include the following:

- 410 new trees — Live Oak, Elm, Mexican Sycamore, Water Oak, Monterrey Oak, Natchez Crepe Myrtle
- Distinctive pedestrian crosswalks, featuring red brick inlays
- Extensive, lush landscaping the length of the boulevard's wide median
- Modern state-of-the-art LED streetlights lining the full length of the corridor

The Hobby Area Management District will maintain the redeveloped esplanades.

Amount of Funding:

\$50,000 Contributed Capital Project Fund (4515)

Fiscal Note:

There is no estimated impact to the operating budget as a result of this CIP project. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078. See CIP Form A(s) attached in Novus

Contact Information:

Luci Correa 832-395-7057

Luci.Correa@houstontx.gov

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL
Houston Parks and Recreation Department
Request for Council Action
Affected Council District(s): I

Item Title:

PRD - Appropriate funds for Broadway/Hobby Corridor Redevelopment Project Agenda

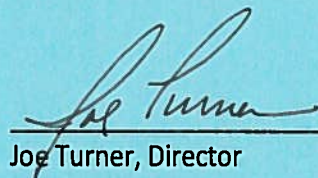
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The \$6.2 million Broadway/Hobby Corridor Redevelopment Project was completed in January 2017 with funding from various private sector donors secured by Scenic Houston. The Hobby Area Management District will maintain the redeveloped esplanades. Enhancements include the following:

- 410 new trees — Live Oak, Elm, Mexican Sycamore, Water Oak, Monterrey Oak, Natchez Crepe Myrtle
- Distinctive pedestrian crosswalks, featuring red brick inlays
- Extensive, lush landscaping the length of the boulevard's wide median
- Modern state-of-the-art LED streetlights lining the full length of the corridor

Director's Signature:


Joe Turner, Director

Prior Council Action:

Not applicable

Amount of Funding:

\$50,000 Contributed Capital Project Fund (4515)

Fiscal Note:

There is no estimated impact to the operating budget as a result of this CIP project. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078. See CIP Form A(s) attached in Novus

Contact Information:

Luci Correa 832-395-7057
Luci.Correa@houstontx.gov



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District B, District H

Item Creation Date: 2/10/2017

25CONS318 Appropriate funds to the In-House Renovation
Revolving Fund for HFD and HPD facilities

Agenda Item#: 24.

Summary:

ORDINANCE appropriating \$1,400,000.00 out of Fire Consolidated Construction Fund and \$500,000.00 out of Police Consolidated Construction Fund to the In-House Renovation Revolving Fund for FY2017 Renovations of the Houston Fire Department Fire House No. 32 and Houston Police Department Gerson Building and Central Police Complex - **DISTRICTS B - DAVIS and H - CISNEROS**

Background:

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council appropriate \$1,400,000.00 out of the Fire Consolidated Construction Fund and \$500,000 out of the Police Consolidated Construction Fund to the In-House Renovation Revolving Fund for renovations during FY2017 of the HFD and HPD facilities listed below.

GSD's In-House Renovation Group provides labor and expertise required to address serious maintenance deficiencies by performing capital improvements to city facilities and emergency repairs affecting life safety issues.

PROJECT DESCRIPTION AND SCOPE: The scope of work includes but is not limited to demolition and replacement of walls and doors, painting, installation of electrical wiring and lighting, new plumbing, new flooring, new ceiling, new millwork and replacement of related equipment.

PROJECT LOCATIONS: The FY 2017 renovations are as follows:

Fire Department	Address	Council District
Fire Station No. 32	8614 Tidwell RD.	B
Police Department		
Gerson Building	33 Artesian	H
Central Police Complex	61 Riesner- 2nd Flr	H

CIP FISCAL NOTE: There is no estimated impact to the operating and maintenance costs as a result of this CIP salary recovery expenditure. Therefore, no Fiscal Note is required as stated in the Financial Policy Ordinance No. 2014-1078

Capital Project Information: See attached Form A for a breakdown of capital costs.

Amount of Funding:

\$1,400,000.00 – Fire Consolidated Construction Fund (4500)

\$ 500,000.00 – Police Consolidated Construction Fund (4504)

\$1,900,000.00 – Total Appropriation

Contact Information:

Jacquelyn L. Nisby

Phone: 832 393-8023

ATTACHMENTS:

Description

Executed RCA

MAPS

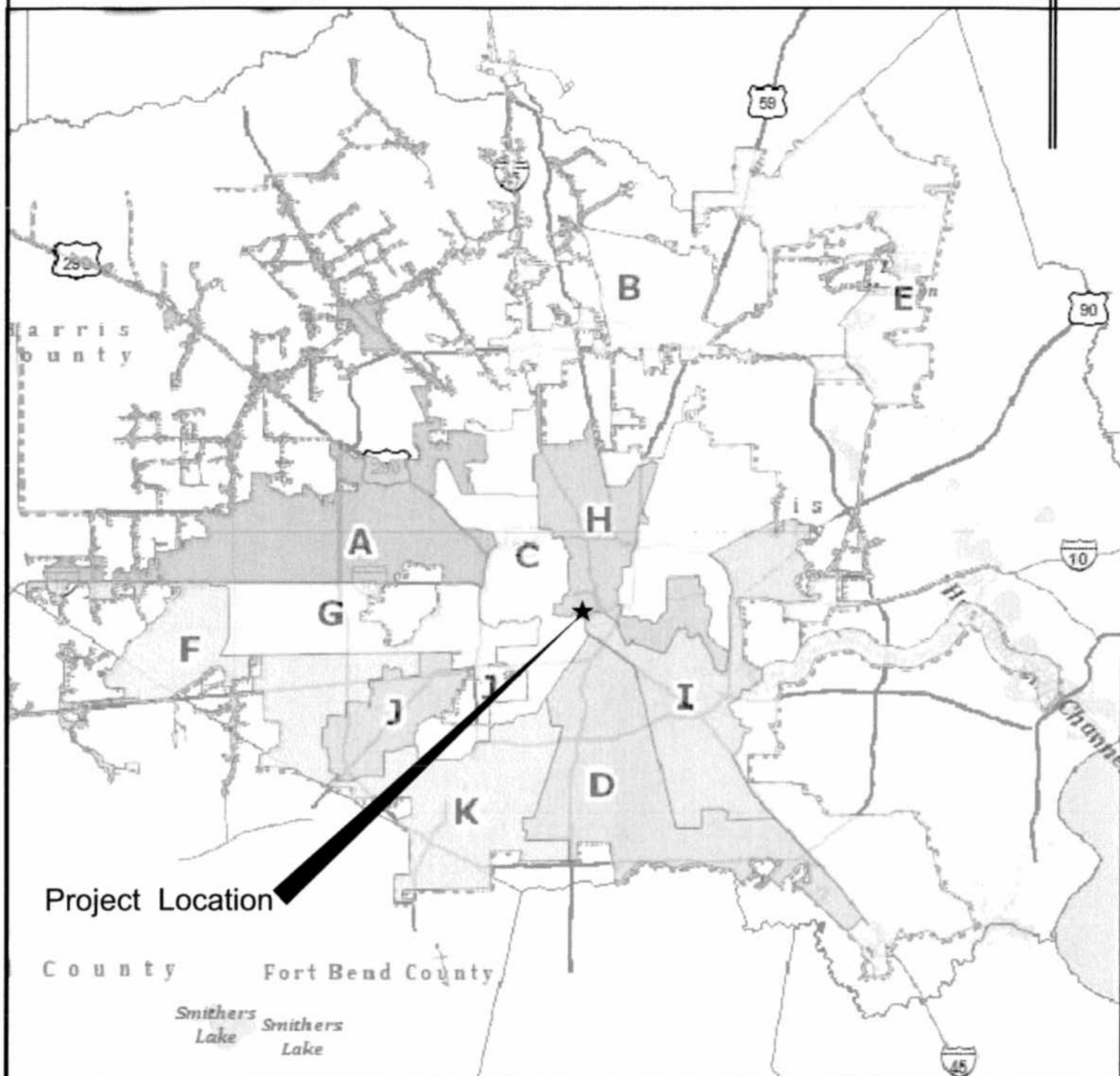
Type

Signed Cover sheet

Backup Material

SUBJECT: Appropriate funds to the In-House Renovation Revolving Fund for renovations of Houston Fire Department (HFD) and Houston Police Department (HPD) facilities during FY2017 WBS No: G-000169-0001-4-01-01/ C-000188-0001-4-01-01		Page 1 of 1	Agenda Item															
FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date																
DIRECTOR'S SIGNATURE:  C. J. Messiah, Jr., Interim Director	Council District(s) affected: B, H																	
For additional information contact: Jacquelyn L. Nisby  Phone: 832 393-8023	Date and identification of prior authorizing Council action:																	
RECOMMENDATION: Appropriate bond funds to the In-House Renovation Revolving Fund (Fund 1003) for renovations of HFD and HPD facilities during FY2017.																		
Amount and Source of Funding: \$1,400,000.00 – Fire Consolidated Construction Fund (4500) \$ 500,000.00 – Police Consolidated Construction Fund (4504) \$1,900,000.00 – Total Appropriation		Finance Budget:																
<p>SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council appropriate \$1,400,000.00 out of the Fire Consolidated Construction Fund and \$500,000 out of the Police Consolidated Construction Fund to the In-House Renovation Revolving Fund for renovations during FY2017 of the HFD and HPD facilities listed below.</p> <p>GSD's In-House Renovation Group provides labor and expertise required to address serious maintenance deficiencies by performing capital improvements to city facilities and emergency repairs affecting life safety issues.</p> <p>PROJECT DESCRIPTION AND SCOPE: The scope of work includes but is not limited to demolition and replacement of walls and doors, painting, installation of electrical wiring and lighting, new plumbing, new flooring, new ceiling, new millwork and replacement of related equipment.</p> <p>PROJECT LOCATIONS: The FY 2017 renovations are as follows:</p> <table border="1"> <thead> <tr> <th><u>FIRE DEPARTMENT</u></th> <th><u>ADDRESS</u></th> <th><u>COUNCIL DISTRICT</u></th> </tr> </thead> <tbody> <tr> <td>Fire Station No. 32</td> <td>8614 Tidwell Rd</td> <td>B</td> </tr> <tr> <td colspan="3"><u>POLICE DEPARTMENT</u></td> </tr> <tr> <td>Gerson Building</td> <td>33 Artesian</td> <td>H</td> </tr> <tr> <td>Central Police Complex</td> <td>61 Riesner – 2nd floor</td> <td>H</td> </tr> </tbody> </table> <p>CIP FISCAL NOTE: There is no estimated impact to the operating and maintenance costs as a result of these CIP projects. Therefore, no Fiscal Note is required as stated in the Financial Policy Ordinance No. 2014-1078.</p> <p>Capital Project Information: See each attached Form A for a breakdown of capital costs.</p> <p>CJM:JLN:RAV:KA:rm</p> <p>c: Marta Crinejo; Jacquelyn L. Nisby; Richard Vella; Keith Andrews; Ja'nice Sparks; Mark Donovan; Jim Hudkins; Veronica Lizama</p>				<u>FIRE DEPARTMENT</u>	<u>ADDRESS</u>	<u>COUNCIL DISTRICT</u>	Fire Station No. 32	8614 Tidwell Rd	B	<u>POLICE DEPARTMENT</u>			Gerson Building	33 Artesian	H	Central Police Complex	61 Riesner – 2 nd floor	H
<u>FIRE DEPARTMENT</u>	<u>ADDRESS</u>	<u>COUNCIL DISTRICT</u>																
Fire Station No. 32	8614 Tidwell Rd	B																
<u>POLICE DEPARTMENT</u>																		
Gerson Building	33 Artesian	H																
Central Police Complex	61 Riesner – 2 nd floor	H																
REQUIRED AUTHORIZATION			CUIC ID# 25CONS318															
General Services Department:  Richard A. Vella Assistant Director Real Estate, Design & Construction	Houston Fire Department:  Samuel Peña Fire Chief	Houston Police Department:  Art Acevedo Chief of Police																

