

AGENDA

CITY OF HOUSTON ■ CITY COUNCIL
April 11 & 12, 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, April 11, 2017 - 1:30 PM

City Hall - Second Floor - City Hall

PRESENTATIONS

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

Council Member Edwards

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

RECESS

RECONVENE

WEDNESDAY - April 12, 2017 - 9:00 A. M.

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

HEARINGS

1. **PUBLIC HEARING** to provide a Resolution of No Objection to the 4% tax credit application of **HOUSTON LEASED HOUSING ASSOCIATES V, LLLP** for an affordable housing community located at 9393 Tidwell Rd.
- **DISTRICT B - DAVIS**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 18

ACCEPT WORK - NUMBERS 2 through 4

2. RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract amount of \$2,520,607.39 and acceptance of work on contract with **TIKON GROUP, INC** for Safe Sidewalk Program - 13.06% under the original contract amount - **DISTRICTS D - BOYKINS and E - MARTIN**
3. RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract amount of \$977,260.85 and acceptance of work on contract with **NERIE CONSTRUCTION** for Wastewater Collection System Rehabilitation and Renewal (WW4235-64) 0.40% over the original contract amount - **DISTRICTS D - BOYKINS; F - LE; G - TRAVIS; H - CISNEROS and I - GALLEGOS**
4. RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract of \$3,793,402.86 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, LLC**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods (WW4257-135) - 3.74% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN and K - GREEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 7

5. ORDINANCE appropriating \$65,000.00 out of Contributed Capital Project Fund for Purchase of a Response Command Vehicles Replacement Parts for the Houston Fire Department
6. **KNAPP CHEVROLET, INC** - \$642,180.00 and **CHASTANG'S ENTERPRISE d/b/a CHASTANG FORD** - \$65,000.00 for Twenty-two Ambulance Cabs & Chassis, and a Response Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department
This item should only be considered after passage of Item 5 above
7. **RFD & ASSOCIATES, INC** for the Services of a Software Developer Analyst through the Texas Department of Information Resources for the Department of Public Works & Engineering \$188,485.00 - Project Cost Recovery Fund

ORDINANCES - NUMBERS 8 through 18

8. ORDINANCE **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to impeding the use of a roadway, blocking a sidewalk, and blocking the entrance or exit to a building; declaring certain conduct to be unlawful; containing findings and other provisions relating to the foregoing subject; providing for severability
9. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide water line easement and two 12-foot-wide fire hydrant easements, all located in the Tanglewood

Apartments Addition, John D. Taylor Survey, A-72, Houston, Texas; abandoning the easements to SIC Ripple Creek, LLC, the abutting owner, in consideration of its payment to the City of \$135,027.00, and other consideration - **DISTRICT G - TRAVIS**

10. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **MONTROSE COUNSELING CENTER, INC, dba THE MONTROSE CENTER**, providing up to \$1,193,982.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of an Emergency Rental Assistance Program, including Supportive Services, for low income persons living with HIV/AIDS - **DISTRICT C - COHEN**
11. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ACCESS CARE of COASTAL TEXAS, INC**, providing up to \$440,015.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of an Emergency Rental Assistance Program, including Supportive Services, for low income persons living with HIV/AIDS
12. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 23** and the inclusion of certain lands within the district; consenting to the addition of 12.5268 acres of land for inclusion within the district
13. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **THE METHODIST HOSPITAL d/b/a HOUSTON METHODIST** for Human Cadaver Based Simulation Training for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$195,000.00 - General Fund
14. ORDINANCE appropriating \$750,000.00 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Negotiated Work Orders for Pre-Engineering for Street and Traffic (Thoroughfares) Improvements (Approved by Ordinance No. 2014-352)
15. ORDINANCE No. 2017-239, passed first reading April 5, 2017
ORDINANCE granting to **BOZE ENTERPRISES II, LLC dba OAKMONT MAINTENANCE & RENTAL, a Texas corporation**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**
16. ORDINANCE No. 2017-240, passed first reading April 5, 2017
ORDINANCE granting to **M.A. REYES TRUCKING, a Texas Sole Proprietorship**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**
17. ORDINANCE No. 2017-241, passed first reading April 5, 2017

ORDINANCE granting to **PUPU 66, LLC dba INSTANT SOLUTIONS, a Texas corporation**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

18. ORDINANCE No. 2017-242, passed first reading April 5, 2017
ORDINANCE granting to **WELLKEPT PROPERTY SERVICES, LLC, a Delaware Limited Liability Company**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

MATTERS HELD - NUMBERS 19 through 40

19. MOTION by Council Member Stardig to amend Item 26 below to amend Section 21-61 of the Code of Ordinances to add the following:

(d) any item that cannot be easily transported by an individual alone

DELAYED BY MOTION #2017-171, 3/29/17

20. MOTION by Council Member Stardig to amend Item 26 below to add the following to Section 21-61 of the Code of Ordinances:

Police Officer means an officer of the Houston Police Department, or a peace officer as ascribed in section 1701.001 (4) of the Texas Occupations Code.

DELAYED BY MOTION #2017-171, 3/29/17

21. MOTION by Council Member Gallegos to amend Item 26 below to add the following to definitions in Section 21-61 of the Code of Ordinances:

Doorway means an opening into a building designed for persons to walk through that normally contains a door and which may or may not abut a stoop, porch, canopy, vestibule, or stairway

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 living accommodation purposes or 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.

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, hike and bike trails, transit facilities, underpasses, and parking lots.

DELAYED BY MOTION #2017-171, 3/29/17

22. MOTION by Council Member Gallegos to amend Item 26 below to add the

following to Section 21-62 of the Code of Ordinances:

- (a) Encampment in a public place, or doorway of a residential or commercial building in the city is unlawful

DELAYED BY MOTION #2017-171, 3/29/17

23. MOTION by Council Member Laster to amend Item 26 below to amend Article III, Section 21-61 of the Code of Ordinances:

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 the use of fabric, metal, cardboard, or other materials as (i) a tent or other temporary structure for human habitation; or (ii) as a device, mechanism, or foundation upon which a human may lie, recline, sit, knee, or stand

DELAYED BY MOTION #2017-171, 3/29/17

24. MOTION by Council Member Laster to amend Item 26 below to amend Article III, Section 21-61 of the Code of Ordinances:

Encampment means any one or more of the following:

- (a) The unpermitted use of fabric, metal, cardboard, or other materials as; (i) a tent or other temporary structure for human habitation; or (ii) as a device, mechanism, or foundation - upon which a human may lie, recline, sit, kneel, or stand;

- (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

DELAYED BY MOTION #2017-171, 3/29/17

25. MOTION by Council Member Knox to amend Item 26 below to insert the following under Section 21-62 of the Code of Ordinances and create Subsection (c):

2012	2013	2014	2015	2016	2017 (Jan-Feb)
433	546	488	783	1548	0

(c) All for-profit commercial activities under overpasses, excluding vehicular parking, not authorized and permitted by the City of Houston as of March 29, 2017 shall be prohibited. Enforcement of this section shall be applied under Section 21-63

DELAYED BY MOTION #2017-171, 3/29/17

26. **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

This item should only be considered after passage of Items 19-25 above

DELAYED BY MOTION #2017-171, 3/29/17

This was Item 6 on Agenda of March 29, 2017

27. MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17

28. MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

Police Officer means an officer of the Houston Police Department, or a peace officer as ascribed in section 1701.001 (4) of the Texas Occupations Code.

DELAYED BY MOTION #2017-172, 3/29/17

29. MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 (a) of the Code of Ordinances to add the following:

Sidewalk means that portion of a public street which is between the curb lines, or the lateral lines of a roadway, and the adjacent property lines and is improved and designed for, or is ordinarily used for, pedestrian travel

DELAYED BY MOTION #2017-172, 3/29/17

30. MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 (a) of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17

31. MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17

32. MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 of the Code of Ordinances:

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

DELAYED BY MOTION #2017-172, 3/29/17

33. MOTION by Council Member Gallegos to amend Item 27 below to add the following to definitions in Section 28-46 of the Code of Ordinances:

Doorway means an opening into a building designed for persons to walk through that normally contains a door and which may or may not abut a stoop, porch, canopy, vestibule, or stairway.

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

Sidewalk means that portion of the public street which is between the curblines.

or the lateral lines of a roadway, and the adjacent property lines and is improved and designed for or is ordinarily used for pedestrian travel.

DELAYED BY MOTION #2017-172, 3/29/17

34. MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 (d) and (e) of the Code of Ordinances:

(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 . or a doorway of a residential or commercial building

(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 . or a doorway of a residential or commercial building

DELAYED BY MOTION #2017-172, 3/29/17

35. MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 (f) and (g) of the Code of Ordinances:

(f) Notwithstanding the other provisions of this section, it shall be unlawful for a person to impede the use of a roadway . or sidewalk. No police officer shall issue a citation, make an arrest or otherwise enforce a violation of impeding a roadway . or sidewalk 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 . or sidewalk 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.

DELAYED BY MOTION #2017-172, 3/29/17

36. MOTION by Council Member Knox to amend Item 27 below to add the following to Section 28-46 (d) and (e) of the Code of Ordinances:

(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, a standing vehicle in a moving inside lane of traffic. or outdoor dining establishment, including, but not limited to, a sidewalk café

(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, a standing vehicle in a moving inside dne of traffic. or outdoor dining establishment, including but not limited to, a sidewalk café

DELAYED BY MOTION #2017-172, 3/29/17

37. MOTION by Council Member Knox to amend Item 27 below to delete Section 28-46 (g) of the Code of Ordinances and re-letter any and all subsequent subsections

DELAYED BY MOTION #2017-172, 3/29/17

38. MOTION by Council Member Knox to amend Item 27 below to repeal the City of Houston Class A permit under Section 26-72 of the City of Houston Code of Ordinances and all its rights and privileges pertaining to permitting the solicitation of funds that includes among its means and methods the solicitation of vehicles on public streets.

DELAYED BY MOTION #2017-172, 3/29/17

39. **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

This item should only be considered after passage of Items 27-38 above

DELAYED BY MOTION #2017-172, 3/29/17

This was Item 7 on Agenda of March 29, 2017

40. ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, Seller, and **SCRAP TRADING INTERNATIONAL, Purchaser**, for the sale of 5.033 acres of land located at 800 Dorsett Street, being a part of the John Brown Survey, Abstract Number 8, Houston, Harris County, Texas, for \$865,000.00; approving and authorizing a Special Warranty Deed - **DISTRICT H - CISNEROS** - **TAGGED BY COUNCIL MEMBER KUBOSH**

This was Item 7 on Agenda of April 5, 2017

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Green 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: 4/11/2017

District B

Item Creation Date: 3/13/2017

HCD17-34 Motion to Set Public Hearing Date for 4%
Housing Tax Credit Application for Houston Leased Housing
Associates V, LLLP

Agenda Item#: 1.

Summary:

PUBLIC HEARING to provide a Resolution of No Objection to the 4% tax credit application of **HOUSTON LEASED HOUSING ASSOCIATES V, LLLP** for an affordable housing community located at 9393 Tidwell Rd. - **DISTRICT B - DAVIS**

Background:

The Texas Department of Housing and Community Affairs (TDHCA) administers the state's housing tax credit program, which provides federal tax credits to spur the development of quality, affordable housing.

Per Texas Government Code Section 2306-67071 the local governing body of the jurisdiction where a project is to be located must "hold a hearing ...to solicit public input concerning the Application or Development" before a developer can submit an application for non-competitive 4% tax credits.

Houston Leased Housing Associates V, LLLP intends to submit an application to the TDHCA requesting an award of 4% tax credits for the acquisition and rehabilitation of Lakecrest Village – a 224-unit affordable housing community located at 9393 Tidwell Rd. HCDD is not being asked to fund this development.

HCDD requests a motion to hold a public hearing April 12, 2017, on the 4% tax credit Resolution of No Objection.

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

Contact Information:

Roxanne Lawson
832.394.6307

ATTACHMENTS:**Description**

Signed Cover sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/4/2017

District B

Item Creation Date: 3/13/2017

HCD17-34 Motion to Set Public Hearing Date for 4% Housing Tax Credit Application for
Houston Leased Housing Associates V, LLLP

Agenda Item#: 31.

Summary:

SET A PUBLIC HEARING DATE to provide a Resolution of No Objection to the 4% tax credit application of **HOUSTON LEASED HOUSING ASSOCIATES V, LLLP** for an affordable housing community located at 9393 Tidwell Rd. - **DISTRICT B - DAVIS**
HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 12, 2017

Background:

The Texas Department of Housing and Community Affairs (TDHCA) administers the state's housing tax credit program, which provides federal tax credits to spur the development of quality, affordable housing.

Per Texas Government Code Section 2306-67071 the local governing body of the jurisdiction where a project is to be located must "hold a hearing ...to solicit public input concerning the Application or Development" before a developer can submit an application for non-competitive 4% tax credits.

Houston Leased Housing Associates V, LLLP intends to submit an application to the TDHCA requesting an award of 4% tax credits for the acquisition and rehabilitation of Lakecrest Village – a 224-unit affordable housing community located at 9393 Tidwell Rd. HCDD is not being asked to fund this development.

