

AGENDA

CITY OF HOUSTON ■ CITY COUNCIL

May 8 & 9, 2018

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

Vacant
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, May 8, 2018 - 1:30 PM
City Hall Chamber

PRESENTATIONS

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

Council Member Robinson

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

SP050818

RECESS

RECONVENE

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 30

ACCEPT WORK - NUMBER 1

1. RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$12,339,801.82 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Sherwood Forest Drainage and Paving - 4.08% over the original contract amount and under the 5% contingency amount - **DISTRICT G - TRAVIS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 2 through 7

2. **AMEND MOTION #2013-0476, 7/10/13, TO INCREASE** spending authority from \$2,898,000.00 to \$3,332,700.00 for purchase of Airfield Lighting Supplies for Houston Airport System, awarded to **GLOBE ELECTRIC CO., INC** - \$434,700.00 - Enterprise Fund
3. **NWN CORPORATION** for approval of spending authority in an amount not to exceed \$70,624.00 through the Texas Department of Information

Resources for NWN Ncare Managed Services for the Houston Health Department - Essential Public Health Services Fund

4. **ALL AMERICAN WASTE SERVICES, INC** for approval of payment to address Disaster Recovery Activities due to Hurricane Harvey for Portable Showers and Waste Hauling Services for the Office of Emergency Management - \$333,260.00 - General Fund
5. **CASCO INDUSTRIES, INC** for Personal Protective Gear for the Houston Fire Department 3 Years with two one-year options - \$1,326,267.46 - General Fund
6. **TRAFFICWARE GROUP, INC** for approval of payment to address Emergency Disaster Recovery Activities related to Hurricane Harvey for 25 Traffic Controllers with 1B Processor and 50 Traffic Controllers with 1E Processor for Houston Public Works - \$191,250.00 - Disaster Recovery Fund-CUS Fund
7. **MUNICIPAL EMERGENCY SERVICES, INC** for Scott Air Paks and Replacement Parts for Various Departments - 3 Years with two one-year options - \$5,493,700.00 - General and Other Funds

RESOLUTION NUMBER 8

8. RESOLUTION of the City Council prescribing the date, time, and location of a Public Hearing on the City Budgets for the time period July 1, 2018 through June 30, 2019; authorizing notice of such public hearing and making other provisions related to the subject
HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 23, 2018

ORDINANCES - NUMBERS 9 through 30

9. ORDINANCE **AMENDING ARTICLE II, CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Car-Share Houston; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability.
10. ORDINANCE amending Ordinance No. 2015-0514 to revise and update the amended and restated City of Houston's financial policies adopted thereunder as a result of the two-year review required in said financial policies
11. ORDINANCE **AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to tax abatement
12. ORDINANCE declaring Parcel SY18-021 surplus property; approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, Seller, and **MISSIO DEI ANGLICAN CHURCH**, Buyer, for the sale of 21,780 square feet adjacent to 4865 Gulf Freeway, Houston, Harris County, Texas - \$150,000.00 - **DISTRICT I - GALLEGOS**
13. ORDINANCE approving and authorizing contract between the City of Houston and **PREMIER FINANCIAL MANAGEMENT SERVICES** for financial services for Veteran-Directed Home and Community-Based

Services Program; providing a maximum contract amount - Term starting at countersignature through 12 months with 4 automatic one-year renewals - \$660,000.00 - Health Special Revenue Fund

14. ORDINANCE approving and authorizing settlement and release agreement between the City of Houston, **PAUL FOSTER, STUART RED** and **DWIGHT LEMAN FIELDS** (USDC Civil Action 4:16-CV-3542) to settle a lawsuit - \$125,000.00 - Property and Casualty Fund
15. ORDINANCE appropriating \$14,371,010.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to the Design Build Contract between the City of Houston and **AZTECA ENTERPRISES INC** to accept the Guaranteed Maximum Price for Construction Phase Services for the Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (Project No. 761; Contract No. 4600014438); providing funding for testing services, alternate options and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - DAVIS**
16. ORDINANCE approving and authorizing Restated Airport Parking Operations and Management Concessions Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; amending Ordinance 2017-411 to increase the maximum contract amount - \$90,000,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS and I - GALLEGOS**
17. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and **TEXAS A&M ENGINEERING EXPERIMENT STATION** for Energy Management Related Engineering Services for the Houston Airport System and amending Ordinance No. 2013-1092 to increase the maximum contract amount - \$500,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**.
18. ORDINANCE approving and authorizing submission of an electronic application for grant to the **DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY**, for the FY2017 Fire Prevention and Safety Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Fire Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
19. ORDINANCE consenting to the addition of 4.1674 acres of land to **MEADOWHILL REGIONAL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
20. ORDINANCE consenting to the addition of 2.690 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
21. ORDINANCE consenting to the addition of 2.20 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district
22. ORDINANCE consenting to the addition of 1.0 acre of land to **MALCOMSON ROAD UTILITY DISTRICT**, for inclusion in its district
23. ORDINANCE approving and authorizing Advanced Funding Agreement