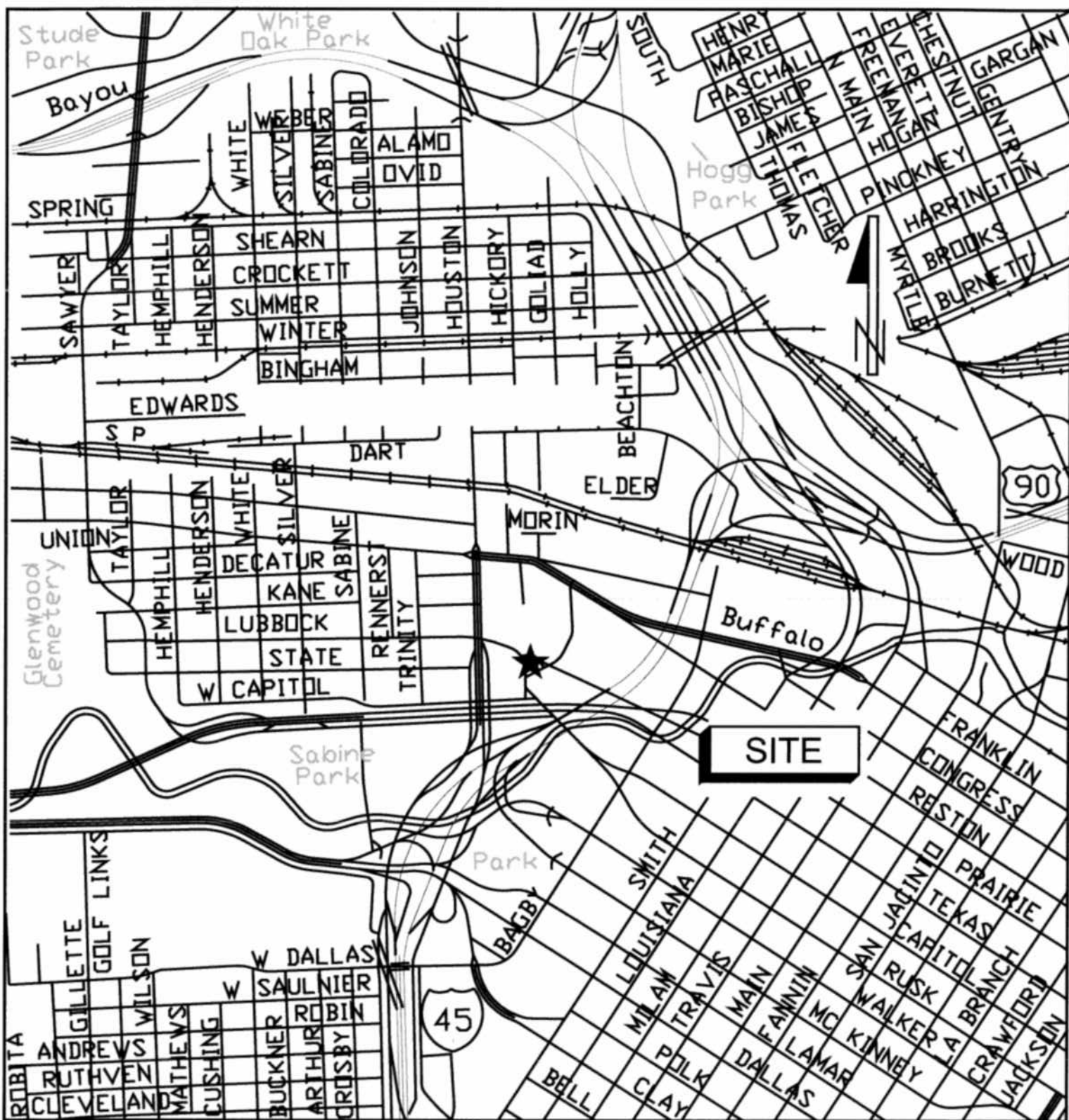
CITY OF HOUSTON
HARRIS COUNTY, TEXAS



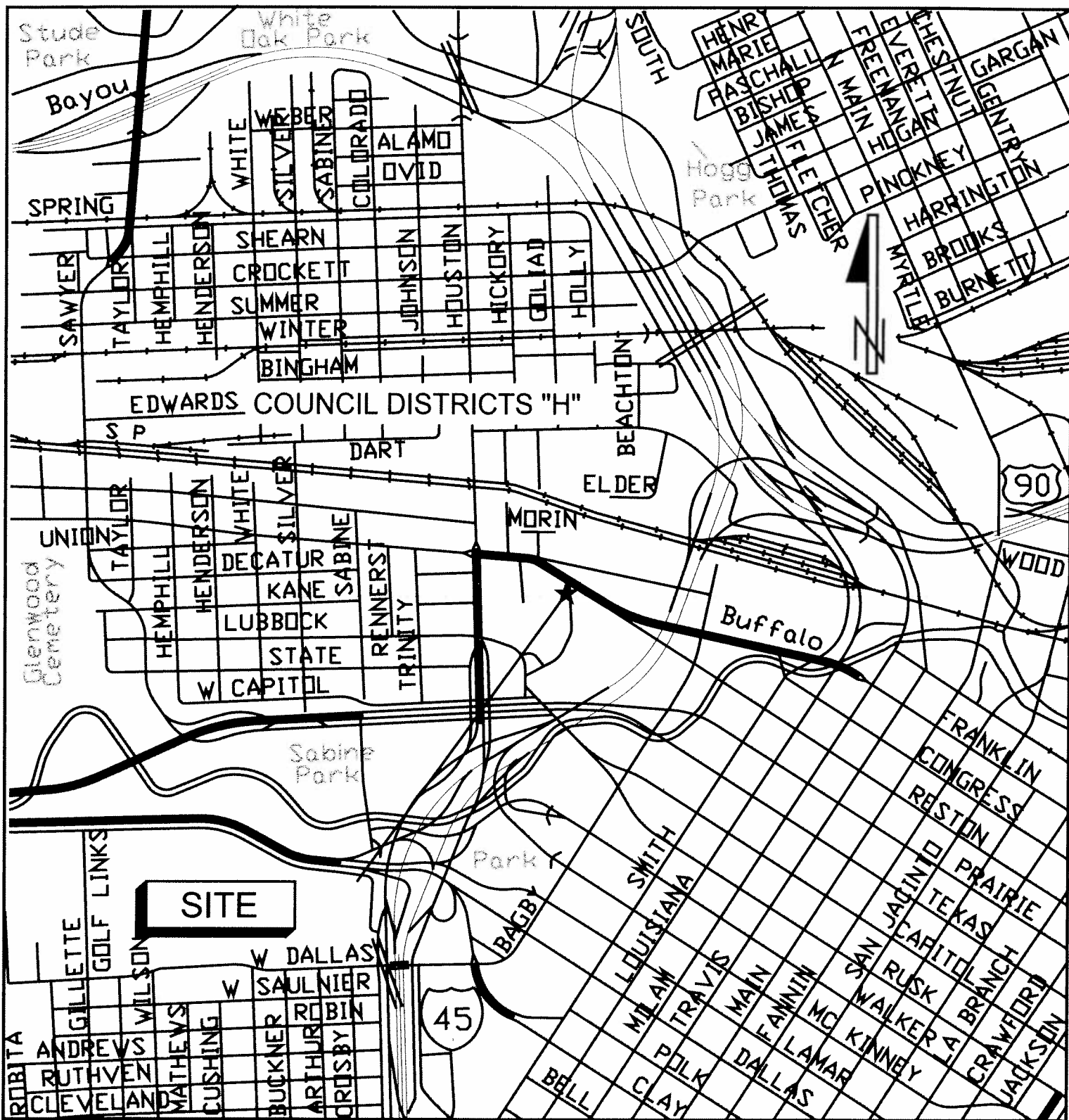
CENTRAL POLICE STATION
61 Riesner
Houston, TX 77002

COUNCIL DISTRICT "H"