HCDD requests a motion to hold a public hearing April 12, 2017, on the 4% tax credit Resolution of No Objection.

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

A handwritten signature in black ink, appearing to read "Tom McCasland".

Tom McCasland, Director

Contact Information:

Roxanne Lawson
832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District D, District E

Item Creation Date: 2/21/2017

20PJ110 Accept Work / Tikon Group, Inc.

Agenda Item#: 2.

Summary:

RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract amount of \$2,520,607.39 and acceptance of work on contract with **TIKON GROUP, INC** for Safe Sidewalk Program - 13.06% under the original contract amount - **DISTRICTS D - BOYKINS and E - MARTIN**

Background:

SUBJECT: Accept Work for Safe Sidewalk Program; WBS No. N-320610-0122-4

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,520,607.39 or 13.06% under the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was 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 provided for the construction of sidewalk improvements at various location. Nedu Engineering Services designed the project with 299 calendar days allowed for construction. The project was awarded to Tikon Group, Inc. with an original Contract Amount of \$2,899,367.94.

LOCATION: The project is located in various Key Map Grids.

CONTRACT COMPLETION AND COST: The Contractor, Tikon Group, Inc., has completed the work under the subject Contract. The project was completed on time with an additional 467 days approved by Change Order Nos. 2 and 3. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 1 and 2 is \$2,520,607.39, a decrease of \$378,760.55 or 13.06% under the original Contract Amount and under 5% contingency amount. The decreased cost is a result of the difference between planned and measured quantities.

M/WBE PARTICIPATION: The M/WBE goal established for this project was 15.00%. According to the Office of Business Opportunity, the participation was 26.93%. Contractor's M/WBE performance evaluation was rated Outstanding.

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

WBS No. N-320610-0122-4

Prior Council Action:

Ordinance # 2014-0171 Dated: 02/26/2014

Amount of Funding:

No additional funding required.

Total (original) appropriation of \$3,359,500.00 from Fund 4040A – METRO Construction – Other.

Contact Information:

Joseph T. Myers, P.E.
Senior Assistant Director
Phone: (832) 395-2355

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District D, District E
Item Creation Date: 2/21/2017

20PJ110 Accept Work / Tikon Group, Inc.

Agenda Item#:

Background:

SUBJECT: Accept Work for Safe Sidewalk Program; WBS No. N-320610-0122-4

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,520,607.39 or 13.06% under the original Contract Amount, accept the Work and authorize final payment.

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LOCATION: The project is located in various Key Map Grids.

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M/WBE PARTICIPATION: The M/WBE goal established for this project was 15.00%. According to the Office of Business Opportunity, the participation was 26.93%. Contractor's M/WBE performance evaluation was rated Outstanding.

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

WBS No. N-320610-0122-4

Prior Council Action:

Ordinance # 2014-0171 Dated: 02/26/2014

Amount of Funding:

No additional funding required.

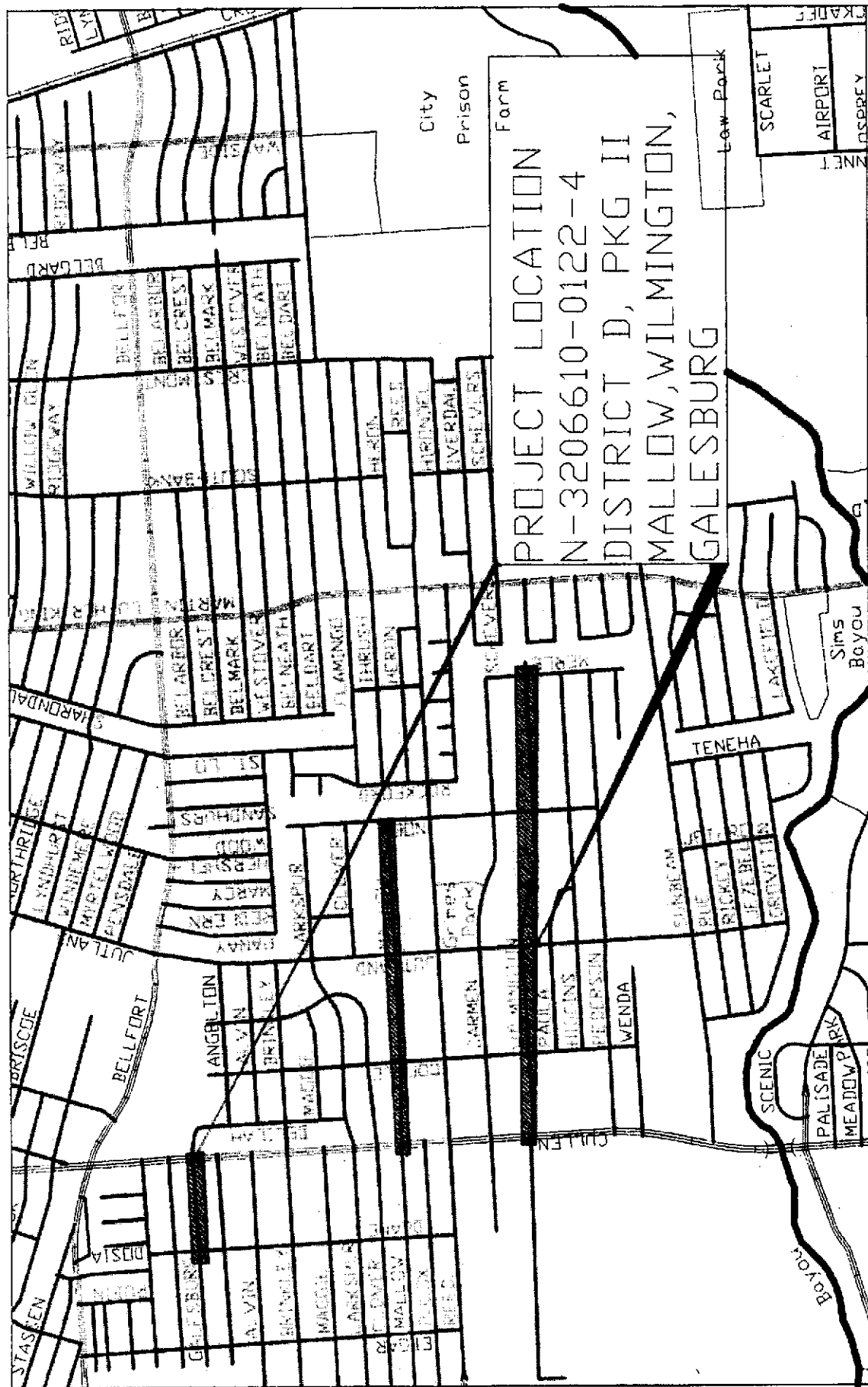
Total (original) appropriation of \$3,359,500.00 from Fund 4040A – METRO Construction – Other.

Contact Information:

Joseph T. Myers, P.E.
Senior Assistant Director
Phone: (832) 395-2355

ATTACHMENTS:

Description	Type
Maps	Backup Material
OBO	Backup Material
Prior Council Action	Backup Material
Change Orders 1-3	Backup Material



NUOVO ENGINEERING SERVICES, INC.

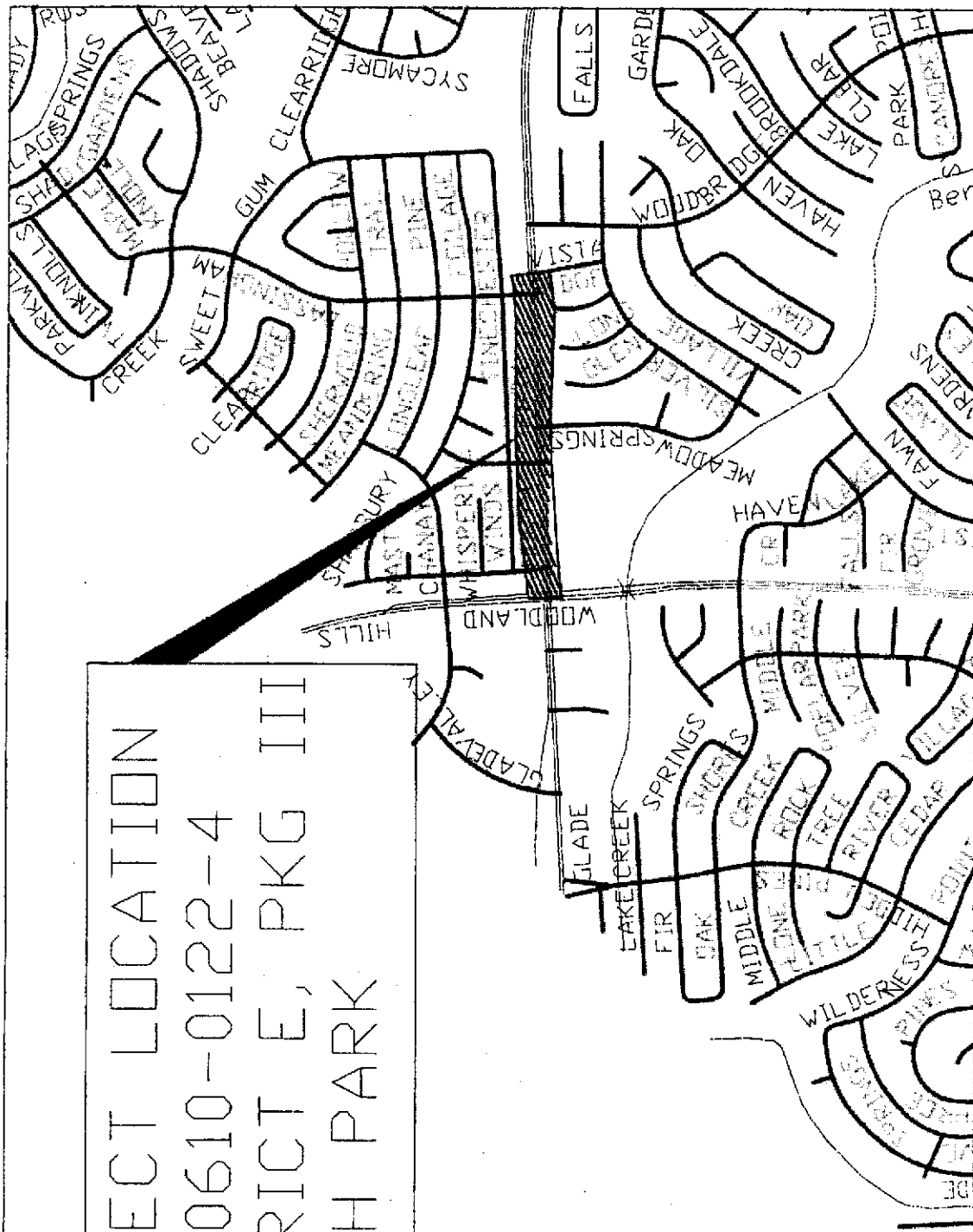
DATE: 11/11/1964

6776 SOUTHVIEW DR., SU
HOUSTON, TEXAS, 77074

Phone: (713) 268-1666
Fax: (713) 268-1667

8208.3-DM 1981
81-897141 :XV1

PROJECT LOCATION
 N-320610-0122-4
 DISTRICT E, PKG III
 NORTH PARK



PROJECT LOCATION
 SAFE SIDEWALK PROGRAM
 WBS No. N-320610-0122-4

NEDU ENGINEERING SERVICES, INC.
 8706 SOUTHWAY Fwy., Suite 330
 Houston, Texas 77054
 Phone: 713 268-1886
 Telex: 15557
 Teletype: 15557

SAFE SIDEWALK PROGRAM
WBS NO. N-320610-0122-4

QUALIFYING CANDIDATE SIDEWALK PROJECT

Street	From	To	Key Map	Council District	Existing Sidewalk	Measured Length	Comment
Mallow St	Cullen	Noel	573 D 574 A	D	No	7,587.00	
Wilmington	Cullen	Mertle	573 D	D	No	10,290.00	
Fairland	Barberry	Dulcrest	573 B,F	D	No	2,300.00	
Barberry	Buffum	Dulcimer	573 B	D	No	1,790.00	
Wilmington	Buffum	Rosehaven	573 B	D	No	2,174.00	
Rockingham	Scott	Ashville	573 B, C	D	No	1,045.00	
Dawson	Scott	Ashville	573 B, C	D	No	1,025.00	
Bloomfield	Buffum	Dulcimer	573 B	D	No	2,120.00	
Chesterfield	Tangerine	Barberry	573 B	D	No	2,044.00	
Sierra	Dulcrest	Sunbeam	573 B,F	D	No	1,940.00	
Sierra	Tangerine	Sparrow	573 B	D	No	1,550.00	
Fairland	Tangerine	Sparrow	573 B	D	No	2,050.00	
Buffum	Wilmington	Barberry	573 B	D	No	1,380.00	
Galesburg	Cullen	Duane	533 Z	D	No	1,044.00	
Calhoun	Griggs	Dewberry	534 J 533 M	D	No	1,501.00	
Northpark Dr.	Woodland Hills	Glade Valley	296 U,V	E	No	776.00	
						40,616.00	



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District D, District F, District G, District H, District I

Item Creation Date: 3/15/2017

20JA1681 Accept Work/Nerie Construction

Agenda Item#: 3.