between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation Off the State System, Botany Street Bridge at HCFCD Ditch (Approved by Resolutions 2017-0016, 2016-0012, 2015-0045) - **DISTRICT D - BOYKINS**

24. ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation Off the State System, Lee Road Bridge at HCFCD Ditch (Approved by Resolutions 2017-0015, 2016-0011, 2015-0043) - **DISTRICT B - DAVIS**
25. ORDINANCE appropriating \$3,066,666.67 out of Street and Traffic Control and Storm Drainage DDSRF; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Drainage Project Local Government Contribution On-System, IH 610/ IH 69 Interchange; providing funding for construction and CIP Cost Recovery relating to construction of facilities financed by the Street and Traffic Control and Storm Drainage DDSRF - **DISTRICTS G - TRAVIS and J - LASTER**
26. ORDINANCE appropriating an additional \$3,604.00 from Metro Projects Construction DDSRF for Public Highway At-Grade Crossing Agreement between the City of Houston and **HOUSTON BELT AND TERMINAL RAILWAY COMPANY** for the Market Street Paving and Drainage Improvements Project - **DISTRICTS B - DAVIS and H - CISNEROS**
27. ORDINANCE granting to **CLEAR PERFECTION, INC, 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 - **FIRST READING**
28. ORDINANCE granting to **NEWHOUSE SERVICES, INC, 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 - **FIRST READING**
29. ORDINANCE No. 2018-0341, passed second reading May 2, 2018
ORDINANCE granting to **FLEET CLEAN, INC, 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 - **THIRD AND FINAL READING**
30. ORDINANCE No. 2018-342, passed second reading May 2, 2018
ORDINANCE granting to **LRG POWER WASHING, LLC, a Texas 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 31

NON-CONSENT - MISCELLANEOUS

31. **SET A PUBLIC HEARING DATE** to provide a Resolution of No Objection to the 4% Tax Credit application of **CROSBY PLAZA 34 LLC, 6616 FM 2100**

HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 16, 2018

MATTERS HELD - NUMBER 32

32. ORDINANCE amending Ordinance No. 2011-390 to add a maximum contract amount for the Lease Agreement between the City of Houston and **HOUSTON FIRST CORPORATION Formerly HOUSTON CONVENTION CENTER HOTEL CORPORATION**; approving and authorizing an amendment to the aforementioned Lease Agreement and a form of a Promissory Note in connection with the same for the repair of City-owned properties damaged by Hurricane Harvey; authorizing the Mayor to execute Promissory Note(s)

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 45 on Agenda of May 2, 2018

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Kubosh 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: 5/8/2018

Item Creation Date:

SP050818

Agenda Item#:

ATTACHMENTS:

Description	Type
SP050818	Signed Cover sheet

***CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR – TUESDAY
MAY 8, 2018 – 2:00 PM***

NON-AGENDA

1 MIN	1 MIN	1 MIN
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DR. ALKEBU MOTAPA – 5022 Crosby – 77021 – 713-741-5150 – Will appear to express personal opininon

3 MIN	3 MIN	3 MIN
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MS. VERONICA BLANCETT – Post Office Box 740772 – 77274 – 713-771-9141 – Overcharged/Wrong meter was read

MR. RICHARD TOMLINSON – Post Office Box 2006 – Silsbee, TX – 77656 – 409-289-5109 – Bicycle Safety

MR. ERIC PETERSON – 9590 Minnesota St. – 77075 – 612-407-4126 – Injustice

MS. NIA COLBERT – 9520 Wilcrest Dr. – 77099 – 346-252-9541 – Beau’s law, elders communities and retro Metro

PREVIOUS

1 MIN	1 MIN	1 MIN
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MS. DEBORAH WILKERSON – No Address – 713-499-9671 – Violation of my fundamental Rights/Stalking, harassment, and targeted victim



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District G

Item Creation Date: 4/12/2018

20SIW03 Accept Work / Total Contracting Limited

Agenda Item#: 1.