KEYMAP No. 493L

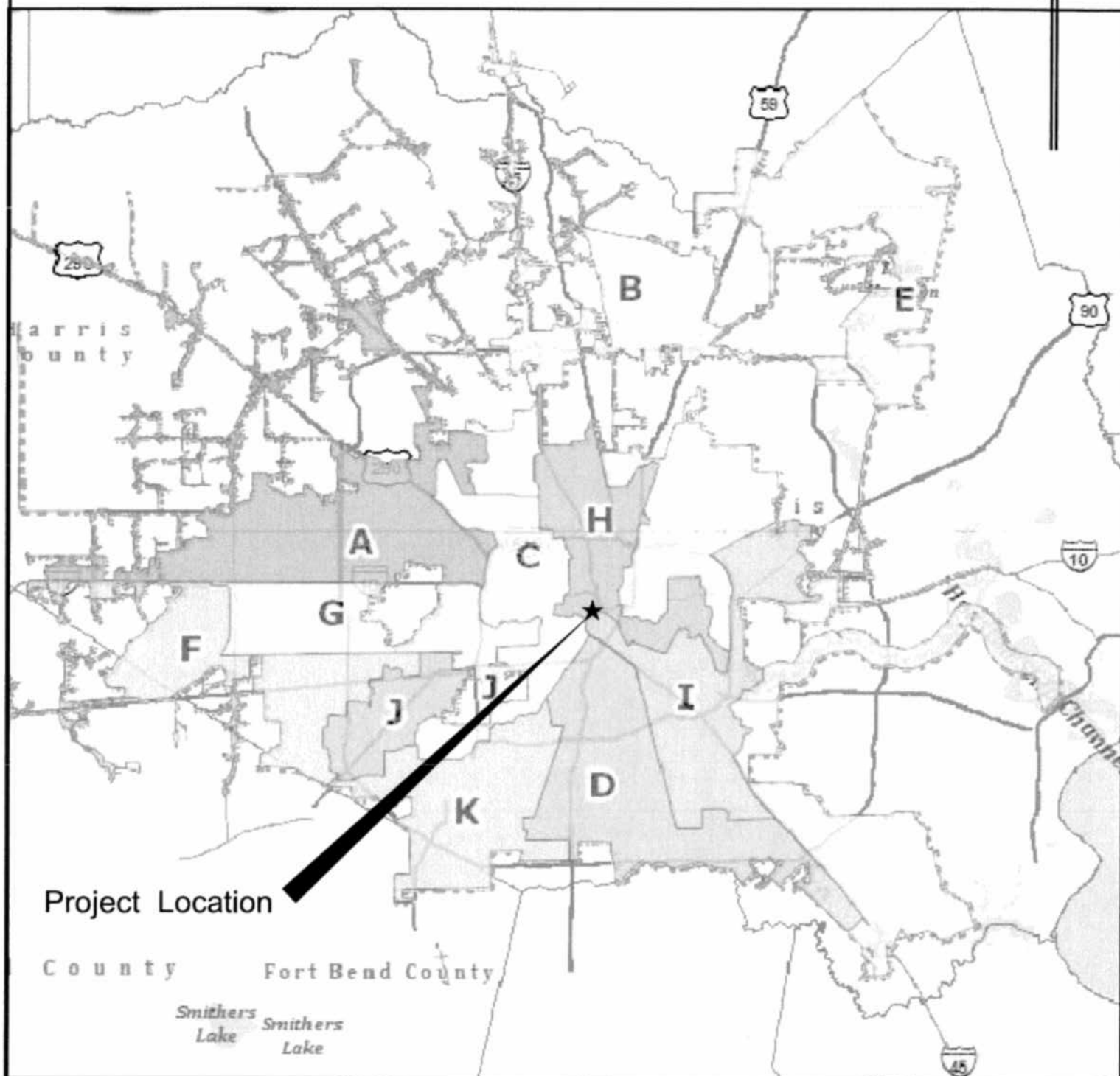


CENTRAL POLICE STATION
61 Riesner
Houston, TX 77002



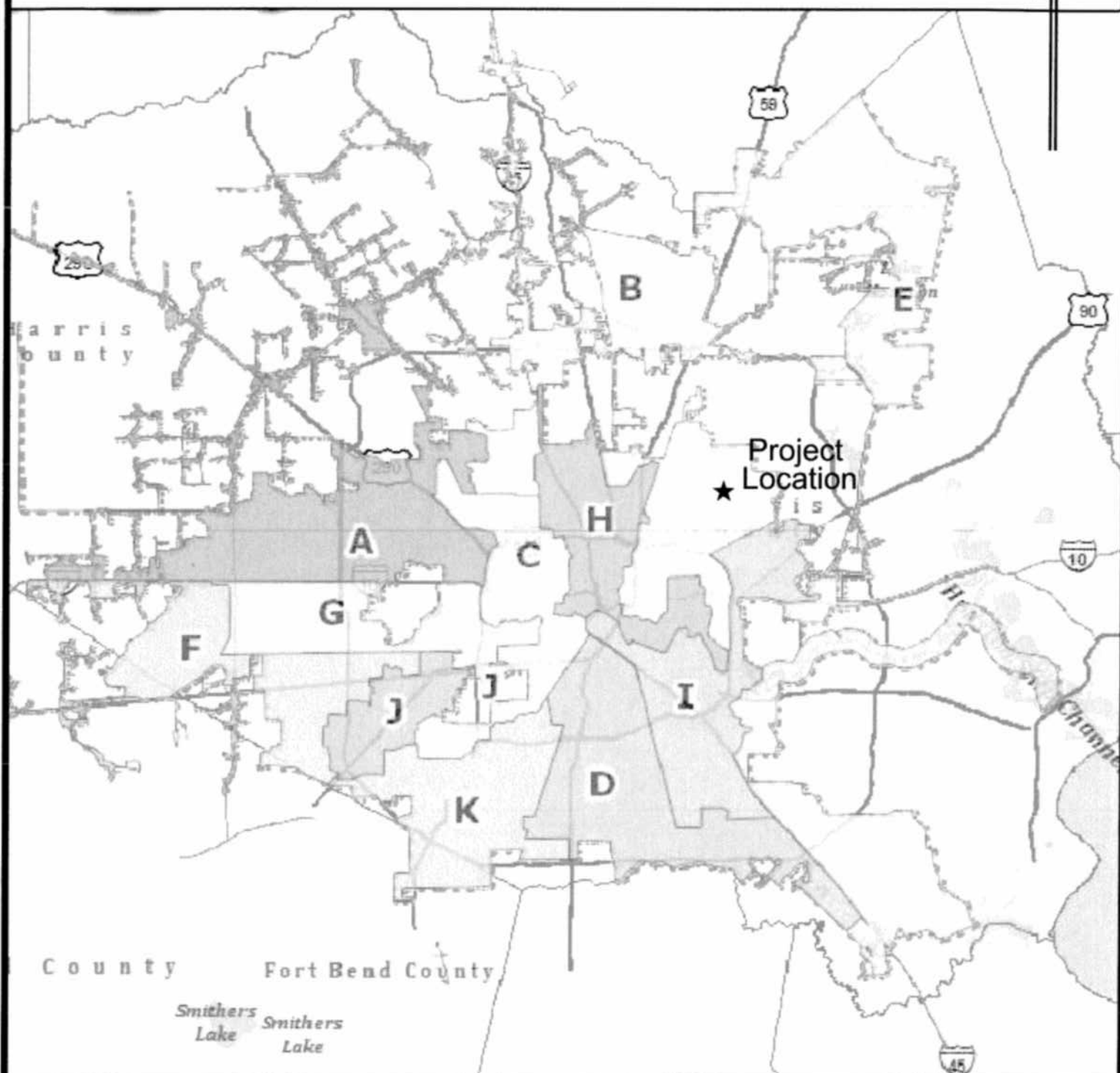
Police Headquarters
33 Artesian
Houston, TX 77002

CITY OF HOUSTON
HARRIS COUNTY, TEXAS

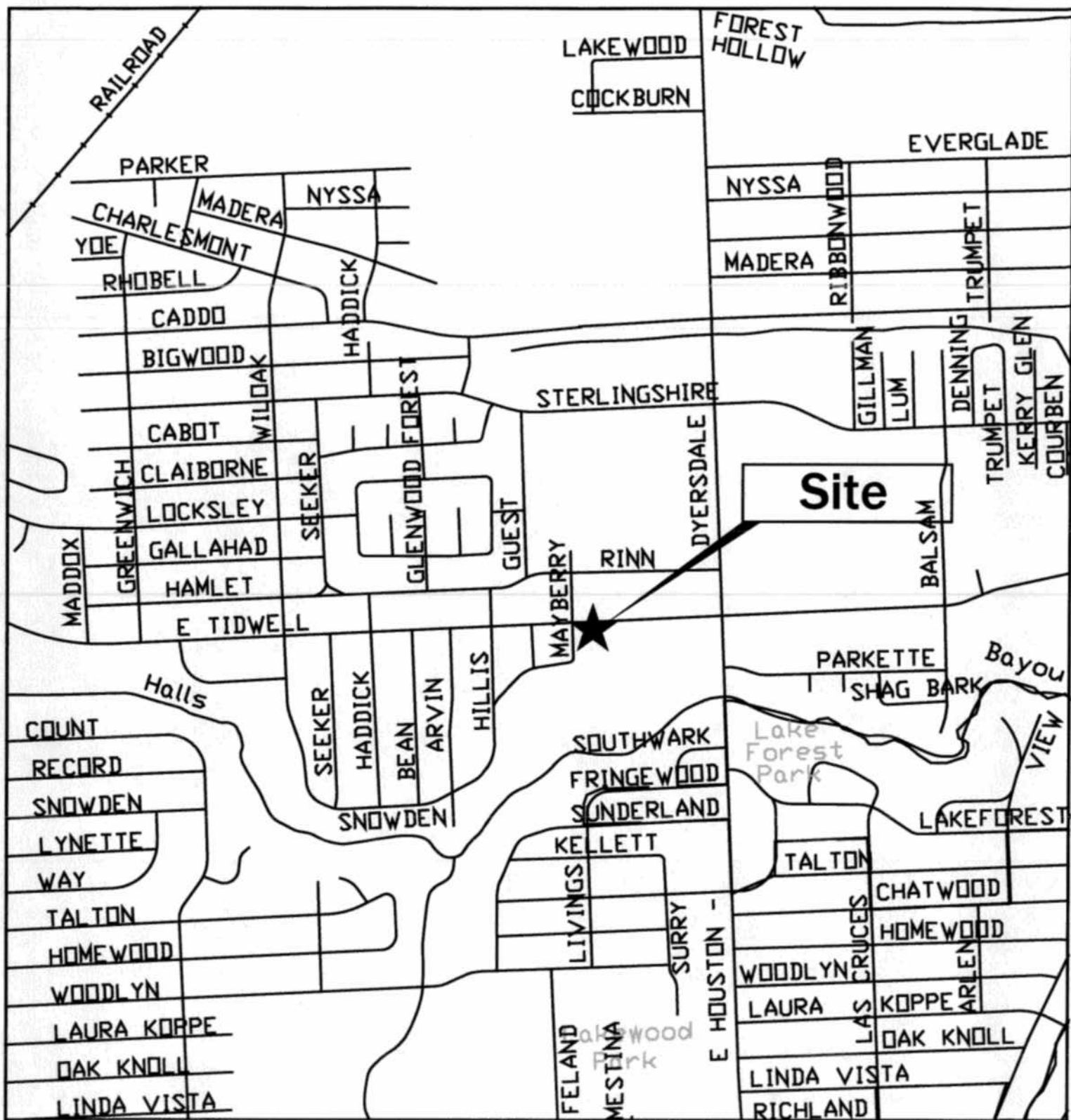


Police Headquarters
33 Artesian
Houston, TX 77002

4



KEYMAP No. 455C



Fire Station 32
8614 Tidwell Rd.
Houston, TX 77028



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District K

Item Creation Date: 2/6/2017

20SMC77 Agreement / Union Pacific Railroad

Agenda Item#: 25.