Summary:

RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract amount of \$977,260.85 and acceptance of work on contract with **NERIE CONSTRUCTION** for Wastewater Collection System Rehabilitation and Renewal (WW4235-64)

0.40% over the original contract amount - **DISTRICTS D - BOYKINS; F - LE; G - TRAVIS; H - CISNEROS and I - GALLEGOS**

Background:

SUBJECT: Accept Work for Wastewater Collection System Rehabilitation and Renewal, WBS# R-000266-0191-4.

RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$977,260.85, which is 0.40% over the original contract amount and under 5% contingency amount, accept the work, and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided Wastewater Collection System Rehabilitation and Renewal to deteriorated sewer collection systems throughout the City.

DESCRIPTION/SCOPE: This project consisted of wastewater collection system rehabilitation and renewal. The project was awarded to Nerie Construction with an original contract amount of \$973,362.43. The Notice to Proceed date was 09/12/2013 and the project had 730 calendar days for completion.

LOCATION: This work order project was located at various locations within Council Districts D, F, G, H and I.

CONTRACT COMPLETION AND COST: The contractor, Nerie Construction, has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$977,260.85, an increase of \$3,898.42 or 0.40% over the original contract amount. More pipe bursting was needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7.

MWDBE PARTICIPATION: No City M/WBE participation goal was established for this project as the contract amount did not exceed the threshold of \$1,000,000.00 required for a goal oriented contract per Section 15-82 of the Code of Ordinances.

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

WBS No. R-000266-0191-4
File No. 4235-64

Prior Council Action:

Ordinance No. 2013-491, dated 05/29/2013

Amount of Funding:

No additional funding required.

Original appropriation of \$1,042,031.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

Contact Information:

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

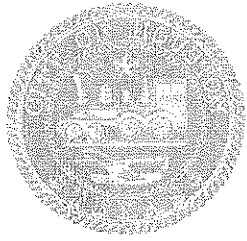
ATTACHMENTS:

Description

Signed RCA

Type

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:

District D, District F, District G, District H, District I

Item Creation Date: 3/15/2017

20JAI681 Accept Work/Nerie Construction

Agenda Item#:

Summary:

RECOMMENDATION from Director, Department of Public Works and Engineering, for approval of final cost of \$977,260.85 and acceptance of work on contract with NERIE CONSTRUCTION, for WASTEWATER COLLECTION SYSTEM REHABILITATION AND RENEWAL, WBS# R-000266-0191-4 (WW4235-64) – 0.40% over the original contract amount – Water & Sewer System Consolidated Construction Fund No. 8500. - **DISTRICTS; D - BOYKINS; F – LE; G – TRAVIS; H - CISNEROS; I – GALLEGOS**

Background:

SUBJECT: Accept Work for Wastewater Collection System Rehabilitation and Renewal, WBS# R-000266-0191-4.

RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$977,260.85, which is 0.40% over the original contract amount and under 5% contingency amount, accept the work, and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided Wastewater Collection System Rehabilitation and Renewal to deteriorated sewer collection systems throughout the City.

DESCRIPTION/SCOPE: This project consisted of wastewater collection system rehabilitation and renewal. The project was awarded to Nerie Construction with an original contract amount of \$973,362.43. The Notice to Proceed date was 09/12/2013 and the project had 730 calendar days for completion.

LOCATION: This work order project was located at various locations within Council Districts D, F, G, H and I.

CONTRACT COMPLETION AND COST: The contractor, Nerie Construction, has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$977,260.85, an increase of \$3,898.42 or 0.40% over the original contract amount. More pipe bursting was needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7.

MWDBE PARTICIPATION: No City M/WBE participation goal was established for this project as the contract amount did not exceed the threshold of \$1,000,000.00 required for a goal oriented contract per Section 15-82 of the Code of Ordinances.

A handwritten signature in cursive script, reading "Carol Ellinger Haddock".

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

WBS No. R-000266-0191-4
File No. 4235-64

Prior Council Action:

Ordinance No. 2013-491, dated 05/29/2013

Amount of Funding:

No additional funding required.

Original appropriation of \$1,042,031.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

Contact Information:

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

ATTACHMENTS:**Description**[Caption](#)[Council District Map](#)[Council District List](#)[Contract Wage Rate and MWBE Compliance](#)[Performance Evaluation](#)[Prior Council Action](#)[Tax Report](#)[Affidavit of Ownership](#)[Change Orders](#)**Type**

Backup Material

Backup Material

Backup Material

Backup Material

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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District A, District B, District C, District D, District E, District
K

Item Creation Date: 3/9/2017

20JAI683 Accept Work/PM Construction & Rehab, LLC

Agenda Item#: 4.

Summary:

RECOMMENDATION from Interim Director Department of Public Works & Engineering for approval of final contract of \$3,793,402.86 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, LLC**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods (WW4257-135) - 3.74% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN and K - GREEN**

Background:

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS# R-000266-0200-4.

RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,793,402.86, which is 3.74% under the original contract amount, accept the work, and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.

DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, LLC with an original contract amount of \$3,940,902.63. The Notice to Proceed date was 11/20/2013 and the project had 540 calendar days for completion.

LOCATION: This work order project was located at various locations within Council Districts A, B, C, D, E and K,

CONTRACT COMPLETION AND COST: The contractor, PM Construction & Rehab, LLC, has completed the work under the contract. The contract was completed within the contract time with an additional 180 days approved by Change Orders No. 2 and 3. The final cost of the project is \$3,793,402.86, a decrease of \$147,499.77 or 3.74% under the original contract amount. Less asphaltic concrete and cement stabilized sand backfill were needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1, No. 2, No.

3, No. 4, No. 5 and No. 6.

MWDBE PARTICIPATION: The MWDBE goal for this project was 21.66%. According to the Office of Business Opportunity, the actual participation was 24.47%. The contractor was awarded an “Outstanding” rating from the Office of Business Opportunity.

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

WBS# R-000266-0200-4
File No. 4257-135

Prior Council Action:
Ordinance No. 2013-335, dated 04/17/2013

Amount of Funding:
No additional funding required.

Original appropriation of \$4,197,948.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

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

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:

District A, District B, District C, District D, District E, District K

Item Creation Date: 3/9/2017

20JAI683 Accept Work/PM Construction & Rehab, LLC

Agenda Item#:

Summary:

RECOMMENDATION from Director, Department of Public Works and Engineering, for approval of final cost of \$3,793,402.86 and acceptance of work on contract with PM CONSTRUCTION & REHAB, LLC, for SANITARY SEWER REHABILITATION BY SLIPLINING AND PIPE BURSTING METHODS, WBS# R-000266-0200-4 (WW4257-135) - 3.74% under the original contract amount – Water & Sewer System Consolidated Construction Fund No. 8500.– **DISTRICTS; A - STARDIG; B –DAVIS; C - COHEN; D – BOYKINS; E – MARTIN; K – GREEN**

Background:

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS# R-000266-0200-4.

RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,793,402.86, which is 3.74% under the original contract amount, accept the work, and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.

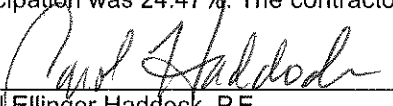
DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, LLC with an original contract amount of \$3,940,902.63. The Notice to Proceed date was 11/20/2013 and the project had 540 calendar days for completion.

LOCATION: This work order project was located at various locations within Council Districts A, B, C, D, E and K,

CONTRACT COMPLETION AND COST: The contractor, PM Construction & Rehab, LLC, has completed the work under the contract. The contract was completed within the contract time with an additional 180 days approved by Change Orders No. 2 and 3. The final cost of the project is \$3,793,402.86, a decrease of \$147,499.77 or 3.74% under the original contract amount. Less asphaltic concrete and cement stabilized sand backfill were needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1, No. 2, No. 3, No. 4, No. 5 and No. 6.

MWDBE PARTICIPATION: The MWDBE goal for this project was 21.66%. According to the Office of Business Opportunity, the actual participation was 24.47%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity.


Carol Ellinger Haddock, P.E.

Interim Director

Department of Public Works and Engineering

WBS# R-000266-0200-4

File No. 4257-135

Prior Council Action:

Ordinance No. 2013-335, dated 04/17/2013

Amount of Funding:

No additional funding required.

Original appropriation of \$4,197,948.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

Contact Information:

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

ATTACHMENTS:**Description**CaptionCouncil District MapCouncil District ListContract Wage Rate and MWBE CompliancePerformance EvaluationPrior Council ActionTax ReportAffidavit of OwnershipChange Orders**Type**

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 4/5/2017

E26217-H Approve an Appropriation - ORDINANCE

Agenda Item#: 5.

Summary:

ORDINANCE appropriating \$65,000.00 out of Contributed Capital Project Fund for Purchase of a Response Command Vehicles Replacement Parts for the Houston Fire Department

Background:

S38-E26217-H- Approve an Appropriation Ordinance

Specific Explanation:

The Houston Fire Chief and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing the appropriation of \$65,000.00 out of the Contributed Capital Project Fund (4515) for the purchase of a response command vehicle for the Houston Fire Department.

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approving Authority

Amount of Funding:

\$65,000.00

Contributed Capital Project Fund (4515)

Contact Information:

Jedediah Greenfield	832-393-6910
Desiree Heath	832-393-8742
Lena Farris	832-393-8729

ATTACHMENTS:

Description

RCA#E26217-H Appropriation

Type

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 4/11/2017

ALL

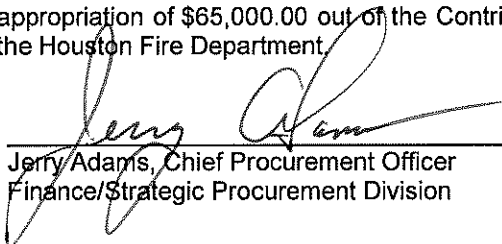
Item Creation Date: 4/5/2017

E26217-H Approve an Appropriation - ORDINANCE

Agenda Item#: 10.

Background:**S38-E26217-H- Approve an Appropriation Ordinance****Specific Explanation:**

The Houston Fire Chief and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing the appropriation of \$65,000.00 out of the Contributed Capital Project Fund (4515) for the purchase of a response command vehicle for the Houston Fire Department.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division_____
Department Approving Authority Signature**Amount of Funding:****\$65,000.00 - Contributed Capital Project Fund (4515)****Contact Information:**

Jedediah Greenfield	832-393-6910
Desiree Heath	832-393-8742
Lena Farris	832-393-8729

ATTACHMENTS:**Description**E26217-H Unsigned OrdinanceE26217-H Controller Certificate**Type**

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 4/3/2017

E26217- H - Ambulance Cabs & Chassis and a Response
Command Vehicle - MOTION

Agenda Item#: 6.

Summary:

KNAPP CHEVROLET, INC - \$642,180.00 and **CHASTANG'S ENTERPRISE d/b/a CHASTANG FORD** - \$65,000.00 for Twenty-two Ambulance Cabs & Chassis, and a Response Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department

This item should only be considered after passage of Item 5 above

Background:

S38-E26217- H - Approve the purchase of twenty-two ambulance cab & chassis and a response command vehicle through the Houston Galveston Area Council (H-GAC) in the total amount of \$707,180.00 for the Houston Fire Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the purchase of twenty-two ambulance cabs & chassis and a response command vehicle through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the total amount of **\$707,180.00** for the Houston Fire Department and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. The cabs & chassis will be mounted with existing ambulance modular bodies. The ambulances and the response command vehicle will be used citywide by Houston Fire Department personnel for delivery of Emergency Medical Services (EMS) to the citizens of Houston 24 hours a day, 7 days a week. The response command vehicle will be utilized by the Department's Command Staff personnel will be used to respond to a variety of incidents during emergency situations. The funding for the ambulance cabs & chassis is included in the FY17 Equipment Acquisition Plan. The response command vehicle was not included in the FY17 Equipment Acquisition Plan because this vehicle will be utilizing the Contributed Capital Project Fund.

H-GAC Contractors:

Knapp Chevrolet, Inc.: Approve the purchase of twenty-two ambulance cabs & chassis to be mounted with existing ambulance modular bodies, in the amount of **\$642,180.00**.

Chastang's Enterprise dba Chastang Ford: Approve the purchase of a response command vehicle in the amount of **\$65,000.00**.

The twenty-two ambulance cabs and chassis as well as the response command vehicle will come with a full three-year/36,000-mile bumper-to-bumper warranty, and the life expectancy is 3 years and ten years, respectively. These new gasoline powered vehicles will meet the EPA's current emission standards for

respectively. These new gasoline-powered vehicles will meet the EPA's current emission standards for vehicles with gasoline engines.

MWBE Participation:

Zero-Percent Goal Document approved by the Office of Business Opportunity.

Hire Houston First:

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

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. 2014-078

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approving Authority Signature

Prior Council Action:

Appropriation Ordinance 2016-0688 approved by City Council 09/07/2016

Amount of Funding:

\$642,180.00 - Equipment Acquisition Consolidated Fund (1800)

\$ 65,000.00 - Contributed Capital Project Fund (4515)

\$707,180.00 - Total Funding

Contact Information:

Jedediah Greenfield 832-393-6910

Desiree Heath 832-393-8742

Lena Farris 832-393-8729

ATTACHMENTS:

Description

RCA#E26217-H KNAPP & CHASTANG'S

Type

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 4/11/2017

ALL

Item Creation Date: 4/3/2017

E26217- H - Ambulance Cabs & Chassis and a Response Command Vehicle

Agenda Item#: 7.