Summary:

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$12,339,801.82 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Sherwood Forest Drainage and Paving - 4.08% over the original contract amount and under the 5% contingency amount - **DISTRICT G - TRAVIS**

Background:

SUBJECT: Accept Work for Sherwood Forest Drainage and Paving.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$12,339,801.82 or 4.08% over the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Capital Improvement Plan (CIP) and constructed storm drainage improvements to address and reduce the risk of structural flooding. Improvements included installation of a new drainage system that provides storm water conveyance and in-line detention for mitigation.

DESCRIPTION/SCOPE: This project consisted of the construction of new storm sewers ranging from 24-inches to 10-feet x 9-feet with junction boxes, necessary concrete paving, curbs, sidewalks and underground utilities. The project will serve the Sherwood Forest, Continental Square, Oak Hill and Bayou Woods subdivisions. CLR, Inc. designed the project with 560 calendar days allowed for construction. The project was awarded to Total Contracting Limited with an original Contract Amount of \$11,855,768.50.

LOCATION: The project area is generally bound by IH-10 on the north, Memorial Drive on the south, Silber Road on the east and International Boulevard on the west. The project is located in Key Map Grids 491 B & C.

CONTRACT COMPLETION AND COST: The Contractor, Total Contracting Limited, has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 72 days approved by Change Order Nos. 1, 2 and 5. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 1,3,4 and 5 is \$12,339,801.82, an increase of \$484,033.32 or 4.08% over the original Contract Amount and under 5% contingency amount. The increased cost is a result of the difference between planned and measured quantities.

M/WSBE PARTICIPATION: The advertised M/WBE contract goal for this project was 18%. The M/WBE plan established for this project was 18%. According to Office of Business Opportunity,

the participation was 22.91%. Contractor's M/WBE performance evaluation was rated Outstanding.

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

WBS Nos. M-000263-0001-4, S-000500-0133-4 and R-000500-0133-4

Prior Council Action:

Ordinance 2015-0157, dated 02-18-2015

Amount of Funding:

No additional funding required.

Total (original) appropriation of \$13,657,060.00: \$10,877,360.00 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF and \$2,779,700.00 from Fund 8500 - Water and Sewer System Consolidated Construction.

Contact Information:

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

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District G

Item Creation Date: 4/12/2018

20SIW03 Accept Work / Total Contracting Limited

Agenda Item#:

Background:

SUBJECT: Accept Work for Sherwood Forest Drainage and Paving.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$12,339,801.82 or 4.08% over the original Contract Amount, accept the Work and authorize final payment.

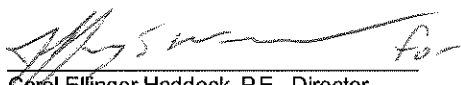
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M/W/SBE PARTICIPATION: The advertised M/WBE contract goal for this project was 18%. The M/WBE plan established for this project was 18%. According to Office of Business Opportunity, the participation was 22.91%. Contractor's M/WBE performance evaluation was rated Outstanding.


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

WBS Nos. M-000263-0001-4, S-000500-0133-4 and R-000500-0133-4

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Contact Information:

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

ATTACHMENTS:

Description

Maps

Prior Council Action & Change Orders

OBO Evaluation and MWSBE

Affidavit of Ownership

Tax Report

Type

Backup Material

Backup Material

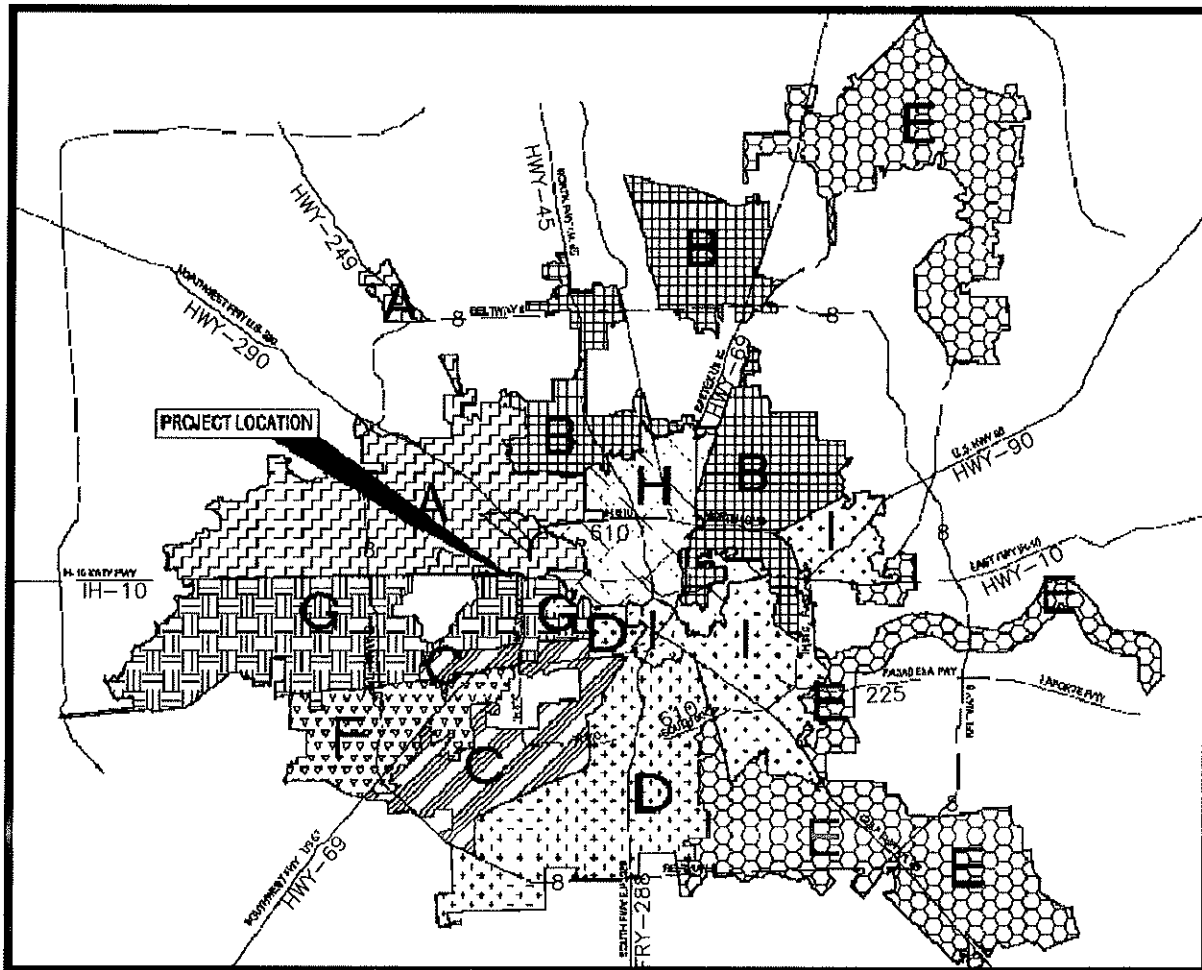
Backup Material

Backup Material

Backup Material

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION
SHERWOOD FOREST DRAINAGE
AND PAVING PROJECT

WBS NO. M-000263-0001-4



LOCATION MAP

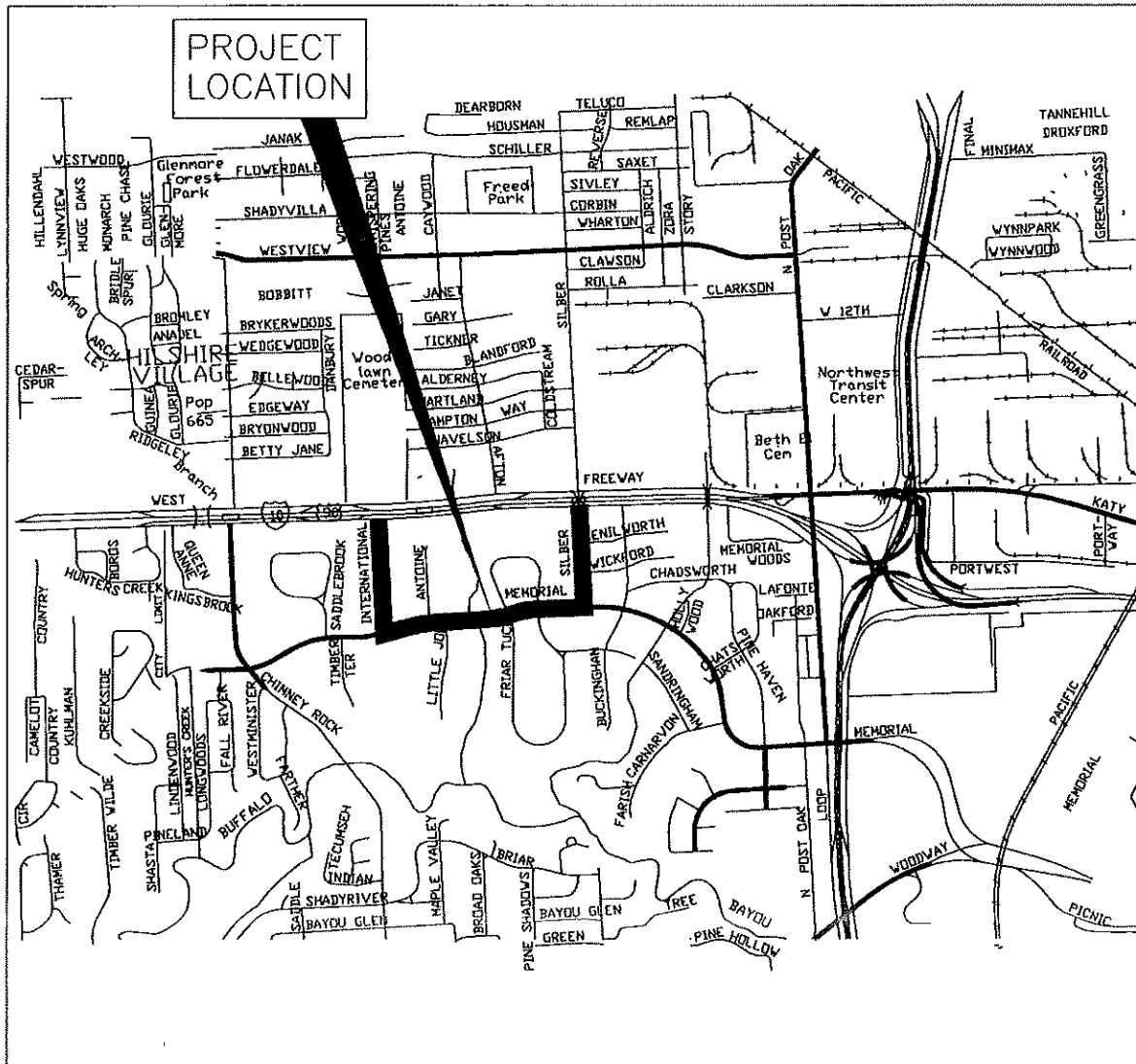
KEY MAP NO 491 B & C
COUNCIL DISTRICT G
COUNCIL MEMBER
OLIVER PENNINGTON

CLR, Inc.

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

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION
SHERWOOD FOREST DRAINAGE
AND PAVING PROJECT

WBS NO. M-000263-0001-4



VICINITY MAP
KEY MAP NO 491 B & C
COUNCIL DISTRICT G
COUNCIL MEMBER
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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date:

S24327-A1 - Airfield Lighting Supplies - MOTION

Agenda Item#: 2.

Summary:

AMEND MOTION #2013-0476, 7/10/13, TO INCREASE spending authority from \$2,898,000.00 to \$3,332,700.00 for purchase of Airfield Lighting Supplies for Houston Airport System, awarded to **GLOBE ELECTRIC CO., INC** - \$434,700.00 - Enterprise Fund

Background:

S05-S24327-A1 - Amend Council Motion No. 2013-0476, passed July 10, 2013, to increase the spending authority from \$2,898,000.00 to \$3,332,700.00 for the purchase of airfield lighting supplies for the Houston Airport System.

Specific Explanation:

The Director of the Houston Airport System and the Chief Procurement Officer recommend that City Council amend Council Motion No. 2013-0476, to increase the spending authority for the purchase of airfield lighting supplies awarded to **Globe Electric Co., Inc.** from **\$2,898,000.00** to **\$3,332,700.00**.

This award provides for the purchase of airfield lighting, as needed, throughout the year for classified employees involved in airfield operation. The airfield lighting supplies consist of lamps, washers, filters, connectors, cables, and other types of airfield lighting used by the Houston Airport System (HAS) to maintain the lighting on runways and taxiways at George Bush Intercontinental, William P. Hobby, and Ellington Airports. The additional spending authority will enable the department to continue to make purchases until a new award is able to be presented to City Council for award within the next 90 days.