Summary:

ORDINANCE appropriating \$107,734.00 from the Metro Projects Construction DDSRF Fund; approving and authorizing Public Highway Overpass Agreement between the City of Houston and **UNION PACIFIC RAILROAD** for the Buffalo Speedway Grade Separation Project - **DISTRICT K - GREEN**

Background:

SUBJECT: A Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad for Buffalo Speedway Grade Separation over Holmes Road and Union Pacific Railroad Tracks.

WBS No. N-000784-0002-7.

RECOMMENDATION: Adopt an ordinance approving and authorizing a Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: Buffalo Speedway Grade Separation is part of the Street & Traffic Capital Improvement program (CIP) and is necessary to meet City of Houston standards, improve traffic mobility and provide direct connectivity across railroad tracks. These improvements will provide a bridge complying with Major Thoroughfare Freeway Plan (MTFP) standards.

DESCRIPTION/SCOPE: This project consists of the construction of two grade separation overpasses spanning Holmes Road and Union Pacific Railroad Tracks. Total number of spans for each bridge is 11 with lengths for each bridge approximately 1,150 linear feet. Bridges will connect existing Buffalo Speedway roadway from south of Holmes Road to West Bellfort Boulevard. The construction award for the bridge is separate from the railroad agreement needed for City right of entry over Union Pacific Railroad right of way. The Contract duration for this project is 360 calendar days. This project was designed by Aguirre & Fields, LP.

LOCATION: The project area is generally bound by Willowbend on the north, Holmes Road on the south, Kirby on the east and South Main on the west. The project is located in Key Map Grids 532X and 572B.

SCOPE OF THE AGREEMENT: The agreement between the City of Houston and Union

Pacific Railroad permits the City right of entry over Union Pacific Railroad right of way as specified to construct an overpass for an agreed upon fee of \$92,080.00. The total requested amount of \$107,734.00 is to be appropriated as follows: \$92,080.00 for the cost of the agreement and \$15,654.00 for CIP Cost Recovery.

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating Impact is anticipated as a result of this project.

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing a Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad and appropriate funds.

Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

WBS No. N-000784-0002-7

Amount of Funding:

\$107,734.00 from Fund No. 4040- METRO Projects Construction DDSRF

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District K

Item Creation Date: 2/6/2017

20SMC77 Agreement / Union Pacific Railroad

Agenda Item#:

Background:

SUBJECT: A Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad for Buffalo Speedway Grade Separation over Holmes Road and Union Pacific Railroad Tracks.
WBS No. N-000784-0002-7.

RECOMMENDATION: Adopt an ordinance approving and authorizing a Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: Buffalo Speedway Grade Separation is part of the Street & Traffic Capital Improvement program (CIP) and is necessary to meet City of Houston standards, improve traffic mobility and provide direct connectivity across railroad tracks. These improvements will provide a bridge complying with Major Thoroughfare Freeway Plan (MTFP) standards.

DESCRIPTION/SCOPE: This project consists of the construction of two grade separation overpasses spanning Holmes Road and Union Pacific Railroad Tracks. Total number of spans for each bridge is 11 with lengths for each bridge approximately 1,150 linear feet. Bridges will connect existing Buffalo Speedway roadway from south of Holmes Road to West Bellfort Boulevard. The construction award for the bridge is separate from the railroad agreement needed for City right of entry over Union Pacific Railroad right of way. The Contract duration for this project is 360 calendar days. This project was designed by Aguirre & Fields, LP.

LOCATION: The project area is generally bound by Willowbend on the north, Holmes Road on the south, Kirby on the east and South Main on the west. The project is located in Key Map Grids 532X and 572B.

SCOPE OF THE AGREEMENT: The agreement between the City of Houston and Union Pacific Railroad permits the City right of entry over Union Pacific Railroad right of way as specified to construct an overpass for an agreed upon fee of \$92,080.00. The total requested amount of \$107,734.00 is to be appropriated as follows: \$92,080.00 for the cost of the agreement and \$15,654.00 for CIP Cost Recovery.

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating Impact is anticipated as a result of this project.

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing a Public Highway Overpass Agreement between the City of Houston and Union Pacific Railroad and appropriate funds.

Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS No. N-000784-0002-7

Amount of Funding:

\$107,734.00 from Fund No. 4040- METRO Projects Construction DDSRF

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

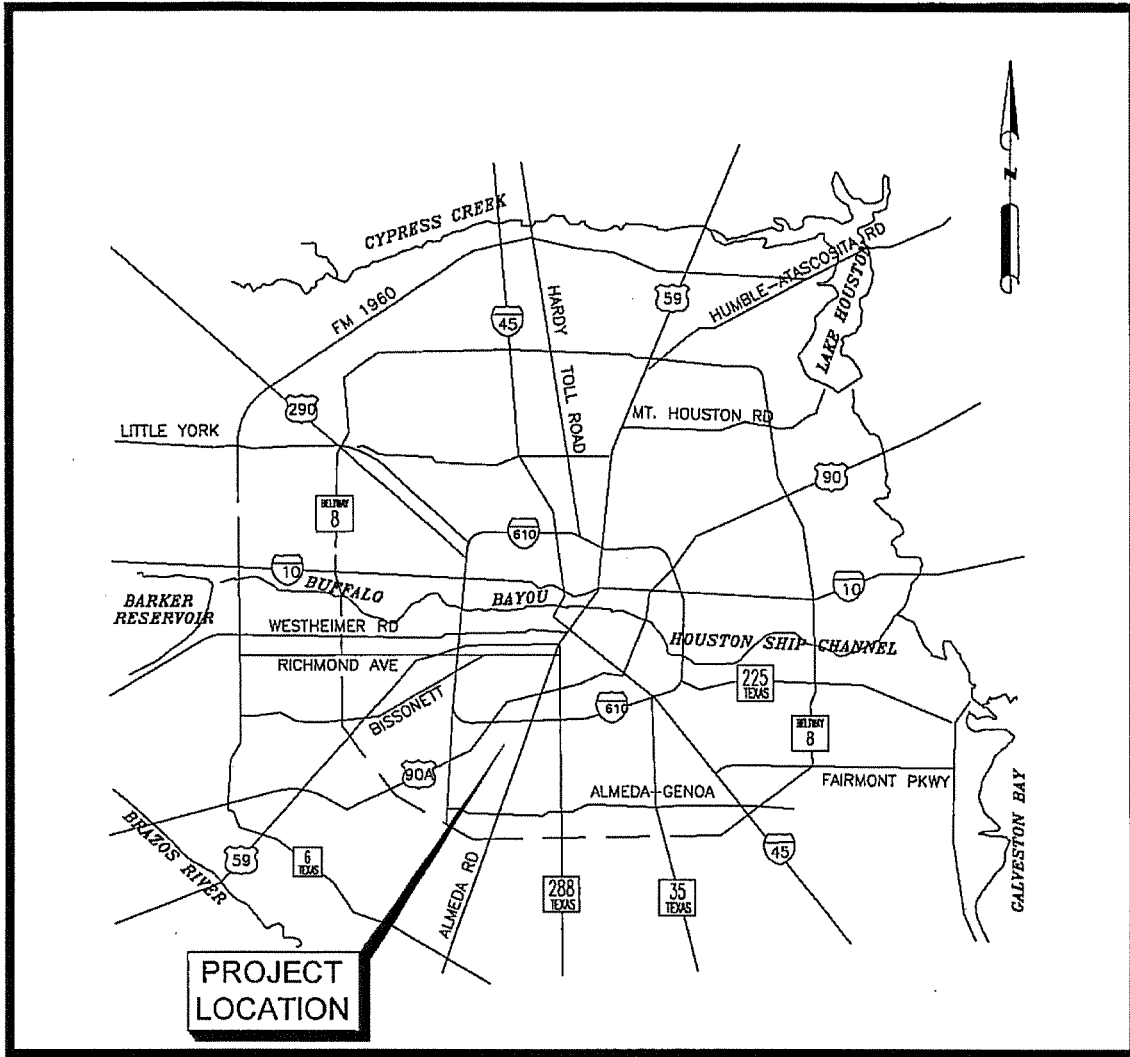
Description

Maps
Copy of Agreement
SAP documents

Type

Backup Material
Backup Material
Financial Information

EXHIBIT 1



LOCATION MAP

COUNCIL DISTRICT K
KEY MAP NO. 532X AND 572B

BUFFALO SPEEDWAY GRADE SEPARATION OVER HOLMES ROAD AND UNION PACIFIC RAILROAD

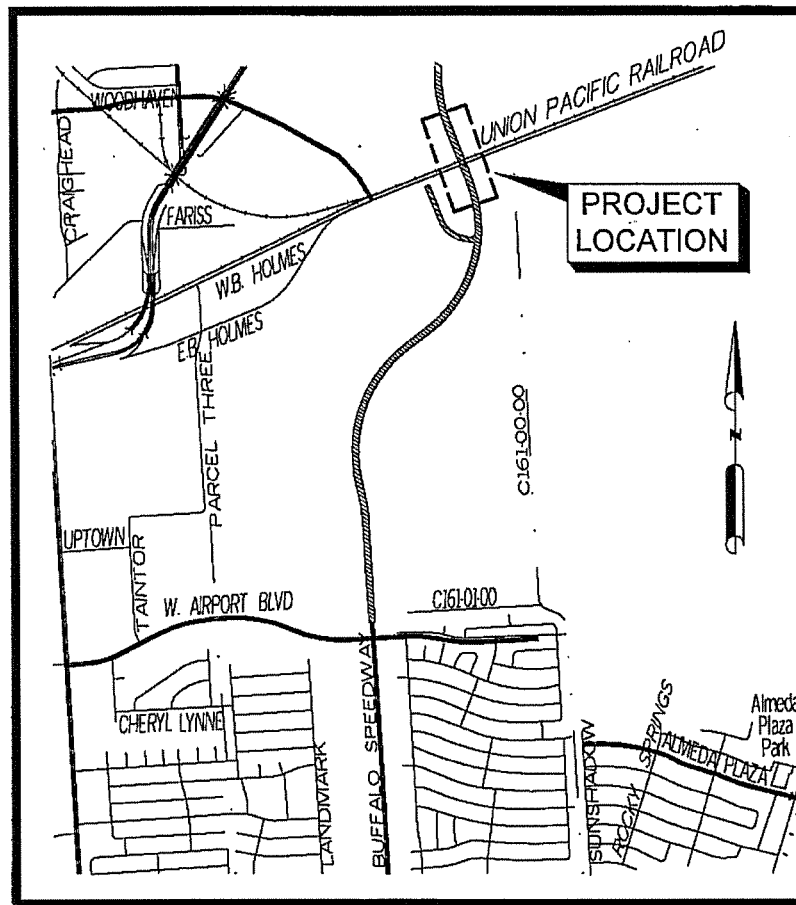
WBS NO. N-000784-0002-3

CLR, Inc.