Summary:**NOT A REAL CAPTION**

KNAPP CHEVROLET, INC. twenty-two ambulance cabs & chassis to be mounted with existing ambulance modular bodies, in the amount of \$642,180.00 and **CHASTANG'S ENTERPRISE dba CHASTANG FORD** a response command vehicle in the amount of \$65,000.00.

MAY NOT BE CONSIDERED UNTIL PASSAGE OF ITEM # XX**Background:**

S38-E26217- H - Approve the purchase of twenty-two ambulance cab & chassis and a response command vehicle through the Houston Galveston Area Council (H-GAC) in the total amount of \$707,180.00 for the Houston Fire Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the purchase of twenty-two ambulance cabs & chassis and a response command vehicle through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the total amount of **\$707,180.00** for the Houston Fire Department and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. The cabs & chassis will be mounted with existing ambulance modular bodies. The ambulances and the response command vehicle will be used citywide by Houston Fire Department personnel for delivery of Emergency Medical Services (EMS) to the citizens of Houston 24 hours a day, 7 days a week. The response command vehicle will be utilized by the Department's Command Staff personnel will be used to respond to a variety of incidents during emergency situations. The funding for the ambulance cabs & chassis is included in the FY17 Equipment Acquisition Plan. The response command vehicle was not included in the FY17 Equipment Acquisition Plan because this vehicle will be utilizing the Contributed Capital Project Fund.

H-GAC Contractors:

Knapp Chevrolet, Inc.: Approve the purchase of twenty-two ambulance cabs & chassis to be mounted with existing ambulance modular bodies, in the amount of **\$642,180.00**.

Chastang's Enterprise dba Chastang Ford: Approve the purchase of a response command vehicle in the amount of **\$65,000.00**.

The twenty-two ambulance cabs and chassis as well as the response command vehicle will come with a full three-year/36,000-mile bumper-to-bumper warranty, and the life expectancy is ten years. These new gasoline-powered vehicles will meet the EPA's current emission standards for vehicles with gasoline engines.

MWBE Participation:

Zero-Percent Goal Document approved by the Office of Business Opportunity.

Hire Houston First:

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

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. 2014-078


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approving Authority Signature

Prior Council Action:

Appropriation Ordinance 2016-0688 approved by City Council 09/07/2016

Amount of Funding:

\$642,180.00 - Equipment Acquisition Consolidated Fund (1800)

\$ 65,000.00 - Contributed Capital Project Fund (4515)

\$707,180.00 - Total Funding

Contact Information:

Jedediah Greenfield 832-393-6910
Desiree Heath 832-393-8742
Lena Farris 832-393-8729

ATTACHMENTS:

Description

Type

<u>E26217-H OBO Waiver Unsigned</u>	Backup Material
<u>E26217-H - Ordinance (Unsigned)</u>	Backup Material
<u>E26217-H RCA Bid Tabulation</u>	Backup Material
<u>E26217 - H Knapp Chevrolet Form A</u>	Backup Material
<u>E26217-H Affidavit of Ownership Knapp Chevrolet</u>	Backup Material
<u>E26217-H Chastang Ford Form A</u>	Backup Material
<u>E26217-H Affidavit of Ownership ChastangFord</u>	Backup Material
<u>E26217-H Form B</u>	Backup Material
<u>E26217-H Fiscal Form A</u>	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/6/2017

H26187 - Software Developer Analyst - MOTION

Agenda Item#: 7.

Summary:

RFD & ASSOCIATES, INC for the Services of a Software Developer Analyst through the Texas Department of Information Resources for the Department of Public Works & Engineering \$188,485.00 - Project Cost Recovery Fund

Background:

S17-H26187 - Approve spending authority to purchase the services of a software developer analyst from RFD & Associates, Inc., in an amount not to exceed \$188,485.00 for the Department of Public Works & Engineering.

Specific Explanation

The Director of the Department of Public Works & Engineering and the Chief Procurement Officer recommend that City Council approve spending authority in an amount not to exceed **\$188,485.00** to purchase the services of a software developer analyst through the Texas Department for Information Resources (DIR) for the Department of Public Works & Engineering (PWE) and that authorization be given to issue purchase orders, as necessary, to the DIR Go-Direct vendor **RFD & Associates, Inc.**

The software development analyst services is required to complete the development of the functional enhancements to the Capital Improvement Management System (CIMS), the parcel management system that is a custom system built in the Microsoft .NET language and currently uses a SQL Server database. It is used for managing the acquisition and disposition of city parcels. The CIMS is currently being used by the Real Estate Branch of the Planning and Development Division of PWE. This effort is an upgrade to the existing system to include workflow functionality that will enhance and streamline procedures.

The services to be provided will include the completion of the .NET programming enhancements on the current framework, development of the database modifications, as well as mobile development for work performed in the field.

This purchase is to continue the current professional services in efforts to complete this application development project. The current provider has been selected in order to avoid the high transition cost of training a new resource. Although it may be possible to find a resource with a similar technical skill set, any new resource would have to become familiar with the many business processes for the Real Estate Branch that is supported by the CIMS, such as land acquisition, sales, appraisals, etc. In addition, any new resource will also have to spend time to obtain working knowledge of the specific implementation of the MVC framework for this particular system. The average time it takes to make such a transition is 3 months. With the current rate, this

transition time costs approximately \$55,000.00.

M/WBE Subcontracting:

RFD & Associates, Inc. has designated the below-named company as its certified M/WBE Subcontractor:

M/WBE Vendor	Type of Work	Estimated Dollar Amount	Percentage
TXNEAD	Project Management	\$56,546.00	30%

Hire Houston First:

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

Fiscal Note:

Funding for this item is included in the FY2017 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
Public Works & Engineering	\$114,080.00	\$74,405.00	\$188,485.00

Amount of Funding:

\$188,485.00

Project Cost Recovery Fund (1001)

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Brian Blum, Division Manager	PWE	(832) 395-2717
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Murdock Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8725

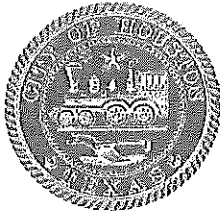
ATTACHMENTS:

Description

Coversheet
OBO Document

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/6/2017

H26187 - Software Developer Analyst - MOTION

Agenda Item#: 3.

Background:

S17-H26187 - Approve spending authority to purchase the services of a software developer analyst from RFD & Associates, Inc., in an amount not to exceed \$188,485.00 for the Department of Public Works & Engineering.

Specific Explanation

The Director of the Department of Public Works & Engineering and the Chief Procurement Officer recommend that City Council approve spending authority in an amount not to exceed **\$188,485.00** to purchase the services of a software developer analyst through the Texas Department for Information Resources (DIR) for the Department of Public Works & Engineering (PWE) and that authorization be given to issue purchase orders, as necessary, to the DIR Go-Direct vendor **RFD & Associates, Inc.**

The software development analyst services is required to complete the development of the functional enhancements to the Capital Improvement Management System (CIMS), the parcel management system that is a custom system built in the Microsoft .NET language and currently uses a SQL Server database. It is used for managing the acquisition and disposition of city parcels. The CIMS is currently being used by the Real Estate Branch of the Planning and Development Division of PWE. This effort is an upgrade to the existing system to include workflow functionality that will enhance and streamline procedures.

The services to be provided will include the completion of the .NET programming enhancements on the current framework, development of the database modifications, as well as mobile development for work performed in the field.

This purchase is to continue the current professional services in efforts to complete this application development project. The current provider has been selected in order to avoid the high transition cost of training a new resource. Although it may be possible to find a resource with a similar technical skill set, any new resource would have to become familiar with the many business processes for the Real Estate Branch that is supported by the CIMS, such as land acquisition, sales, appraisals, etc. In addition, any new resource will also have to spend time to obtain working knowledge of the specific implementation of the MVC framework for this particular system. The average time it takes to make such a transition is 3 months. With the current rate, this transition time costs approximately \$55,000.00.

M/WBE Subcontracting:

RFD & Associates, Inc. has designated the below-named company as its certified M/WBE Subcontractor:

M/WBE Vendor	Type of Work	Estimated Dollar Amount	Percentage
TXNEAD	Project Management	\$56,546.00	30%

Hire Houston First:

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

Fiscal Note:

Funding for this Item is included in the FY2017 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
Public Works & Engineering	\$114,080.00	\$74,405.00	\$188,485.00

Amount of Funding:

\$188,485.00

Project Cost Recovery Fund (1001)

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Brian Blum, Division Manager	PWE	(832) 395-2717
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Murdock Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8725

ATTACHMENTS:

Description	Type
OBO Document	Backup Material
Fair Campaign	Backup Material
Form B	Backup Material
Clear Tax Report	Backup Material
Affidavit of Ownership	Backup Material
Budgeting Information	Backup Material
Link to DIR Contract	Backup Material



ATTACHMENT " "

Sample Letter of Intent

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION ACCORDING TO THE TEXAS GENERAL ARBITRATION ACT.

To: City of Houston
Administering Department

Date: 2/2/2017

Project Name and Number TXNEAD-02022017

Bid Amount: \$188,485 M/W/DBE Goal: 30%

RFD & Associates, Inc.
Prime Contractor

agrees to enter into a contractual agreement

with TXNEAD
MWBE Subcontractor

services in connection with the above referenced contract:

Project Management

Business Services & Support/Creative Products & Services

for an estimated amount of \$ 56,546 or 30 % of the total contract value.

TXNEAD
(MW/DBE Subcontractor)
is currently certified with the City of Houston's
Office of Business of Opportunity Office to function in the
aforementioned capacity.

RFD & Associates, Inc.
Prime Contractor

TXNEAD
MW/DBE Subcontractor

intend to work on the above-named contract in accordance with the MW/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.

Signed (Prime Contactor)

Scott Glover
Printed Signature

COO
Title

Date

Signed (MW/DBE Subcontractor)

Leah Pouncy
Printed Signature

Title

Date

2/2/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District G

Item Creation Date: 2/23/2017

20BAM9668/Easement Abandonment/SY16-069

Agenda Item#: 9.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide water line easement and two 12-foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, John D. Taylor Survey, A-72, Houston, Texas; abandoning the easements to SIC Ripple Creek, LLC, the abutting owner, in consideration of its payment to the City of \$135,027.00, and other consideration - **DISTRICT G - TRAVIS**

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. **Parcels SY16-069A through SY16-069C**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, in exchange for a consideration of \$135,027.00, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. **Parcels SY16-069A through SY16-069C**

SPECIFIC EXPLANATION: Joanne McRae, KM Surveying, LLC, 3902 Reese Road, #C-100, Rosenberg, Texas, 77471, on behalf of SIC Ripple Creek, LLC, (David Toone, Manager), requested the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. SIC Ripple Creek, LLC, the abutting property owner, plans to incorporate the abandonment areas into the abutting property to create a single reserve for future development. The Joint Referral Committee reviewed and approved this request.

SIC Ripple Creek, LLC, has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to SIC Ripple Creek, LLC:

Parcel SY16-069A

8,814 square-foot water line easement:
Valued at \$27.63 PSF x 50%

\$121,765.00 (R)

Parcel SY16-069B

240 square-foot fire hydrant easement:
Valued at \$27.63 PSF x 100%

\$ 6,631.00 (R)

Parcel SY16-0169C

240 square-foot fire hydrant easement:
Valued at \$27.63 PSF x 100%

\$ 6,631.00 (R)

TOTAL ABANDONMENT AND SALE**\$135,027.00**

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72.

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 Cover sheet
Parcel Map
Aerial Map

Type

Signed Cover sheet
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District G

Item Creation Date: 2/23/2017

20BAM9668/Easement Abandonment/SY16-069

Agenda Item#:

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. **Parcels SY16-069A through SY16-069C**

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Valued at \$27.63 PSF x 50%	\$121,765.00 (R)

Parcel SY16-069B

240 square-foot fire hydrant easement:	
Valued at \$27.63 PSF x 100%	\$ 6,631.00 (R)

Parcel SY16-0169C

240 square-foot fire hydrant easement:	
Valued at \$27.63 PSF x 100%	\$ 6,631.00 (R)

TOTAL ABANDONMENT AND SALE	<u>\$135,027.00</u>
-----------------------------------	----------------------------

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72.

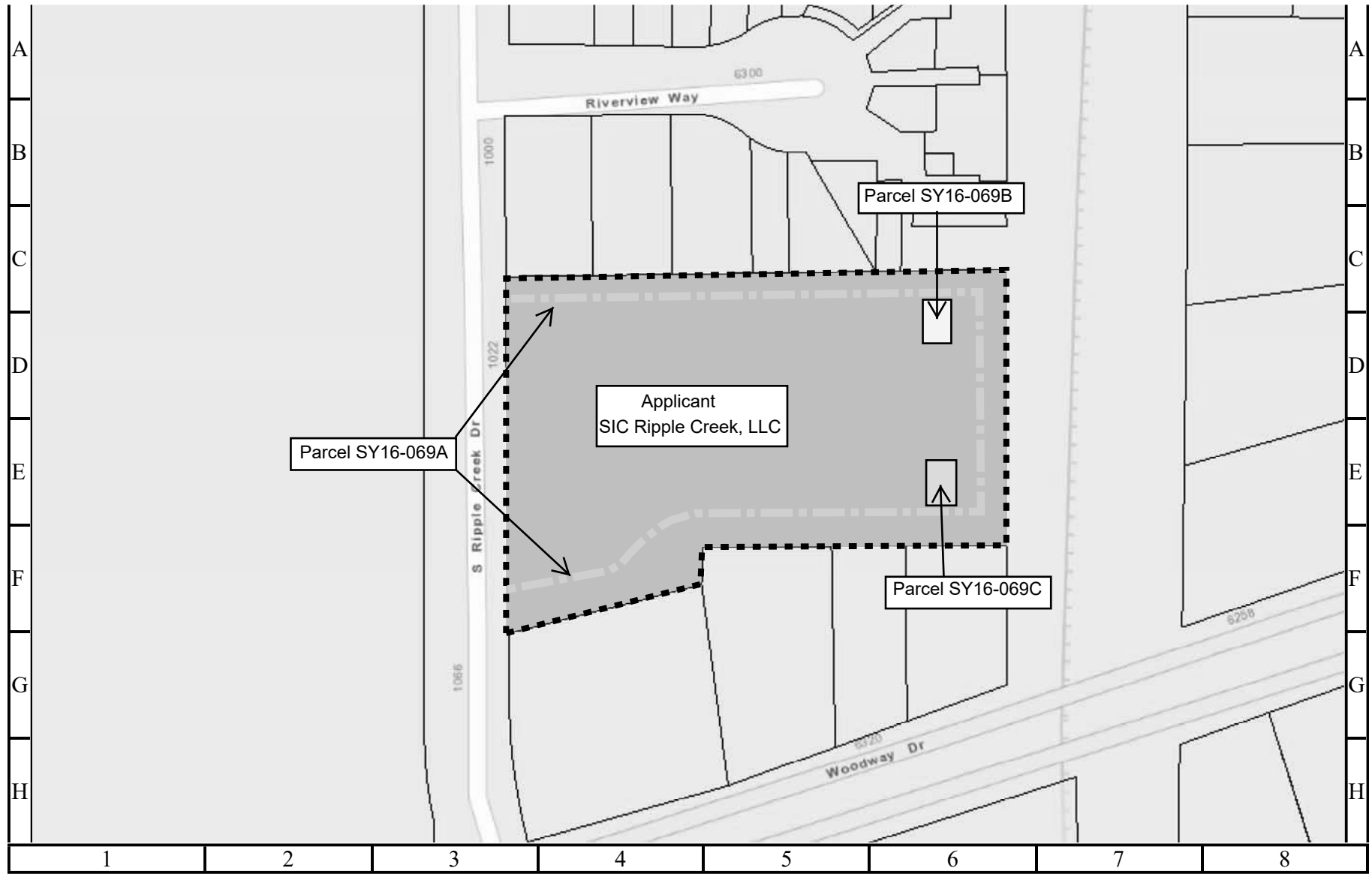
Contact Information:

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

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

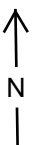
Parcel Map

Subject: Abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. Parcels SY16-069A through SY16-069C



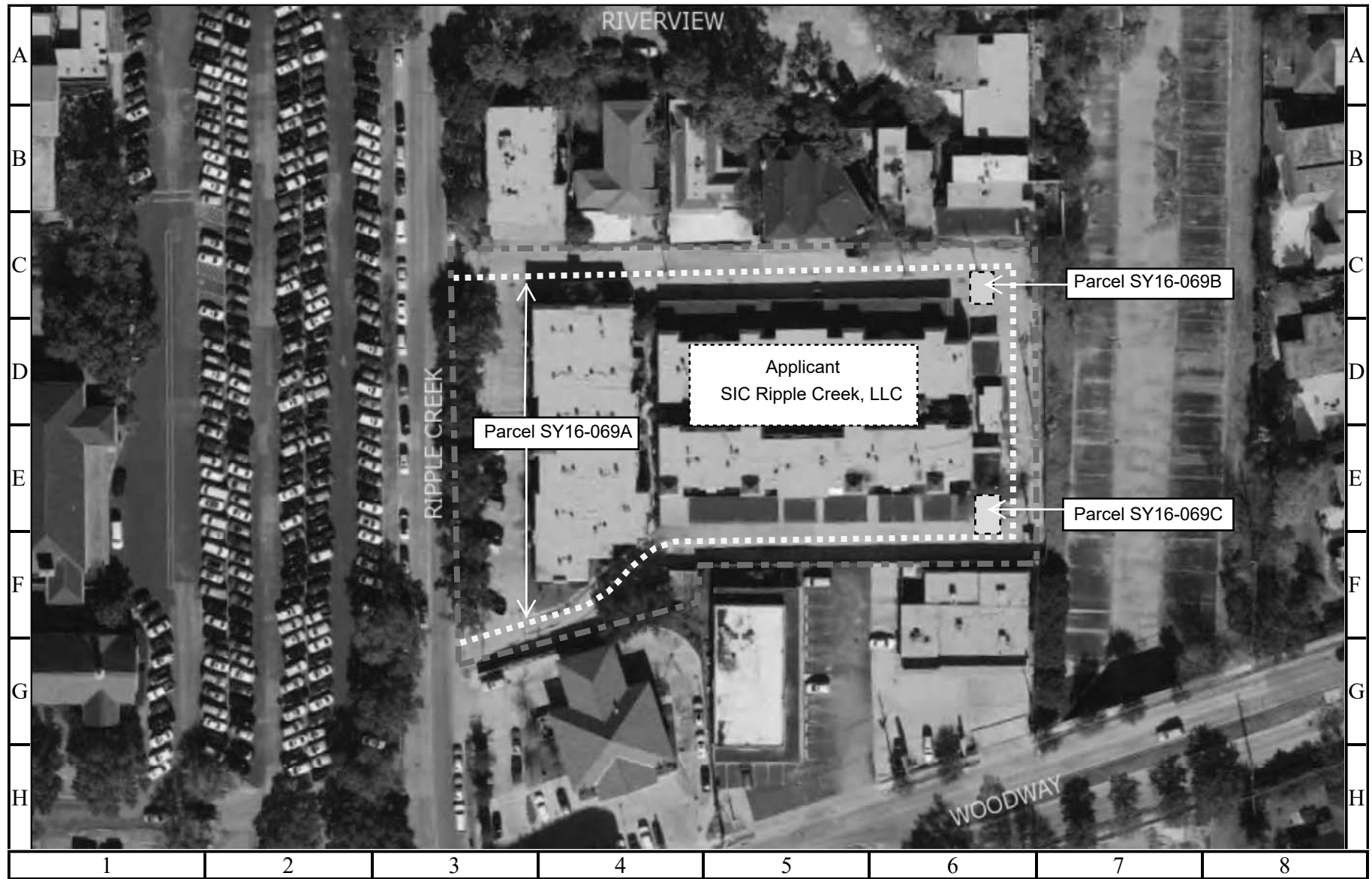
1 inch = 35 feet

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



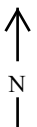
Aerial Map

Subject: Abandonment and sale of one 10 foot-wide water line easement and two 12 foot-wide fire hydrant easements, all located in the Tanglewood Apartments Addition, out of the John D. Taylor Survey, A-72. Parcels SY16-069A through SY16-069C



1 inch = 30 feet

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





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District C

Item Creation Date: 1/25/2017

HCD17-28 The Montrose Center

Agenda Item#: 10.

Summary:

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **MONTROSE COUNSELING CENTER, INC, dba THE MONTROSE CENTER**, providing up to \$1,193,982.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of an Emergency Rental Assistance Program, including Supportive Services, for low income persons living with HIV/AIDS - **DISTRICT C - COHEN**

Background:

The Housing and Community Development Department (HCDD) recommends approval of a First Contract Amendment between the City of Houston and The Montrose Center (Montrose) to finance the operation of a HOPWA project, which provides (1) Tenant-Based Rental Assistance (TBRA); (2) Short-Term Rent, Mortgage, and Utilities Assistance (STRMU); and (3) Supportive Services for persons living with HIV/AIDS. The City will grant Montrose up to \$1,193,982 to provide TBRA, STRMU, and supportive services to a minimum of 300 low-income households. Through its rental assistance programs, Montrose provides rental subsidies to help participants at risk of becoming homeless obtain emergency and/or permanent housing assistance. Rental assistance will be provided as follows: (1) TBRA for 45 households and (2) STRMU for 255 households of persons living with HIV/AIDS. Supportive services include permanent housing placement services (PHPS), case management, professional counseling and other supportive services. The City of Houston provides approximately 40% of the costs for this HOPWA project.

Category	First Amendment	Percent
Administrative	\$83,579.00	6.92%
Supportive Services	\$208,422.00	17.47%
Supportive Services -PHPS	\$23,029.00	1.93%
TBRA	\$300,000.00	25.15%
STRMU	\$578,952.00	48.53%
Total	\$1,193,982.00	100%

HCDD conducted a Request for Proposals for program years 2015 and 2016 HOPWA contracts. Montrose was one of the agencies selected. The amendment will extend the contract for an additional year and provide funding for the period, May 1, 2017 – April 30, 2018. Montrose has received HOPWA funding through the City of Houston for various contracts since 2012.

The Housing and Community Affairs Committee reviewed this item on February 21, 2017.

Prior Council Action:

5/4/16, (O) 2016-0356

Amount of Funding:

\$1,193,982.00

Housing Opportunities for Persons With AIDS (HOPWA) - Fund 5000

Contact Information:

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

District C

Item Creation Date: 1/25/2017

HCD17-28 The Montrose Center

Agenda Item#:

Background:

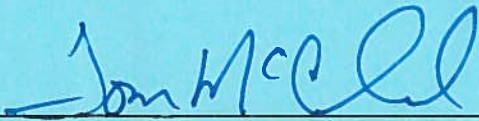
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The Housing and Community Affairs Committee reviewed this item on February 21, 2017.



Tom McCasland, Director

Prior Council Action:

5/4/16, (O) 2016-0356

Amount of Funding:

\$1,193,982.00

Housing Opportunities for Persons With AIDS (HOPWA) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date: 1/24/2017

HCD17-27 Access Care of Coastal Texas Inc.

Agenda Item#: 11.

Summary:

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ACCESS CARE of COASTAL TEXAS, INC**, providing up to \$440,015.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration and operation of an Emergency Rental Assistance Program, including Supportive Services, for low income persons living with HIV/AIDS

Background:

The Housing and Community Development Department (HCDD) recommends approval of a First Contract Amendment between the City of Houston and Access Care of Coastal Texas Inc. (ACCT) to finance the operation of a HOPWA project, which provides (1) Tenant-Based Rental Assistance (TBRA); (2) Short-Term Rent, Mortgage, and Utilities Assistance (STRMU); and (3) Supportive Services for persons living with HIV/AIDS.

The City will grant ACCT up to \$440,015 to provide TBRA, STRMU, and supportive services to a minimum of 65 low-income households. The City of Houston is the HOPWA Program administrator for multiple areas, which includes the counties of Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller. Located in Galveston, ACCT provides rental subsidies to help participants at risk of becoming homeless obtain emergency and/or permanent housing assistance through its rental assistance programs. Services will be provided as follows: (1) TBRA for 30 households and (2) STRMU for 35 households of persons living with HIV/AIDS. Supportive services include case management, permanent housing placement services, nutritional and transportation services. The City of Houston provides approximately 60% of the costs for this HOPWA project.

Category	Contract Amount	Percent
Administrative	\$30,800.00	7.00%
Supportive Services	\$90,000.00	20.45%
TBRA	\$230,000.00	52.27%
STRMUA	\$89,215.00	20.28%
Total	\$440,015.00	100.00%

HCDD conducted a Request for Proposals for program years 2015 and 2016 HOPWA contracts. ACCT was one of the agencies selected. The amendment will extend the contract for an additional year and provide funding for the period May 1, 2017 – April 30, 2018. ACCT has received HOPWA funding through the City of Houston for various contracts since 2006.

The Housing and Community Affairs Committee reviewed this item on February 21, 2017.

Prior Council Action:

5/4/16, (O) 2016-0355

Amount of Funding:

\$440,015.00

Housing Opportunities for Persons With AIDS (HOPWA) - 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

Item Creation Date: 1/24/2017

HCD17-27 Access Care of Coastal Texas Inc.

Agenda Item#:

Background:

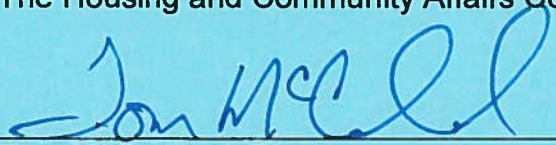
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The Housing and Community Affairs Committee reviewed this item on February 21, 2017.


Tom McCasland, Director

Prior Council Action:

5/4/16, (O) 2016-0355

Amount of Funding:

\$440,015.00

Housing Opportunities for Persons With AIDS (HOPWA) - Fund 5000

Contact Information:

Roxanne Lawson

832.394.6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

District B

Item Creation Date: 3/23/2017

PLN-Harris County Improvement District No. 23

Agenda Item#: 12.