TBPE Firm Reg. No. 275
TBPLS Firm Reg. No. 10038900

Engineers • Surveyors • GIS
19530 F.M. 362, Waller, Texas 77384
Phone: (713) 462-0993 Fax: (713) 462-2732

EXHIBIT 1



VICINITY MAP

COUNCIL DISTRICT K
KEY MAP NO. 532X AND 572B

BUFFALO SPEEDWAY GRADE SEPARATION OVER HOLMES ROAD AND UNION PACIFIC RAILROAD

WBS NO. N-000784-0002-3

CLR, Inc.

TBPE Firm Reg. No. 275
TBPLS Firm Reg. No. 10038900

Engineers • Surveyors • GIS

19530 F.M. 362, Waller, Texas 77384

Phone: (713) 462-0993 Fax: (713) 462-2732



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

District A

Item Creation Date: 1/5/2017

20MAC87 Addtn'l Approp / Bridgefarmer & Associates, Inc.

Agenda Item#: 26.

Summary:

ORDINANCE appropriating \$131,200.00 out of Metro Projects Construction DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **BRIDGEFARMER & ASSOCIATES, INC** for Antoine Paving and Drainage from Hammerly to Hempstead Hwy. (Approved by Ordinance No. 2015-0329); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF - **DISTRICT A - STARDIG**

Background:

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and Bridgefarmer & Associates, Inc. for Antoine Paving and Drainage from Hammerly to Hempstead Hwy. WBS No. N-100009-0001-3.

RECOMMENDATION: (SUMMARY)

Approve an ordinance appropriating additional funds to the Professional Engineering Services Contract with Bridgefarmer & Associates, Inc.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Capital Improvement Plan (CIP). This project is necessary to improve traffic circulation, mobility, and drainage in the service area and to meet City of Houston Standards.

DESCRIPTION/SCOPE: This project consists of widening and realignment design of approximately 2,100 linear feet of six-lane and four lane divided concrete roadway with new traffic signals, storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities.

LOCATION: The project area is generally bound by W. 34th Street on the north, Long Point Road on the south, Wirt Road on the east and Highway 290 on the west. The project is located in Key Map Grids 451 P & T.

PREVIOUS HISTORY AND SCOPE: City Council approved the original Contract on April 15, 2015 under Ordinance No. 2015-0329. The scope of services under the Original Contract consisted of Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services, and Additional Services. Under this Contract, the Consultant completed the assignment Phase I - Preliminary Engineering Design.

SCOPE OF THIS ADDITIONAL APPROPRIATION AND FEE: The requested additional appropriation is needed for design of the existing signalized intersection at Antoine and Hammerly

to a safer roundabout intersection as recommended after Phase II Design 60% plan reviews. \$25,575.00 was negotiated and necessary as additional Basic Services fee for redesign of the intersection. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. These Additional Services include public meeting/s, traffic control plan, boundary survey, and topographic survey, which comprise the bulk of the funds. The total Additional Services Fee under the additional appropriation are \$86,550.20.

The total requested appropriation is \$131,200.00 to be appropriated as follows: \$112,125.20 for contract services and \$19,074.80 for CIP Cost Recovery.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE PARTICIPATION: The M/WBE goal established for this project is 24%. The original Contract amount totals \$617,647.87. The Consultant has been paid \$352,169.04 (57.02%) to date. Of this amount, \$137,248.14 (38.97%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$729,773.07. The Consultant proposes the following plan to meet the M/WBE goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
Paid Prior M/WBE Commitment		\$137,248.14	18.81%
Unpaid Prior M/WBE Commitment		\$ 57,196.00	7.84%
1. Gunda Corporation, LLC	Traffic & Transportation	\$ 46,840.00	6.42%
2. Landtech, Inc., DBA Landtech Consultants, Inc.	Land Surveying	\$ 9,300.00	1.27%
TOTAL		\$250,584.14	34.34%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.

Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS Number N-100009-0001-3

Prior Council Action:

Ordinance 2015-0329, dated 04/15/2015

Amount of Funding:

\$131,200.00 from Fund No. 4040 - METRO Projects Construction DDSRF

Original (previous) appropriation of \$716,471.53 from Fund No. 4040 - METRO Projects Construction DDSRF.

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District A

Item Creation Date: 1/5/2017

20MAC87 Addtn'l Approp / Bridgefarmer & Associates, Inc.

Agenda Item#:

Background:

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and Bridgefarmer & Associates, Inc. for Antoine Paving and Drainage from Hammerly to Hempstead Hwy. WBS No. N-100009-0001-3.

RECOMMENDATION: (SUMMARY)

Approve an ordinance appropriating additional funds to the Professional Engineering Services Contract with Bridgefarmer & Associates, Inc.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Capital Improvement Plan (CIP). This project is necessary to improve traffic circulation, mobility, and drainage in the service area and to meet City of Houston Standards.

DESCRIPTION/SCOPE: This project consists of widening and realignment design of approximately 2,100 linear feet of six-lane and four lane divided concrete roadway with new traffic signals, storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities.

LOCATION: The project area is generally bound by W. 34th Street on the north, Long Point Road on the south, Wirt Road on the east and Highway 290 on the west. The project is located in Key Map Grids 451 P & T.

PREVIOUS HISTORY AND SCOPE: City Council approved the original Contract on April 15, 2015 under Ordinance No. 2015-0329. The scope of services under the Original Contract consisted of Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services, and Additional Services. Under this Contract, the Consultant completed the assignment Phase I - Preliminary Engineering Design.

SCOPE OF THIS ADDITIONAL APPROPRIATION AND FEE: The requested additional appropriation is needed for design of the existing signalized intersection at Antoine and Hammerly to a safer roundabout intersection as recommended after Phase II Design 60% plan reviews. \$25,575.00 was negotiated and necessary as additional Basic Services fee for redesign of the intersection. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. These Additional Services include public meeting/s, traffic control plan, boundary survey, and topographic survey, which comprise the bulk of the funds. The total Additional Services Fee under the additional appropriation are \$86,550.20.

The total requested appropriation is \$131,200.00 to be appropriated as follows: \$112,125.20 for contract services and \$19,074.80 for CIP Cost Recovery.


PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE PARTICIPATION: The M/WBE goal established for this project is 24%. The original Contract amount totals \$617,647.87. The Consultant has been paid \$352,169.04 (57.02%) to date. Of this amount, \$137,248.14 (38.97%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$729,773.07. The Consultant proposes the following plan to meet the M/WBE goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
Paid Prior M/WBE Commitment		\$137,248.14	18.81%
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1. Gunda Corporation, LLC	Traffic & Transportation	\$ 46,840.00	6.42%
2. Landtech, Inc., DBA Landtech Consultants, Inc.	Land Surveying	\$ 9,300.00	1.27%
TOTAL		\$250,584.14	34.34%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.



Dale A. Rudlick, P.E., Director
Department of Public Works and Engineering

WBS Number N-100009-0001-3

Prior Council Action:

Ordinance 2015-0329, dated 04/15/2015

Amount of Funding:

\$131,200.00 from Fund No. 4040 - METRO Projects Construction DDSRF

Original (previous) appropriation of \$716,471.53 from Fund No. 4040 - METRO Projects Construction DDSRF.

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

Description

Maps
OBO
Form B
Ownership Information Form
Tax Report
Play or Play
Form 1295
Prior Council Action
SAP Documents
Affidavit of Ownership

Type

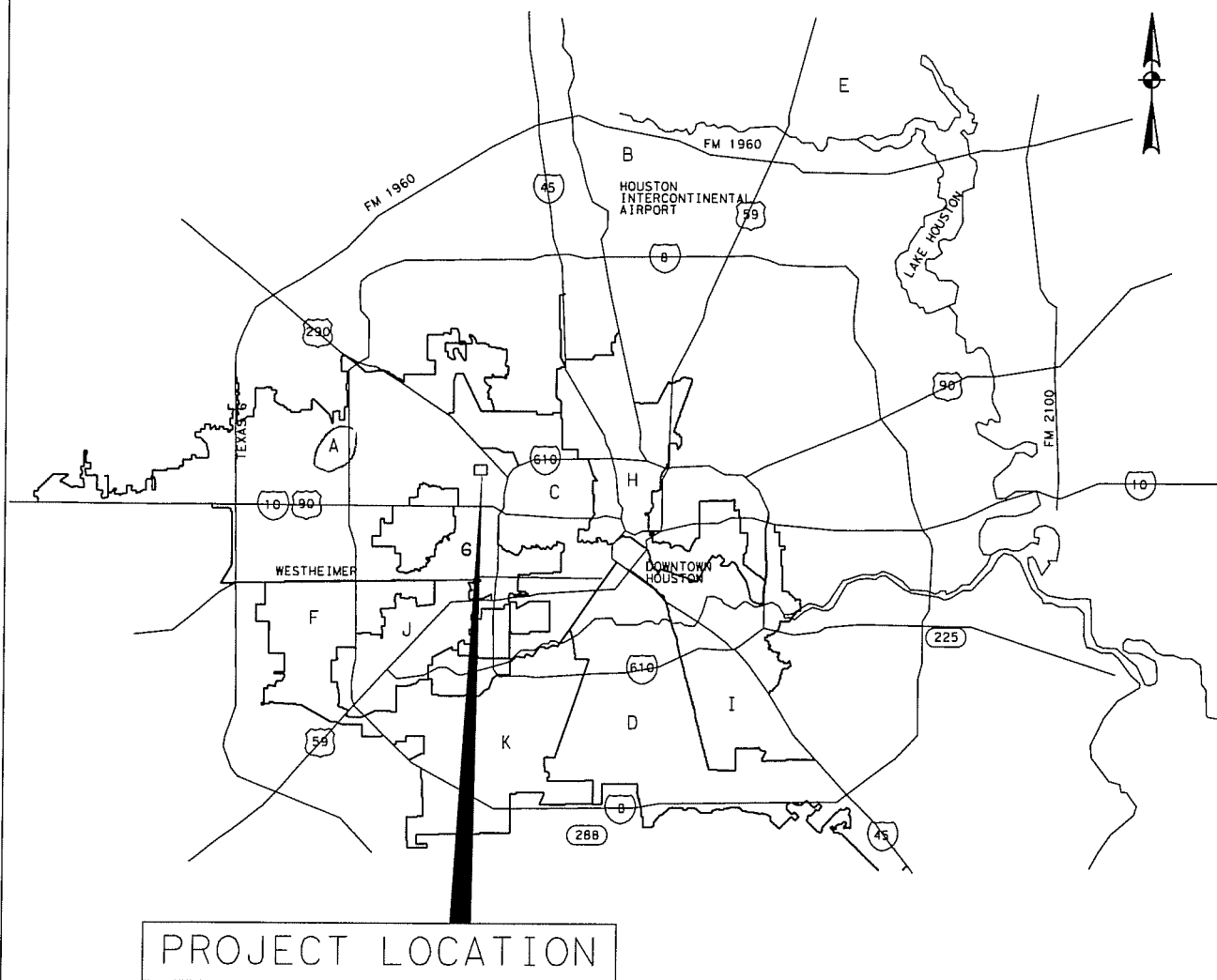
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Financial Information
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ANTOINE DRIVE PAVING AND DRAINAGE