Summary:

ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 23** and the inclusion of certain lands within the district; consenting to the addition of 12.5268 acres of land for inclusion within the district

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. 23, authorized by the 83rd Legislature in 2013, contains approximately 135.770 acres of developed land. The District is requesting that the City consent to the creation of the district and annexation of 12.5268 acres into its boundary. The District is located entirely within Council District B the City of Houston's full purpose boundary.

The District plans to redevelop the property through design, construction, and infrastructure that includes canals, waterways, and docks. The property will be developed for commercial and/or residential purposes will promote economic development in the area.

Public Works and Engineering has reviewed this request and has no objection to consenting to the District's creation and the annexation of 12.5268 acres of land into its boundary.

The Planning and Development Department recommends that City Council consent to the creation of Harris County Improvement District No. 23 and the annexation of 12.5268 acres of land into its boundary.

Patrick Walsh, P.E.

Director
Planning and Development

cc: Andy Icken

Prior Council Action:

n/a

Amount of Funding:

n/a

Contact Information:

Misty Staunton
832-393-6582

ATTACHMENTS:

Description

RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 3/23/2017

PLN-Harris County Improvement District No. 23

Agenda Item#:

Background:

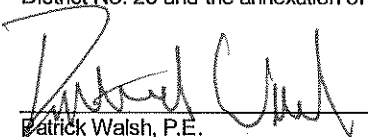
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Public Works and Engineering has reviewed this request and has no objection to consenting to the District's creation and the annexation of 12.5268 acres of land into its boundary.

The Planning and Development Department recommends that City Council consent to the creation of Harris County Improvement District No. 23 and the annexation of 12.5268 acres of land into its boundary.


Patrick Walsh, P.E.
Director
Planning and Development

cc: Andy Icken

Prior Council Action:

n/a

Amount of Funding:

n/a

Contact Information:

Misty Staunton
832-393-6582

ATTACHMENTS:

Description

Petition to Consent to Annex
Petition to Consent to Creation
Vicinity Map
Metes and Bounds-Tract 8

Type

Backup Material
Backup Material
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 1/5/2017

L25528 Human Cadaver Based Simulation Training - ORDINANCE

Agenda Item#: 13.

Summary:

ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **THE METHODIST HOSPITAL d/b/a HOUSTON METHODIST** for Human Cadaver Based Simulation Training for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$195,000.00 - General Fund

Background:

S07-L25528 – Approve an Ordinance Awarding a Professional Services Contract to the Methodist Hospital d/b/a Houston Methodist in an amount not to exceed \$195,000.00 for Human Cadaver Based Simulation Training for the Houston Fire Department.

Specific Explanation:

The Chief of the Houston Fire Department and the Chief Procurement Officer recommend that City Council approve an Ordinance awarding a professional services contract for human cadaver based simulation training for a term of **three-years, with two one-year options** to **The Methodist Hospital d/b/a Houston Methodist** in an amount not to exceed **\$195,000.00** for the Houston Fire Department. This contract will be used to provide EMS paramedics with critical thinking scenario based experiences to simulate real life scenarios of patients requiring basic and advanced airway medical attention.

The Methodist Hospital d/b/a Houston Methodist lab provides professional service staging of human cadaver based simulation training. This service enables paramedics to train for emergencies that compromise/obstruct a citizen's airway, the ability to breathe in oxygen and sustain life, by staging human cadavers in real life scenarios. This lab training encompasses a variety of advanced emergency airway techniques, including intubation, supraglottic airway, video laryngoscopy, and bougie tube use and chest needle decompression. The use of human cadaver-based simulation most closely approximates the actual working conditions that EMS paramedics encounter on a daily basis.

The Houston Fire Department will monitor this contract to ensure compliance with Administrative Procedures and EMS guidelines.

This recommendation is made pursuant to Texas Government Code, Chapter 2254, Subchapter A. Professional Services for exempted procurements.

M/WBE Participation:

Zero-percentage goal sign-off approved by the Office of Business Opportunity.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited, because the department is utilizing a professional service contractor for this purchase.

Fiscal Note:

Funding for this item is included in the FY2017 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 Fire Department	\$39,000.00	\$156,000.00	\$195,000.00

Amount of Funding:

\$195,000.00 –General Fund (1000)

Contact Information:

Richard Morris, Division Manager, SPD (832) 393-8736

Samuel Peña, Fire Chief (832) 394-6702

Cynthia Vargas, Assistant Fire Chief (832) 394-6926

Casey Crossnoe, Sr. Procurement Specialist (832) 393-8724

ATTACHMENTS:**Description**

RCA#L25528- Houston Methodist
Zero Goal Sign-Off Form

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 2/28/2017

ALL

Item Creation Date: 1/5/2017

L25528 Human Cadaver Based Simulation Training - ORDINANCE

Agenda Item#:

Background:

S07-L25528 – Approve an Ordinance Awarding a Professional Services Contract to the Methodist Hospital d/b/a Houston Methodist in an amount not to exceed \$195,000.00 for Human Cadaver Based Simulation Training for the Houston Fire Department.

Specific Explanation:

The Chief of the Houston Fire Department and the Chief Procurement Officer recommend that City Council approve an Ordinance awarding a professional services contract for human cadaver based simulation training for a term of **three-years, with two one-year options** to **The Methodist Hospital d/b/a Houston Methodist** in an amount not to exceed **\$195,000.00** for the Houston Fire Department. This contract will be used to provide EMS paramedics with critical thinking scenario based experiences to simulate real life scenarios of patients requiring basic and advanced airway medical attention.

The Methodist Hospital d/b/a Houston Methodist lab provides professional service staging of human cadaver based simulation training. This service enables paramedics to train for emergencies that compromise/obstruct a citizen's airway, the ability to breathe in oxygen and sustain life, by staging human cadavers in real life scenarios. This lab training encompasses a variety of advanced emergency airway techniques, including intubation, supraglottic airway, video laryngoscopy, and bougie tube use and chest needle decompression. The use of human cadaver-based simulation most closely approximates the actual working conditions that EMS paramedics encounter on a daily basis.

The Houston Fire Department will monitor this contract to ensure compliance with Administrative Procedures and EMS guidelines.

This recommendation is made pursuant to Texas Government Code, Chapter 2254, Subchapter A. Professional Services for exempted procurements.

M/WBE Participation:

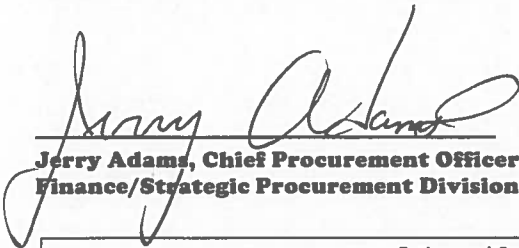
Zero-percentage goal sign-off approved by the Office of Business Opportunity.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited, because the department is utilizing a professional service contractor for this purchase.

Fiscal Note:

Funding for this item is included in the FY2017 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 Fire Department	\$39,000.00	\$156,000.00	\$195,000.00

Amount of Funding:

\$195,000.00 –General Fund (1000)

2/13/2017

Contact Information:

Richard Morris, Division Manager, SPD (832) 393-8736

Samuel Peña, Fire Chief (832) 394-6702

Cynthia Vargas, Assistant Fire Chief (832) 394-6926

Casey Crossnoe, Sr. Procurement Specialist (832) 393-8724

ATTACHMENTS:**Description**

Zero Goal Sign-Off Form

Form A (Fair Campaign Ordinance)

Form B (Fair Campaign Ordinance)

Tax Report

Funding Sheet

Contract L25526

Type

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Contract/Exhibit



CITY OF HOUSTON
OFFICE
BUSINESS OPPORTUNITY

Goal Modification
Request Form

1. Date: 12/9/2015 2. Requesting Department: SPD 3. Solicitation Number: L25528
4. Solicitation Name: Human Cadaver Based Simulation Training 5. Estimated Dollar Amount: \$ 546,000.00
6. Description of Solicitation (attach specifications/supporting documents):
Scope of Work/Specifications are attached.

PLEASE INDICATE WHETHER A PREVIOUS CONTRACT EXISTED FOR THIS SOLICITATION.

- A. Previous contract (if any): Yes ☐ No ☒ B. Previous contract number: _____
C. Goal on last contract _____ D. Was goal met? Yes ☐ No ☐
E. If goal was not met, what percentage did the vendor achieve? _____ %
F. Why wasn't goal achieved?

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: _____

C. Detailed explanation for Waiver Reason:

Medical EMS training performed within hospital lab environment using professional EMS certified training staff with experience in moulage of cadavers. Fresh frozen or partially embalmed cadavers are used for simulated training of real-life situations to train paramedics in endotracheal intubation and life saving of citizens.

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: _____
C. Did the Department explore opportunities for using certified firms? Yes ☐ No ☐
D. Please explain how the department explored opportunities for using certified firms:

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



CITY OF HOUSTON
OFFICE
of
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: _____ C. Proposed new goal: _____ D. Advertisement date: _____

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

G. Detailed reason for request: _____

Concurrence

Cathy Crossnoe
Requesting Department Initiator

12/9/2015

Date

Barry H. T. O. N. - 12.9.15
Department Director or Designee Date

FOR OBO OFFICE USE ONLY:

APPROVED:

<u>Wanda E. Waring</u>	<u>12/12/15</u>	<u>Non-Disible</u>	<u>W-494</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: 4/11/2017

ALL

Item Creation Date: 1/30/2017

20IPB342 First Amendment & Additional Appropriation to
Professional Engineering Services Contract between the
City of Houston and Jacobs Engineering Group Inc

Agenda Item#: 14.

Summary:

ORDINANCE appropriating \$750,000.00 out of Metro Projects Construction DDSRF as an additional appropriation; approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Negotiated Work Orders for Pre-Engineering for Street and Traffic (Thoroughfares) Improvements (Approved by Ordinance No. 2014-352)

Background:

First Amendment and Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Jacobs Engineering Group Inc. for Negotiated Work Orders for Pre-Engineering for Street and Traffic (Thoroughfares) Improvements. WBS No. N-320100-0007-3

It is recommended that the City Council pass an Ordinance approving First Amendment and appropriating additional funds for a Professional Engineering Services Contract between the City of Houston and Jacobs Engineering Group Inc.

PROJECT NOTICE/JUSTIFICATION: This contract is to perform pre-engineering of street, drainage and paving improvements. Developing specific detailed projects to address the identified highest needs will provide candidate projects with both costs and benefits defined for citywide comparison and ranking for implementation.

DESCRIPTION/SCOPE: This project is part of the Street, Drainage and Paving Capital Improvement Plan (CIP) and is required to provide professional engineering services to support development of candidate projects for programming in future years. Pre-Engineering is performed to investigate, verify, and define paving and drainage construction/reconstruction projects for thoroughfare improvements.

LOCATION: The project location and limits will be established by the work order.

PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on April 23, 2014, under Ordinance No. 2014-352. The scope of services consisted of the execution of pre-engineering services and preparation of an engineering report. The pre-engineering services is to

develop specific detailed solutions to address highest needs areas and to define the candidate projects with detailed scopes, cost estimates, and benefits. The consultant performed pre-engineering services on highest needs areas in FY15 and FY16 following the three-step process (Define Problem, Develop and Prioritize Alternative Solutions, and Develop Candidate Projects).

SCOPE OF THIS SUPPLEMENT AND FEE: The scope of services for the first amendment and additional appropriation is unchanged from the original contract. The requested amendment is to change the Contract Term from two (2) years with an option for one (1) renewal term of two (2) additional years to four (4) years with an option for one (1) renewal term of two (2) additional years. The requested additional appropriation will allow the consultant to perform pre-engineering services for highest need areas to develop FY18 and FY19 candidate projects. Pre-Engineering Design Services and Additional Services fees will be negotiated on a reimbursable basis with a not-to-exceed agreed upon amount based on the scope of the work order. The total Pre-Engineering Design Services and Additional Services Fee under the additional appropriation is \$750,000.

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 benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

MWBE INFORMATION: The MWBE goal for the project is set at 24%. The original contract amount totals \$750,000. The consultant has been paid \$482,718 (64.4%) to date. Of this amount, \$145,570 (30.15%) has been paid to MWBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$1,500,000.