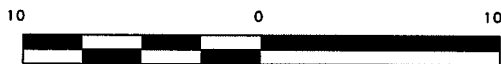
WBS No. N-100009-0001-3

District A



PROJECT LOCATION

LOCATION MAP



SCALE IN MILES



BRIDGEFARMER & ASSOCIATES, INC.
CONSULTING ENGINEERS
12001 NORTH CENTRAL EXPRESSWAY, SUITE 400
DALLAS, TEXAS 75243
972-251-8600
TYPE REGISTRATION NO. 264



CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WBS NUMBER

N-100009-0001-3

CITY OF HOUSTON PM

MIKE CORDOVA

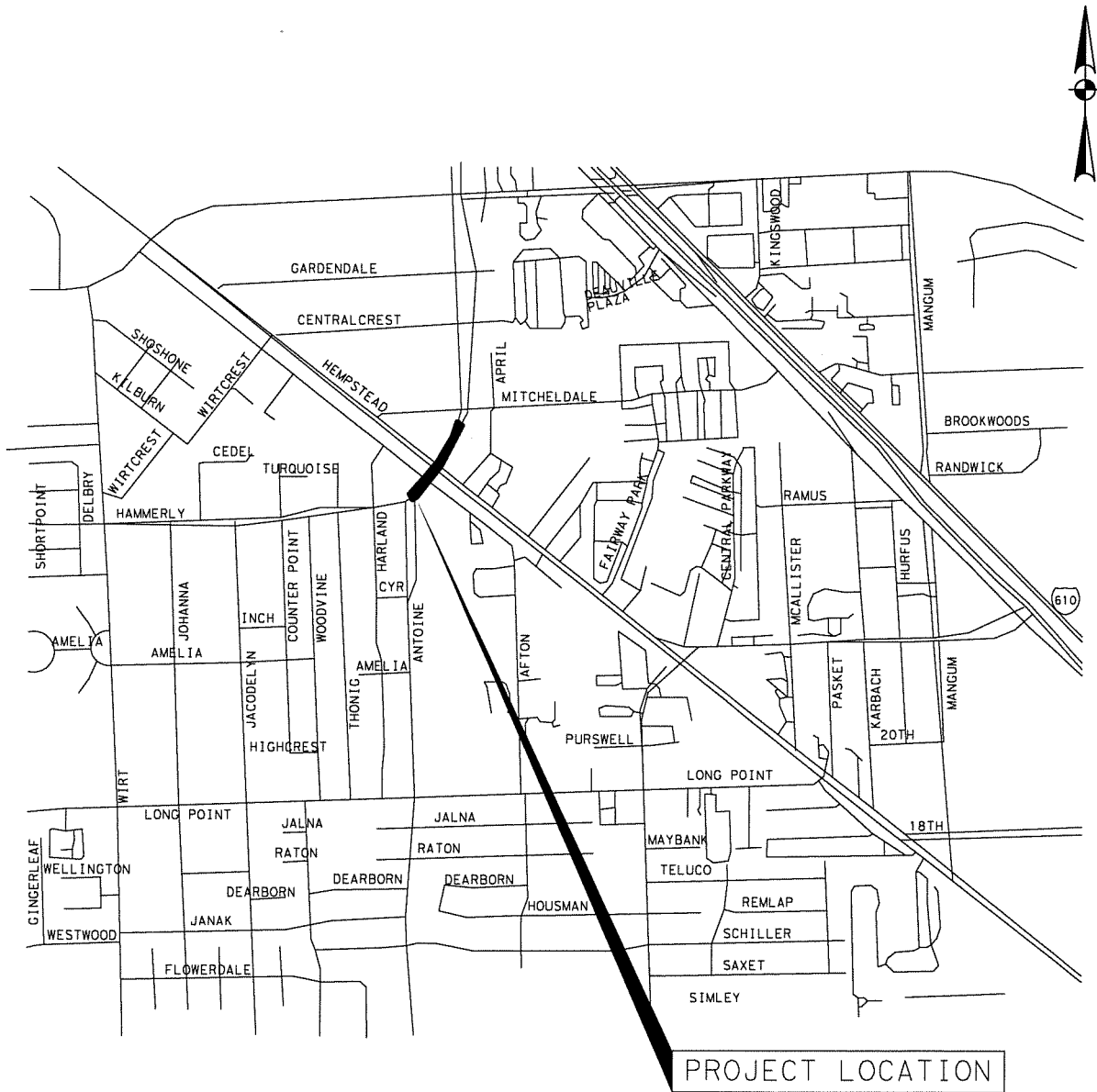
DATE

11/16

ANTOINE DRIVE PAVING AND DRAINAGE

WBS No. N-100009-0001-3

District A



LOCATION MAP





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 2/7/2017

20AS03 Contract Award / Tikon Group, Inc.

Agenda Item#: 27.

Summary:

ORDINANCE appropriating \$2,150,500.00 out of Metro Construction - Other, awarding contract to **TIKON GROUP, INC** for Safe Sidewalk Program Work Authorization Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Construction - Other

Background:

SUBJECT: Contract Award for Safe Sidewalk Program Work Authorization Project. WBS No. N-320610-0127-4

RECOMMENDATION: (SUMMARY) Accept low bid, award Construction Contract and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the continuing effort by the City to construct request-based sidewalks throughout the City of Houston to meet the needs of its residents.

DESCRIPTION/SCOPE: The project provides for the construction of sidewalk improvements at various locations. This is a work order contract where projects will be assigned as they are designed in-house. The Contract duration for this project is 365 calendar days.

LOCATION: The project is located in various Key Map Grids

BIDS: This project was advertised for bidding on November 4, 2016. Bids were received on December 1, 2016. The eight bids are as follows:

	<u>Bidder</u>	<u>Bid Amount</u>	
1.	Tikon Group, Inc.	\$ 1,712,926.00	
2.	D.G. Medina Construction, LLC	\$ 1,712,926.00	(Non- Responsive)
3.	Construction Diversity Group, LLC	\$ 1,716,275.00	
4.	Kenall Inc.	\$ 1,744,741.50	
5.	Grava LLC	\$ 1,885,400.50	
6.	CAAN Construction Services,	\$ 1,985,870.50	

	Inc.		
7.	Jerdon Enterprise, L.P.	\$ 2,357,610.50	
8.	Texas Wall and Landscape, LLC	\$ 2,469,803.00	

AWARD: D.G. Medina Construction, LLC bid was non-responsive as per the City of Houston Code of Ordinance, Sec. 15.85 due to not submitting an acceptable M/WBE plan. Therefore, it is recommended that this construction contract be awarded to Tikon Group, Inc. with a bid of \$1,712,926.00.

PROJECT COST: The total cost of this project is \$2,150,500.00 to be appropriated as follows:

Bid Amount	\$ 1,712,926.00
Contingencies	\$ 85,646.30
Engineering and Testing Services	\$ 95,000.00
CIP Cost Recovery	\$ 256,927.70

Engineering and Testing Services will be provided by A & R Engineering and Testing, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston business and supports job creation. In this case, Tikon Group, Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WSBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 9% WBE goal for this project.

<u>MBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Narvaez Construction	Concrete Construction	\$ 102,775.56	6.00%
2. Unotec Construction Company	Project Management	\$ 85,646.30	5.00%
		\$ 188,421.86	11.00%

<u>WBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Minority Woman Construction	Concrete Work	\$ 85,646.30	5.00%

<u>SBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
----------------------------	-------------------------	---------------	----------------------

1. Fabco LLC	Rebar Fabrication	\$ 34,258.52	2.00%
2. Torres Brothers Ready Mix, Inc.	Ready Mix Concrete Delivery	\$ <u>51,387.78</u>	<u>3.00%</u>
		\$188,421.86	11.00%
TOTAL		\$ 359,714.46	21.00%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.

Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

WBS No. N-320610-0127-4

Amount of Funding:

\$2,150,500.00.00 from Fund 4040A– METRO Construction - Other

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 2/7/2017

20AS03 Contract Award / Tikon Group, Inc.

Agenda Item#:

Summary:

An ordinance appropriating the sum of \$2,150,500.00 out of the Metro Construction - Other, awarding a contract to Tikon Group, Inc. for Safe Sidewalk Program Work Authorization Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for Engineering, Testing, CIP cost recovery, and contingencies relating to construction of facilities financed by the Metro Construction - Other; and declaring an emergency.

Background:

SUBJECT: Contract Award for Safe Sidewalk Program Work Authorization Project. WBS No. N-320610-0127-4

RECOMMENDATION: (SUMMARY) Accept low bid, award Construction Contract and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the continuing effort by the City to construct request-based sidewalks throughout the City of Houston to meet the needs of its residents.

DESCRIPTION/SCOPE: The project provides for the construction of sidewalk improvements at various locations. This is a work order contract where projects will be assigned as they are designed in-house. The Contract duration for this project is 365 calendar days.

LOCATION: The project is located in various Key Map Grids

BIDS: This project was advertised for bidding on November 4, 2016. Bids were received on December 1, 2016. The eight bids are as follows:

	Bidder	Bid Amount	
1.	Tikon Group, Inc.	\$ 1,712,926.00	
2.	D.G. Medina Construction, LLC	\$ 1,712,926.00	(Non- Responsive)
3.	Construction Diversity Group, LLC	\$ 1,716,275.00	
4.	Kenall Inc.	\$ 1,744,741.50	
5.	Grava LLC	\$ 1,885,400.50	
6.	CAAN Construction Services, Inc.	\$ 1,985,870.50	
7.	Jerdon Enterprise, L.P.	\$ 2,357,610.50	
8.	Texas Wall and Landscape, LLC	\$ 2,469,803.00	

AWARD: D.G. Medina Construction, LLC bid was non-responsive as per the City of Houston Code of Ordinance, Sec. 15.85 due to not submitting an acceptable MWBE plan. Therefore, it is recommended that this construction contract be awarded to Tikon Group, Inc. with a bid of \$1,712,926.00.

PROJECT COST: The total cost of this project is \$2,150,500.00 to be appropriated as follows:

Bid Amount	\$ 1,712,926.00
Contingencies	\$ 85,646.30
Engineering and Testing Services	\$ 95,000.00
CIP Cost Recovery	\$ 256,927.70

Engineering and Testing Services will be provided by A & R Engineering and Testing, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston business and supports job creation. In this case, Tikon Group, Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City

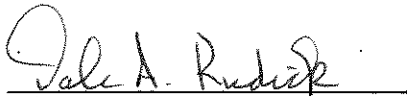
policy.

M/WSBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 9% WBE goal for this project.

<u>MBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Narvaez Construction	Concrete Construction	\$ 102,775.56	6.00%
2. Unotec Construction Company	Project Management	\$ 85,646.30	5.00%
		\$ 188,421.86	11.00%
<u>WBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Minority Woman Construction	Concrete Work	\$ 85,646.30	5.00%
<u>SBE – Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Fabco LLC	Rebar Fabrication	\$ 34,258.52	2.00%
2. Torres Brothers Ready Mix, Inc.	Ready Mix Concrete Delivery	\$ 51,387.78	3.00%
		\$188,421.86	11.00%
TOTAL		\$ 359,714.46	21.00%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.



Dale A. Rudick, P.E. Director
Department of Public Works and Engineering

WBS No. N-320610-0127-4

Amount of Funding:

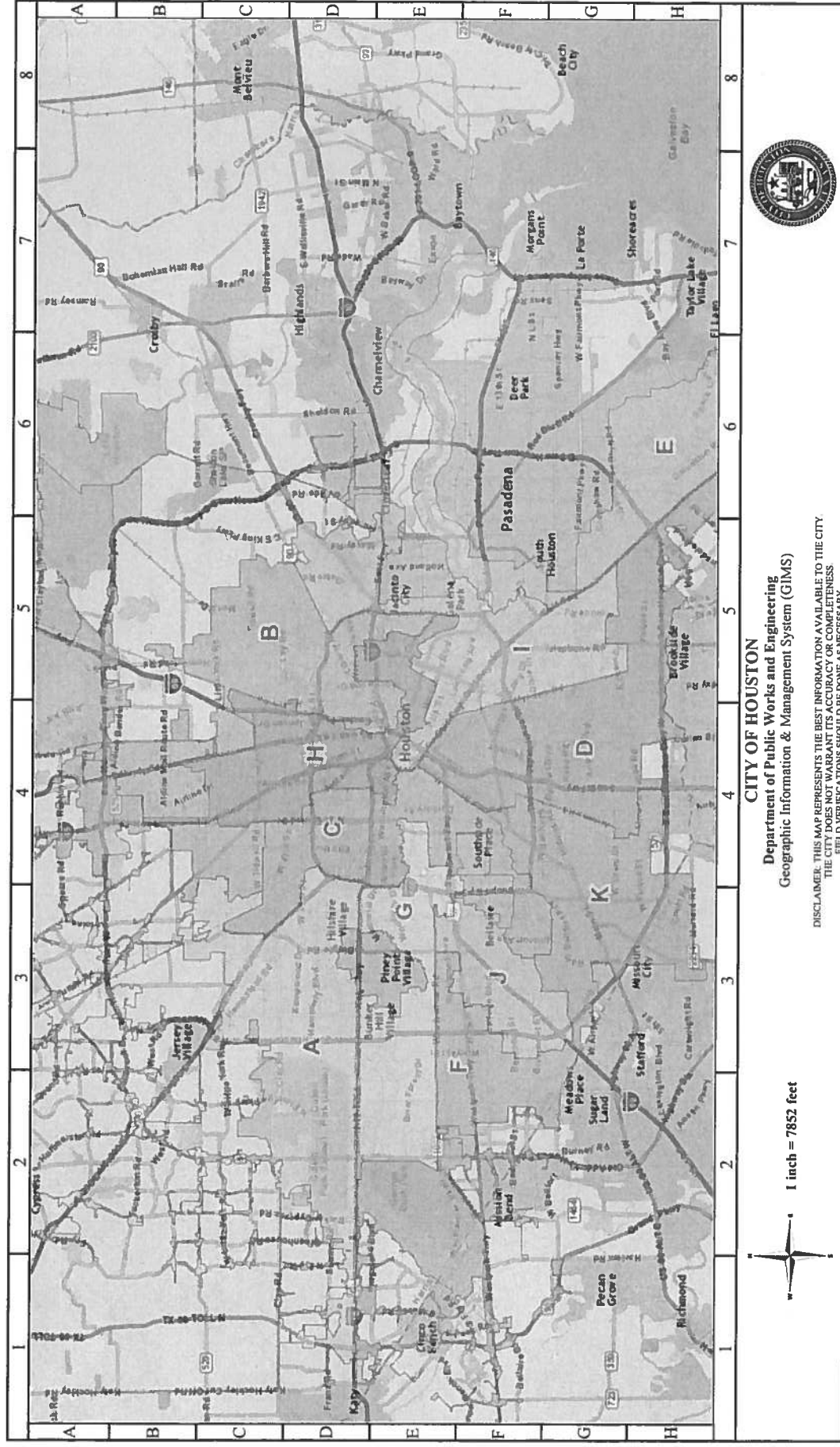
\$2,150,500.00.00 from Fund 4040A– METRO Construction - Other

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director, Engineering Branch
Phone: (832) 395-2326

ATTACHMENTS:

<u>Description</u>	<u>Type</u>
Maps	Backup Material
Ordinance	Ordinance/Resolution/Motion
OBO	Backup Material
Form B	Backup Material
Affidavit of Ownership 0455	Backup Material
Tax Report	Backup Material
Pay or Play	Backup Material
Form 1295	Backup Material
SAP Documents	Financial Information





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

ALL

Item Creation Date: 2/2/2017

20JAI659 Contract Award/PM Construction & Rehab, LLC

Agenda Item#: 28.

Summary:

ORDINANCE appropriating \$2,540,792.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

Background:

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal, WBS# R-000266-0250-4.

RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.

SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City. The project involves sanitary sewer rehabilitation by point repair method. The purpose is to reduce sanitary sewer overflows, which is accomplished by renewal/rehabilitation of deteriorated collection systems.

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 540 calendar days.

LOCATION: The work order project area is generally bounded by the City Limits.

BIDS: Five (5) bids were received on November 10, 2016 for this project as follows:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	PM Construction & Rehab, LLC	\$2,391,230.39
2.	T Construction, LLC	\$2,420,711.22
3.	Grava LLC	\$2,422,553.77
4.	Lopez Utilities Contractor, LLC	\$2,425,317.60
5.	Nerie Construction, LLC	\$2,440,672.20

AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$2,391,230.39.

PROJECT COST: The total cost of this project is \$2,540,792.00 to be appropriated as follows:

Bid Amount	\$2,391,230.39
Contingencies	\$119,561.61
Engineering Testing Services	\$30,000.00

Engineering Testing Services will be provided by Geoscience Engineering and Testing, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WSBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 12.94% MBE goal, and 8.72% WBE goal for this project.

<u>MBE – Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & Televiser Sewer Line	\$83,639.06	3.50%
5M Rope & Supply, LLC	Supplies	\$47,107.24	1.97%
J. A. Gamez Trucking Services	Dump Truck Services	\$23,912.30	1.00%
MMG Contractors	Open Cut/Point Repairs	\$154,712.61	6.47%
	MBE TOTAL	\$309,371.21	12.94%
<u>WBE – Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$55,476.55	2.32%
Advantage Manhole & Concrete Services, Inc.	Manhole Rehabilitation	\$153,038.74	6.40%
	WBE TOTAL	\$208,515.29	8.72%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.

All known rights-of-way and easements required for this project have been acquired.

Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS# R-000266-0250-4
File No. 4235-90

Prior Council Action:

N/A

Amount of Funding:

\$2,540,792.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan.

Contact Information:

Jason Iken, P.E.
Senior Assistant Director
Phone: (832) 395-4989

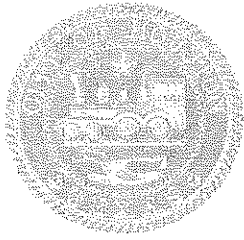
ATTACHMENTS:

Description

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 2/2/2017

20JAI659 Contract Award/PM Construction & Rehab, LLC

Agenda Item#:

Summary:

ORDINANCE appropriating \$2,540,792.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund.

Background:

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal, WBS# R-000266-0250-4.

RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.

SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City. The project involves sanitary sewer rehabilitation by point repair method. The purpose is to reduce sanitary sewer overflows, which is accomplished by renewal/rehabilitation of deteriorated collection systems.

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 540 calendar days.

LOCATION: The work order project area is generally bounded by the City Limits.

BIDS: Five (5) bids were received on November 10, 2016 for this project as follows:

	Bidder	Bid Amount
1.	PM Construction & Rehab, LLC	\$2,391,230.39
2.	T Construction, LLC	\$2,420,711.22
3.	Grava LLC	\$2,422,553.77
4.	Lopez Utilities Contractor, LLC	\$2,425,317.60
5.	Nerie Construction, LLC	\$2,440,672.20

AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$2,391,230.39.

PROJECT COST: The total cost of this project is \$2,540,792.00 to be appropriated as follows:

Bid Amount	\$2,391,230.39
Contingencies	\$119,561.61
Engineering Testing Services	\$30,000.00

Engineering Testing Services will be provided by Geoscience Engineering and Testing, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/W/SBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 12.94% MBE goal, and 8.72% WBE goal for this project.

MBE – Name of Firm	Work Description	Amount	% of Contract
Chief Solutions, Inc.	Clean & Televiser Sewer Line	\$83,639.06	3.50%
5M Rope & Supply, LLC	Supplies	\$47,107.24	1.97%
J. A. Gamez Trucking Services	Dump Truck Services	\$23,912.30	1.00%
MMG Contractors	Open Cut/Point Repairs	\$154,712.61	6.47%
	MBE TOTAL	\$309,371.21	12.94%
WBE – Name of Firm	Work Description	Amount	% of Contract
Deanie Hayes, Inc.	Supplies	\$55,476.55	2.32%
Advantage Manhole & Concrete Services, Inc.	Manhole Rehabilitation	\$153,038.74	6.40%
	WBE TOTAL	\$208,515.29	8.72%

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.

All known rights-of-way and easements required for this project have been acquired.



Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS# R-000266-0250-4
File No. 4235-90

Prior Council Action:

N/A

Amount of Funding:

\$2,540,792.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan.

Contact Information:

Jason Iken, P.E.
Senior Assistant Director
Phone: (832) 395-4989

ATTACHMENTS:

Description

CIP Form A

Map

Draft Ordinance

Form B

00460 (POP-1) - Pay or Play Acknowledgement Form

00630 (POP-2) - Certification of Compliance with Pay or Play Program

00631 (POP-3) Pay or Play Program List of Subcontractors

00600 - List of Proposed Subcontractors and Suppliers

MWBE Letters of Intent

MWBE Certifications with Expiration Dates

Form 1295 - Certificate of Interested Parties

Bid Extension Letter

Bid Tabulation

00251 - Pre-bid Meeting Agenda

00410B - Bid Form

Type

Backup Material

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3/7/2017

Testing Lab Information

Affidavit of ownership

SAP docs

Item Coversheet

Backup Material

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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date: 2/20/2017

MYR ~ 2017 Houston Clean City Commission CMs Memo
2-20-17

Agenda Item#: 29.