The Consultant has proposed the following plan to achieve the MWBE goal:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Prior Paid MWBE Work		\$221,954.83	14.79%
Prior Unpaid MWBE Work		\$113,495.56	7.56%
Gram Traffic Counting, Inc.	Engineering Support	\$17,905.20	1.20%
Landtech Consultants, Inc.	Engineering Support	\$2,933.72	0.20%
RODS Subsurface Utility Engineering, Inc.	Engineering Support	\$3,710.69	0.25%
TOTAL		\$360,000.00	24.00%

ESTIMATED FISCAL OPERATING IMPACT:

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

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

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

Prior Council Action:

Ordinance #: 2014-352; Date: 04/23/2014

Amount of Funding:

Additional appropriation of \$750,000 from METRO Projects Construction DDSRF Fund 4040
Original Appropriation of \$750,000 from METRO Projects Construction DDSRF Fund 4040

Contact Information:

Paresh Lad
Acting Deputy Assistant Director
832-395-2790

ATTACHMENTS:

Description

map
Signed Coversheet

Type

Backup Material
Signed Cover sheet

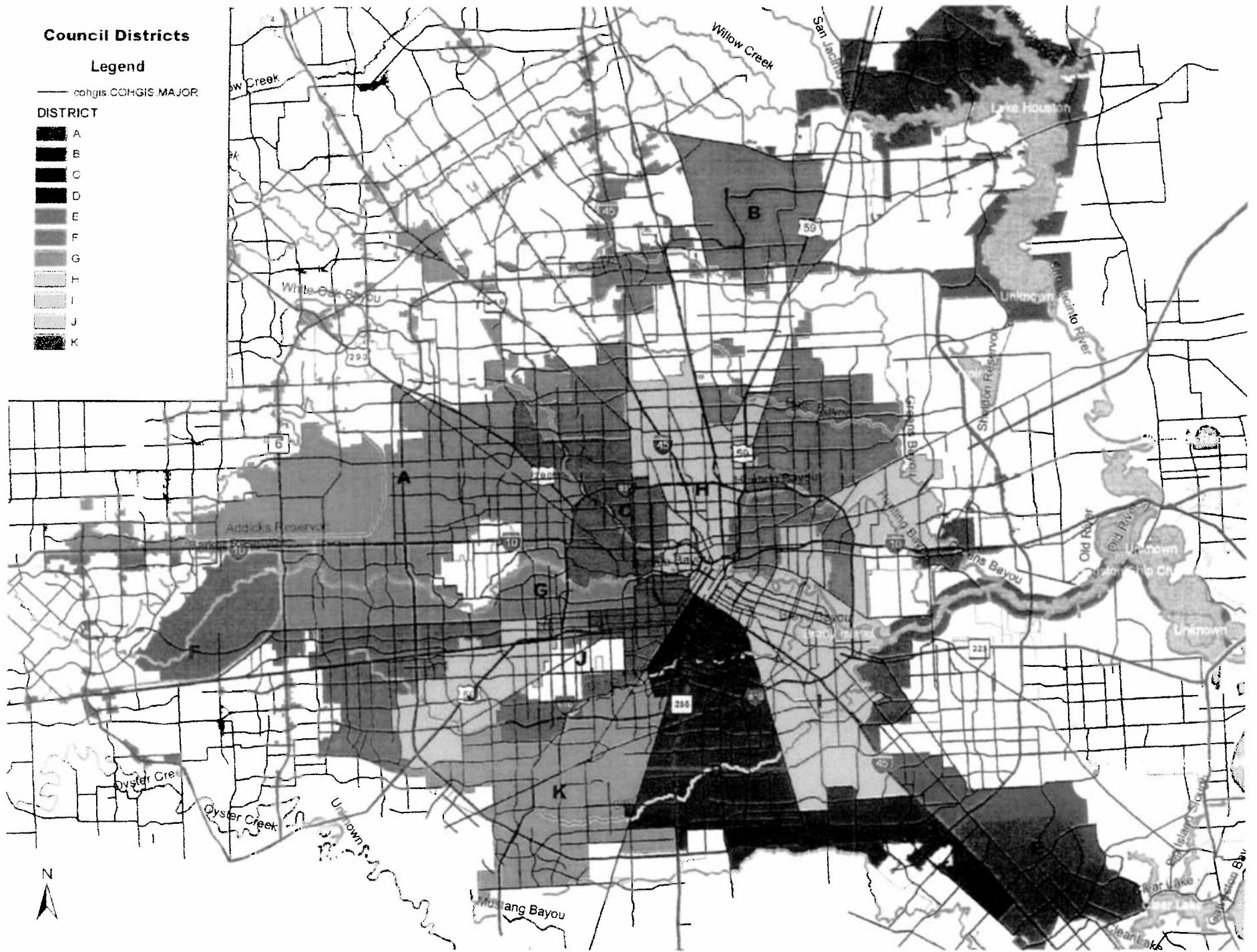
Council Districts

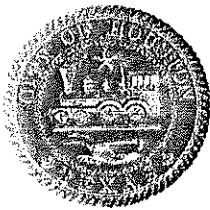
Legend

cohgis COHGIS MAJOR

DISTRICT

- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K





CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 1/30/2017

20IPB342 First Amendment & Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Jacobs Engineering Group Inc

Agenda Item#:

Background:

First Amendment and Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Jacobs Engineering Group Inc. for Negotiated Work Orders for Pre-Engineering for Street and Traffic (Thoroughfares) Improvements. WBS No. N-320100-0007-3

It is recommended that the City Council pass an Ordinance approving First Amendment and appropriating additional funds for a Professional Engineering Services Contract between the City of Houston and Jacobs Engineering Group Inc.

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LOCATION: The project location and limits will be established by the work order.

PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on April 23, 2014, under Ordinance No. 2014-352. The scope of services consisted of the execution of pre-engineering services and preparation of an engineering report. The pre-engineering services is to develop specific detailed solutions to address highest needs areas and to define the candidate projects with detailed scopes, cost estimates, and benefits. The consultant performed pre-engineering services on highest needs areas in FY15 and FY16 following the three-step process (Define Problem, Develop and Prioritize Alternative Solutions, and Develop Candidate Projects).

SCOPE OF THIS SUPPLEMENT AND FEE: The scope of services for the first amendment and additional appropriation is unchanged from the original contract. The requested amendment is to change the Contract Term from two (2) years with an option for one (1) renewal term of two (2) additional years to four (4) years with an option for one (1) renewal term of two (2) additional years. The requested additional appropriation will allow the consultant to perform pre-engineering services for highest need areas to develop FY18 and FY19 candidate projects. Pre-Engineering Design Services and Additional Services fees will be negotiated on a reimbursable basis with a not-to-exceed agreed upon amount based on the scope of the work order. The total Pre-Engineering Design Services and Additional Services Fee under the additional appropriation is \$750,000.

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 benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

MWBE INFORMATION: The MWBE goal for the project is set at 24%. The original contract amount totals \$750,000. The consultant has been paid \$482,718 (64.4%) to date. Of this amount, \$145,570 (30.15%) has been paid to MWBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$1,500,000.

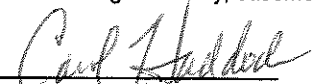
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TOTAL		\$360,000.00	24.00%

ESTIMATED FISCAL OPERATING IMPACT:

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

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.



Carol Ellinger Haddock, P.E.

Interim Director

Department of Public Works and Engineering

Prior Council Action:

Ordinance #: 2014-352; Date: 04/23/2014

Amount of Funding:

Additional appropriation of \$750,000 from METRO Projects Construction DDSRF Fund 4040

Original Appropriation of \$750,000 from METRO Projects Construction DDSRF Fund 4040

Contact Information:

Paresh Lad

Acting Deputy Assistant Director

832-395-2790

ATTACHMENTS:**Description**

Ordinance 2014-352

COI Jacobs

Letters of Intent HVJ

Letters of Intent Landtech

Letters of Intent Midtown

Letters of Intent RODS

Letters of Intent Gram Traffic Counting

MWDBE Jacobs Spreadsheet

Jacobs POP 1

Jacobs POP 2

Jacobs POP 3

Jacobs ADO

SOS Jacobs

map

Jacobs Form A

Signed RCA Jacobs

Form 452 Fair Campaign Jacobs

SAP documents

Type

Signed Cover sheet

Signed Cover sheet

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Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/16/2017

ARA-Boze Enterprises II, LLC DbA Oakmont Maintenance &
Rental SWF

Agenda Item#: 15.

Summary:

ORDINANCE No. 2017-239, passed first reading April 5, 2017

ORDINANCE granting to **BOZE ENTERPRISES II, LLC dba OAKMONT MAINTENANCE & RENTAL, a Texas corporation**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Boze Enterprises II, LLC DbA Oakmont Maintenance & Rental. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory Affairs Department

Other Authorization

Contact Information:

Lara Cottingham **Phone:** (832) 393- 8503
Naelah Yahya **Phone:** (832) 393- 8530

ATTACHMENTS:

Description	Type
3.16.2017 Boze Enterprises II, LLC Db Oakmont Maintenance & Rental SWF RCA	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/4/2017

ALL

Item Creation Date: 3/16/2017

ARA- Boze Enterprises II, LLC DbA Oakmont Maintenance & Rental SWF

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Boze Enterprises II, LLC DbA Oakmont Maintenance & Rental. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

**Tina Paez, Director
Administration & Regulatory
Affairs Department**

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Naelah Yahya Phone: (832) 393-8530



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/16/2017

ARA-MA Reyes Trucking SWF

Agenda Item#: 16.

Summary:

ORDINANCE No. 2017-240, passed first reading April 5, 2017

ORDINANCE granting to **M.A. REYES TRUCKING, a Texas Sole Proprietorship**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to MA Reyes Trucking. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory Affairs Department

Other Authorization

Contact Information:

Lara Cottingham
Naelah Yahya

Phone: (832) 393- 8503
Phone: (832) 393- 8530

ATTACHMENTS:**Description**

3.16.2017 MA Reyes Trucking SWF RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/4/2017

ALL

Item Creation Date: 3/16/2017

ARA- MA Reyes Trucking SWF

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to MA Reyes Trucking. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

A handwritten signature in black ink, appearing to be "Tina Paez".

**Tina Paez, Director
Administration & Regulatory
Affairs Department**

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Naelah Yahya Phone: (832) 393-8530



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/16/2017

ARA-Pupo 66, LLC DbA Instant Solutions SWF

Agenda Item#: 17.

Summary:

ORDINANCE No. 2017-241, passed first reading April 5, 2017

ORDINANCE granting to **PUPPO 66, LLC dba INSTANT SOLUTIONS, a Texas corporation**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Pupo 66, LLC DbA Instant Solutions. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director

Other Authorization

Administration & Regulatory Affairs Department

Contact Information:

Lara Cottingham
Naelah Yahya

Phone: (832) 393- 8503
Phone: (832) 393- 8530

ATTACHMENTS:**Description**

3.16.2017 Pupo 66, LLC Dba Instant Solutions
SWF RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/4/2017

ALL

Item Creation Date: 3/16/2017

ARA- Pupo 66, LLC Dba Instant Solutions SWF


Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Pupo 66, LLC Dba Instant Solutions. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

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Departmental Approval Authority:



Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Naelah Yahya Phone: (832) 393-8530



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/16/2017

ARA-Wellkept Property Services, LLC SWF

Agenda Item#: 18.

Summary:

ORDINANCE No. 2017-242, passed first reading April 5, 2017

ORDINANCE granting to **WELLKEPT PROPERTY SERVICES, LLC, a Delaware Limited Liability Company**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Wellkept Property Services, LLC. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director

Other Authorization

Administration & Regulatory Affairs Department

Contact Information:

Lara Cottingham

Phone: (832) 393- 8503

Naelah Yahya

Phone: (832) 393- 8530

ATTACHMENTS:

Description

3.16.2017 Wellkept Property Services, LLC
SWF RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/4/2017

ALL

Item Creation Date: 3/16/2017

ARA- Wellkept Property Services, LLC. SWF

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Wellkept Property Services, LLC. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 221 solid waste operator franchises. For FY 2017, the total solid waste franchise revenue to the City is projected to be \$7,541,152.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:



Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Naelah Yahya Phone: (832) 393-8530



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-1

Agenda Item#: 19.

Summary:

MOTION by Council Member Stardig to amend Item 26 below to amend Section 21-61 of the Code of Ordinances to add the following:

(d) any item that cannot be easily transported by an individual alone

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-2

Agenda Item#: 20.

Summary:

MOTION by Council Member Stardig to amend Item 26 below to add the following to Section 21-61 of the Code of Ordinances:

Police Officer means an officer of the Houston Police Department, or a peace officer as ascribed in section 1701.001 (4) of the Texas Occupations Code.

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-3

Agenda Item#: 21.

Summary:

MOTION by Council Member Gallegos to amend Item 26 below to add the following to definitions in Section 21-61 of the Code of Ordinances:

Doorway means an opening into a building designed for persons to walk through that normally contains a door and which may or may not abut a stoop, porch, canopy, vestibule, or stairway

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 *living accommodation purposes or 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.

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, *hike and bike trails, transit facilities,* underpasses, and parking lots.

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-4

Agenda Item#: 22.

Summary:

MOTION by Council Member Gallegos to amend Item 26 below to add the following to Section 21-62 of the Code of Ordinances:

(a) Encampment in a public place . or doorway of a residential or commercial building in the city is unlawful

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-5

Agenda Item#: 23.

Summary:

MOTION by Council Member Laster to amend Item 26 below to amend Article III, Section 21-61 of the Code of Ordinances:

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 the use of fabric, metal, cardboard, or other materials as (i) a tent or other temporary structure for human habitation: or (ii) as a device, mechanism, or foundation upon which a human may lie, recline, sit, knee, or stand

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-6

Agenda Item#: 24.

Summary:

MOTION by Council Member Laster to amend Item 26 below to amend Article III, Section 21-61 of the Code of Ordinances:

Encampment means any one or more of the following:

(a) The unpermitted use of fabric, metal, cardboard, or other materials as;
(i) a tent or other temporary structure for human habitation; or (ii) as a device, mechanism, or foundation - upon which a human may lie, recline, sit, kneel, or stand;

(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

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 6-7

Agenda Item#: 25.