Summary:

RECEIVE nominations for Positions B, H and At-Large Position 2 of the **HOUSTON CLEAN CITY COMMISSION BOARD OF DIRECTORS**, for terms ending January 1, 2019

DELAYED BY MOTION #2017-159, 3/22/17

This was a portion of Item 35 on Agenda of March 22, 2017

Background:

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from March 8, 2017, to receive nominations for appointments or reappointments to Council Member Positions for the Houston Clean City Commission Board of Directors, for a term ending January 1, 2019. Listed below are the current members.

Position	Members
Bernard	Position At-Large 1 Janice Rose
	Position At-Large 2 Tri Tran
	Position At-Large 3 Lora-Marie
	Position At-Large 4 Melanie Scruggs
	Position At-Large 5 Jessica Mahaffey
	Position A Warren Sloan
Position B	Edna Griggs
Position C	Benjamin Howard Proler
Position D	Charles Cave
	Position E Frank Weary
	Positon F Clay Brollier

Position G

Nancy Rutherford

Position H

Anna Gonzales

Position I

Ramiro Fonseca

Position J

Joyce Akins

Position K

Becky Edmondson

DB/jsk

ATTACHMENTS:

Description

Type



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/28/2017

Item Creation Date: 1/20/2017

20JLB02 - North East Water Purification Plant Expansion

Agenda Item#: 30.

Summary:

ORDINANCE authorizing the transfer of \$480,000.00 from the NEWPP Expansion–Swift Fund (Fund 8434) into the PWE-NEWPP Construction Fund (Fund 8506), appropriating \$480,000.00 from Fund 8506, and approving the expenditure of said sum from Fund 8506 for services associated with the Northeast Water Purification Plant (“NEWPP”) Expansion Project (“Project”); appropriating \$2,520,000.00 from the Water Authorities Capital Contrib-Newpp Fund (Fund 8505) and approving the expenditure of said sum from Fund 8505 for services associated with Project; approving and authorizing second amendment to the Design-Build Agreement between the City of Houston and **HOUSTON WATERWORKS TEAM**, a Joint Venture between **CH2M HILL ENGINEERS, INC** and **CDM CONSTRUCTORS, INC** (Approved by Ordinance No. 2015-1260) for the Project; amending Ordinance No. 2015-1260 to increase the maximum project amount

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 40 on Agenda of March 22, 2017

Background:

Subject: Second Amendment to Design-Build Services Contract between the City and Houston Waterworks Team, a joint venture between CH2M-Hill Engineers, Inc. and CDM Constructors, Inc. (Waterworks) for the North East Water Purification Plant (NEWPP) Expansion Project; WBS No. S-000065-0002-3

Recommendation: An ordinance approving the Second Amendment to the Design-Build Services Contract between the City and Houston Waterworks Team, a joint venture between CH2M-Hill Engineers, Inc. and CDM Constructors, Inc. (Waterworks) for the North East Water Purification Plant (NEWPP) Expansion Project; and appropriate funds:

Project Notice/Justification: This project is required to meet regulatory mandates of the Texas Commission on Environmental Quality and the Harris-Galveston Subsidence District Surface Water Conservation Plan. Under the second supplement (s) between city and authorities, the city will be responsible for approximately 16 % of the costs of NEWPP expansion and the Authorities will be responsible for the remainder. It is intended that the NEWPP expansion be completed in two phases. The first phase of 80 million gallons of water per day to be substantially complete no later than August 31, 2021 and the second phase of 240 million gallons of water per day to be substantially complete no later than June 30, 2024 for a total of 320 million gallons of water per day. This project was described and briefed to TTI on February 13, 2017.

Description/Scope: The Design-Builder is to provide services in two distinct phases; (i) Preliminary Services and (ii) Final Design and Construction Services. Preliminary Services

consists of two sequential components; Preliminary Services Component-1 (basis of design) and Preliminary Services Component-2 (design development).

Preliminary Services Component-1: The Design-Builder will develop Basis of Design and project cost estimate based upon the basis of design.

Preliminary Services Component-2: The Design-Builder will develop the project design to a level of detail sufficient for execution of the guaranteed maximum price (GMP) amendment for Final Design and Construction Services. The GMP will be developed, negotiated and presented to the council for approval prior to the completion of the Preliminary Services Component-II.

Final Design and Construction Services: Final Design and Construction Services encompass the Design-Builder's completion of the project design (final design), performance of construction, start-up, commissioning and testing services.

Location: This project is located at 12121 North Sam Houston Parkway East, in Humble, Key Map Grids 376 Z & 377 W.

Project History and Scope: City Council approved the Design-Build Agreement between the City and Houston Waterworks Team on December 9, 2015 under Ordinance No. 2015-1260. City Council approved Amendment No. 1 to the Design-Build Agreement on November 16, 2016 under Ordinance No. 2016-875.

Under this contract the Design Builder has completed the preliminary services Component 1. The Design Builder has developed the Basis of Design and project cost estimate based upon the Basis of Design. The Design-Builder has been authorized to perform Preliminary Services Component-2 defined under Amendment No. 1 to Design-Build Agreement.

Scope of Additional Funding: The Component 2-Preliminary Services are; to develop the project design to a level of detail sufficient for execution of the guaranteed maximum price (GMP) amendment for final design and construction services as described and briefed to the Transportation, Technology, and Infrastructure Committee (TTI) on February 13, 2017. The labor effort and the cost associated with the Preliminary Services Component 2 Amendment No. 1 are intended to keep the Design-Builder mobilized and working towards completion of Component 2 Services. The First Amendment served as an advance for Component 2–Preliminary Services to help maintain the mandated schedule. Under First Amendment the work to be performed included the following activities in concert with the overall purpose of the contract.

- To complete the design and engineering up to 20% of entire project.
- To complete the design and engineering up to 100% of early work package - 1 (EWP No. 1); Project Site Development.
- To complete the design and engineering up to 60% of early work package - 2 (EWP No.2); Excavation and Deep Foundation.
- To complete the design and engineering up to 100% of early work package - 3 (EWP No.3); Power Service Relocation.
- To complete the design and engineering up to 60% of early work package - 4 (EWP No.4); Raw Water Pipeline and Access Road.
- To complete the design and engineering up to 60% of early work package - 5 (EWP No. 5); Equipment Procurement.

The requested additional appropriation will be utilized to continue performing services associated with Component 2-Preliminary Services Amendment No. 2 as defined below:

- To provide for continued work on Preliminary Services with the goal of achieving project milestones.

- To provide for continued work on Component 2-Preliminary Services Amendment No. 1 until the Amendment for the remainder of Component 2-Preliminary Services is approved by our authority partners and funds are provided for the total Component 2 effort.
- To advance the Design and Engineering up to 22% of entire project.

The project milestones are described below:

- Component 1-Preliminary Services: February 2016 – September 2016
- Early Work Packages: January 2017 – March 2018
- Component 2-Preliminary Services: October 2016 – March 2018
- Guaranteed Maximum Price (GMP) Amendment: March 2018
- Phase I Completion (80 MGD): August 2021
- Phase II Completion (320 MGD): June 2024

The total cost of this additional appropriation is \$3,000,000.00 for contract services.

Pay or Play Program: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

M/WBE Information: The M/WBE goal for the project is set at 24%. The original contract amount totals \$15,834,000.00. The consultant has been paid \$4,322,297.67(27.29%) to date. Of this amount \$711,639.31(16.46%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation the contract amount will increase to \$18,834,000.00. The consultant is committed to extend the M/WBE participation requirements of Amendment No. 1 onto Amendment No. 2.

ESTIMATED FISCAL OPERATING IMPACT:

No significant Fiscal Operating impact is anticipated as a result of this project.

Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS Number S-000065-0002-3

Prior Council Action:

Ordinance No. 2015-1260, December 9 2015
 Ordinance No. 2016-875, November 16, 2016

Amount of Funding:

Total cost is \$3,000,000.00

- \$480,000.00 transfer from Fund 8434 - NEWPP Expansion - SWIFT into Fund 8506 - PWE-NEWPP Construction Fund
- Appropriate \$480,000.00 from Fund 8506 - PWE-NEWPP Construction Fund.
- Appropriate \$2,520,000.00 from Fund No. 8505 – Water Authorities Capital Contrib-NEWPP Fund (Fund 8505).

Contact Information:

Rajinder Singh, Supervising Engineer

Phone: 713-725-9759

ATTACHMENTS:**Description**

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

Item Creation Date: 1/20/2017

20JLB02 - North East Water Purification Plant Expansion

Agenda Item#:

Summary:

Background:

Subject: Second Amendment to Design-Build Services Contract between the City and Houston Waterworks Team, a joint venture between CH2M-Hill Engineers, Inc. and CDM Constructors, Inc. (Waterworks) for the North East Water Purification Plant (NEWPP) Expansion Project; WBS No. S-000065-0002-3

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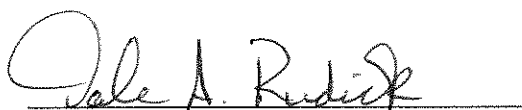
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ESTIMATED FISCAL OPERATING IMPACT:

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Dale A. Rudick, P.E., Director
Department of Public Works and Engineering

WBS Number S-000065-0002-3

Prior Council Action:

Ordinance No. 2015-1260, December 9 2015
Ordinance No. 2016-875, November 16, 2016

Amount of Funding:

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\$480,000.00 transfer from Fund 8434 - NEWPP Expansion - SWIFT into Fund 8506 - PWE-NEWPP Construction Fund and appropriate from Fund 8506 - PWE-NEWPP Construction Fund.
\$2,520,000.00; Appropriate from Fund No. 8505 – Water Authorities Capital Contrib-NEWPP Fund (Fund 8505).

Contact Information:

Rajinder Singh - 713-725-9759

ATTACHMENTS:

Description

Amendment No. 1

Design Build Contract Part 1

Design Build Contract Part 2

Type

Signed Cover sheet

Signed Cover sheet

Signed Cover sheet

3/7/2017

Ordinance 2015-1260

Ordinance 2016-875

Original RCA

RCA Amendment No. 1

Amendment No. 2

Fair Campaign Ordinance Form A (Doc 00452)

Form 1295

Form B

Letter of MWBE Participation

Ordinance

Pay or Play (POP 1-3)

Project Map

Financial Request Form

TTI

Schedule of MWBE Participation

CIP Form A

SAP documents

Affidavit

Item Coversheet

Signed Cover sheet

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Financial Information

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