Summary:

MOTION by Council Member Knox to amend Item 26 below to insert the following under Section 21-62 of the Code of Ordinances and create Subsection (c):

2012	2013	2014	2015	2016	2017 (Jan-Feb)
433	546	488	783	1548	0

(c) All for-profit commercial activities under overpasses, excluding vehicular parking, not authorized and permitted by the City of Houston as of March 29, 2017 shall be prohibited. Enforcement of this section shall be applied under Section 21-63

DELAYED BY MOTION #2017-171, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

ALL

Item Creation Date: 3/23/2017

LGL- Chpt 21 - Anti-Encampment Ordinance

Agenda Item#: 26.

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

This item should only be considered after passage of Items 19-25 above

DELAYED BY MOTION #2017-171, 3/29/17

This was Item 6 on Agenda of March 29, 2017

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: 4/11/2017

Item Creation Date:

Amendments to Item 7-1

Agenda Item#: 27.

Summary:

MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-2

Agenda Item#: 28.

Summary:

MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

Police Officer means an officer of the Houston Police Department, or a peace officer as ascribed in section 1701.001 (4) of the Texas Occupations Code.

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-3

Agenda Item#: 29.

Summary:

MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 (a) of the Code of Ordinances to add the following:

Sidewalk means that portion of a public street which is between the curb lines, or the lateral lines of a roadway, and the adjacent property lines and is improved and designed for, or is ordinarily used for, pedestrian travel

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-4

Agenda Item#: 30.

Summary:

MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 (a) of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-5

Agenda Item#: 31.

Summary:

MOTION by Council Member Stardig to amend Item 27 below to amend Section 28-46 of the Code of Ordinances to add the following:

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

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-6

Agenda Item#: 32.

Summary:

MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 of the Code of Ordinances:

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

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-7

Agenda Item#: 33.

Summary:

MOTION by Council Member Gallegos to amend Item 27 below to add the following to definitions in Section 28-46 of the Code of Ordinances:

Doorway means an opening into a building designed for persons to walk through that normally contains a door and which may or may not abut a stoop, porch, canopy, vestibule, or stairway.

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

Sidewalk means that portion of the public street which is between the curblines, or the lateral lines of a roadway, and the adjacent property lines and is improved and designed for or is ordinarily used for pedestrian travel.

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-8

Agenda Item#: 34.

Summary:

MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 (d) and (e) of the Code of Ordinances:

(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. or a doorway of a residential or commercial building

(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. or a doorway of a residential or commercial building

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-9

Agenda Item#: 35.

Summary:

MOTION by Council Member Gallegos to amend Item 27 below to add the following to Section 28-46 (f) and (g) of the Code of Ordinances:

(f) Notwithstanding the other provisions of this section, it shall be unlawful for a person to impede the use of a roadway .or sidewalk. No police officer shall issue a citation, make an arrest or otherwise enforce a violation of impeding a roadway .or sidewalk 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 .or sidewalk 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.

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-10

Agenda Item#: 36.

Summary:

MOTION by Council Member Knox to amend Item 27 below to add the following to Section 28-46 (d) and (e) of the Code of Ordinances:

(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, a standing vehicle in a moving inside lane of traffic. or outdoor dining establishment, including, but not limited to, a sidewalk café

(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, a standing vehicle in a moving inside dne of traffic. or outdoor dining establishment, including but not limited to, a sidewalk café

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-11

Agenda Item#: 37.

Summary:

MOTION by Council Member Knox to amend Item 27 below to delete Section 28-46 (g) of the Code of Ordinances and re-letter any and all subsequent subsections

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

Amendments to Item 7-12

Agenda Item#: 38.

Summary:

MOTION by Council Member Knox to amend Item 27 below to repeal the City of Houston Class A permit under Section 26-72 of the City of Houston Code of Ordinances and all its rights and privileges pertaining to permitting the solicitation of funds that includes among its means and methods the solicitation of vehicles on public streets.

DELAYED BY MOTION #2017-172, 3/29/17



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/11/2017

Item Creation Date:

LGL - Chpt 28 - Aggressive Panhandling

Agenda Item#: 39.

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

This item should only be considered after passage of Items 27-38 above

DELAYED BY MOTION #2017-172, 3/29/17

This was Item 7 on Agenda of March 29, 2017

ATTACHMENTS:

Description

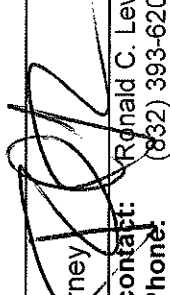
RCA
Redline ordinance
Final Ordinance

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.

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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**,

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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.

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(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.

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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: 4/11/2017

District H

Item Creation Date: 3/20/2017

25RB197 P&S Agreement - Scrap Trading International

Agenda Item#: 40.

Summary:

ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, Seller, and **SCRAP TRADING INTERNATIONAL, Purchaser**, for the sale of 5.033 acres of land located at 800 Dorsett Street, being a part of the John Brown Survey, Abstract Number 8, Houston, Harris County, Texas, for \$865,000.00; approving and authorizing a Special Warranty Deed - **DISTRICT H - CISNEROS** - **TAGGED BY COUNCIL MEMBER KUBOSH**
This was Item 7 on Agenda of April 5, 2017

Background:

SPECIFIC EXPLANATION: On July 9, 2014, Ordinance No. 2014-695, City Council declared Parcel SY14-127 to be surplus property, appointed two independent appraisers to determine fair market value, and approved a Real Estate Listing Agreement with Cushman & Wakefield of Texas, Inc. (Cushman & Wakefield) to market the property for sale. The Real Estate Listing Agreement with Cushman & Wakefield was subsequently renewed on April 8, 2015 by Ordinance No. 2015-285.

The property's highest and best use is considered to be non-residential, commercial/industrial. Cushman & Wakefield actively marketed the property to developers, investors and builders through four commercial multiple-listing services, letters to the surrounding neighbors, and email blasts to industrial developers and brokers citywide. The results included strong offers from three quality purchasers. Scrap Trading International submitted the highest offer.

Therefore, the General Services Department recommends that City Council approve and authorize a Purchase Agreement with Scrap Trading International for the above-described property for a purchase price of \$865,000.00, which is the appraised fair market value. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest a Special Warranty Deed conveying the property to Scrap Trading International.

Pursuant to the Real Estate Listing Agreement, Cushman & Wakefield will be paid 3% brokerage commission.

Prior Council Action:

Ordinance No. 2014-695; July 9, 2014

Ordinance No. 2015-285; April 8, 2015

Contact Information:

Jacquelyn L. Nisby

Phone: 832-393-8023

ATTACHMENTS:**Description**





RCA

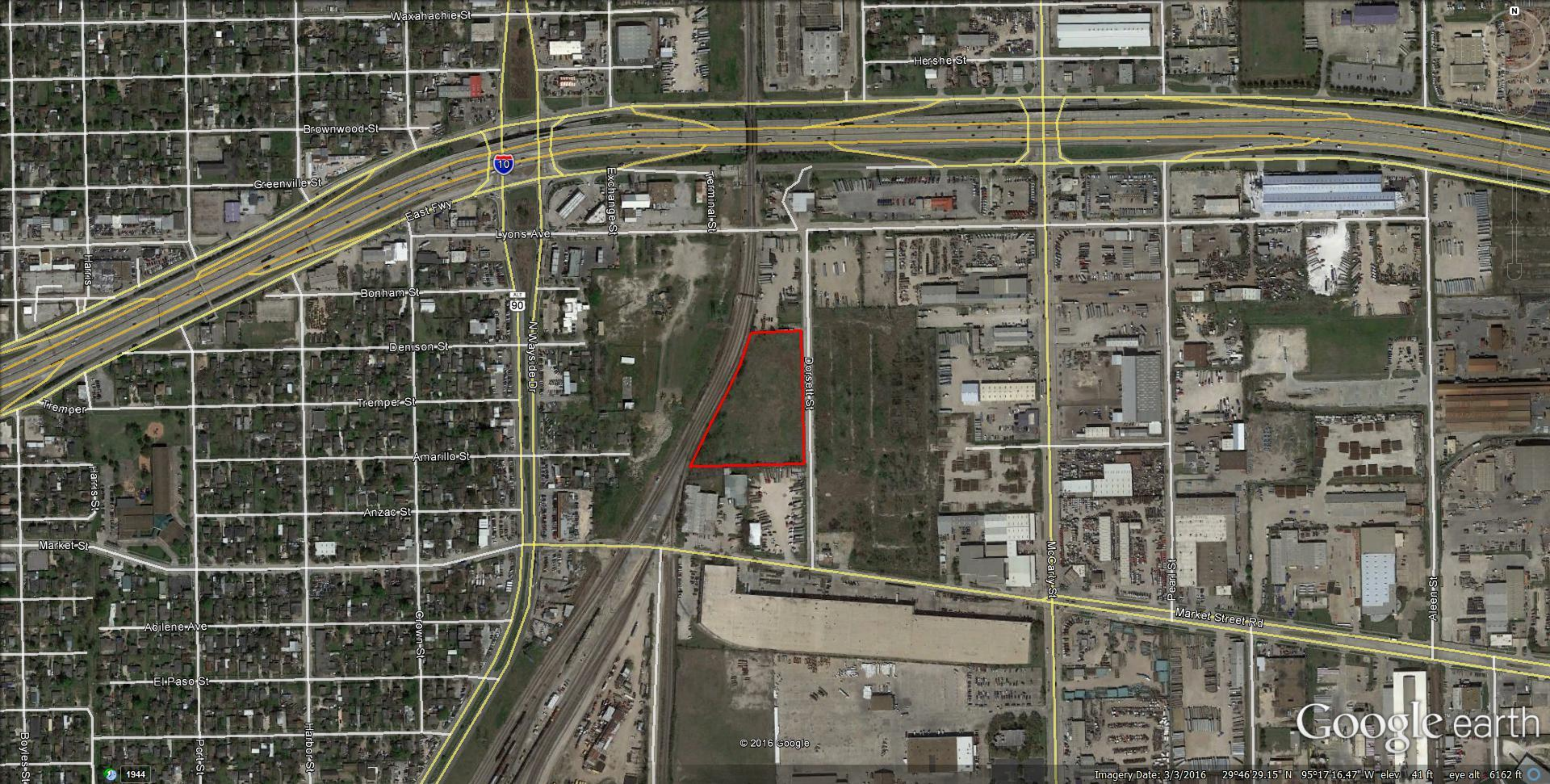
MAP

Type

Signed Cover sheet

Backup Material

SUBJECT: Purchase Agreement between the City of Houston (Seller) and SCRAP TRADING INTERNATIONAL (Buyer) for the sale of 5.033 acres of vacant land located at 800 Dorsett Street, (Parcel SY14-127) Houston, Harris County, Texas for the Houston Parks and Recreation Department		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 <i>3-23-17</i>		Council District affected: H	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2014-695; July 9, 2014 Ordinance No. 2015-285; April 8, 2015	
RECOMMENDATION: Approve and authorize a Purchase Agreement between the City of Houston (Seller) and SCRAP TRADING INTERNATIONAL. (Buyer) for the sale of 5.033 acres of vacant land located at 800 Dorsett Street, Houston, Harris County, Texas, for a purchase price of \$865,000.00 (Parcel SY14-127).			
Amount and Source of Funding: Revenue		Finance Budget:	
<p>SPECIFIC EXPLANATION: On July 9, 2014, Ordinance No. 2014-695, City Council declared Parcel SY14-127 to be surplus property, appointed two independent appraisers to determine fair market value, and approved a Real Estate Listing Agreement with Cushman & Wakefield of Texas, Inc. (Cushman & Wakefield) to market the property for sale. The Real Estate Listing Agreement with Cushman & Wakefield was subsequently renewed on April 8, 2015 by Ordinance No. 2015-285.</p> <p>The property's highest and best use is considered to be non-residential, commercial/industrial. Cushman & Wakefield actively marketed the property to developers, investors and builders through four commercial multiple-listing services, letters to the surrounding neighbors, and email blasts to industrial developers and brokers citywide. The results included strong offers from three quality purchasers. SCRAP TRADING INTERNATIONAL submitted the highest offer.</p> <p>Therefore, the General Services Department recommends that City Council approve and authorize a Purchase Agreement with SCRAP TRADING INTERNATIONAL for the above-described property for a purchase price of \$865,000.00, which is the appraised fair market value. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest a Special Warranty Deed conveying the property to SCRAP TRADING INTERNATIONAL.</p> <p>Pursuant to the Real Estate Listing Agreement, Cushman & Wakefield will be paid a 3% brokerage commission.</p> <p>CJM:JLN:RAV:RS.rs xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Luci Correa</p>			
REQUIRED AUTHORIZATION		CUIC ID# 25 RB 197	
General Services Department:  Richard Vella Assistant Director Real Estate, Design & Construction		Houston Parks and Recreation Department:  Joe Turner Director	



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Google earth

Imagery Date: 3/3/2016 29°46'29.15" N 95°17'16.47" W elev 41 ft eye alt 6162 ft

1944