This award began July 16, 2013 for a 36-month period with two one-year options to extend in an amount not to exceed \$2,318,400.00. Council Motion 2017-0547, passed September 6, 2017 increased the spending authority to \$2,898,000.00. Expenditures as of April 23, 2018 totaled \$2,896,967.27. The remaining spending authority is insufficient due to the Houston Airport System's airfield lighting inventory being severely impacted by Hurricane Harvey, which quickly reduced the Rotating Beacon Head supplies and light emitting diode (LED) precision approach path indicator lights. These lights sit at the end of the runway and indicate to pilots whether their landing altitude is too low or high. The ability to purchase airfield lighting supplies is required to rebuild and replace fixtures that have failed on airport operations nightly preventative maintenance inspections. All three airports are required to maintain compliance with Federal Aviation Administration (FAR) Part 139 on a daily basis and without the necessary supplies, the HAS's ability to maintain compliance with federal regulations is limited. Therefore, an increase in an amount not to exceed \$434,700.00 will eliminate the threat to runway and taxiway shutdowns and noncompliance with federal regulations. All other terms and conditions shall remain as previously approved by City Council.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health and safety of the municipality's residents" of the Texas Government Code for exempted procurements

Texas Government Code for exempted procurements.

MWBE

MWBE zero-percent goal document approved by the Houston Airport System's Office of Business Opportunity.

Hire Houston First:

The proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunities for Houston's businesses and supports job creation. In this case, Globe Electric Co., Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Fiscal Note:

Funding for this item is included in the FY18 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	FY2018	OUT YEARS	TOTAL
Houston Airport System	\$200,000.00	\$234,700.00	\$434,700.00

Prior Council Action:

CM 2013-0476, Passed July 10, 2013

CM 2017-0547, Passed September 6, 2017

Amount of Funding:

\$434,700.00 - HAS-Revenue Fund (8001)

Contact Information:

Justina Mann 281.230.8086
Desiree Heath 832.395.8742

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date:

S24327-A1 - Airfield Lighting Supplies - MOTION

Agenda Item#:

Background:

S05-S24327-A1 - Amend Council Motion No. 2013-0476, passed July 10, 2013, to increase the spending authority from \$2,898,000.00 to \$3,332,700.00 for the purchase of airfield lighting supplies for the Houston Airport System.

Specific Explanation:

The Director of the Houston Airport System and the Chief Procurement Officer recommend that City Council amend Council Motion No. 2013-0476, to increase the spending authority for the purchase of airfield lighting supplies awarded to **Globe Electric Co., Inc.** from **\$2,898,000.00** to **\$3,332,700.00**. This award provides for the purchase of airfield lighting, as needed, throughout the year for classified employees involved in airfield operation. The airfield lighting supplies consist of lamps, washers, filters, connectors, cables, and other types of airfield lighting used by the Houston Airport System (HAS) to maintain the lighting on runways and taxiways at George Bush Intercontinental, William P. Hobby, and Ellington Airports. The additional spending authority will enable the department to continue to make purchases until a new award is able to be presented to City Council for award within the next 90 days.

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MWBE

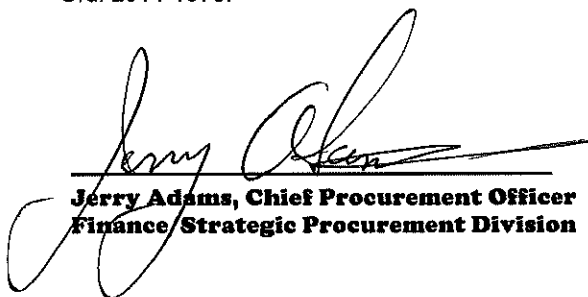
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The proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunities for Houston's businesses and supports job creation. In this case, Globe Electric Co., Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Fiscal Note:

Funding for this item is included in the FY18 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	FY2018	OUT YEARS	TOTAL
Houston Airport System	\$200,000.00	\$234,700.00	\$434,700.00

Prior Council Action:

CM 2013-0476, Passed July 10, 2013

CM 2017-0547, Passed September 6, 2017

Amount of Funding:

\$434,700.00 - HAS-Revenue Fund (8001)

Contact Information:

Justina Mann 281.230.8086

Desiree Heath 832.395.8742

ATTACHMENTS:

Description

S24327 - MWBE 0% Waiver

S24327 - Globe Electric Tax Report

S24327 - CM #13-0476

S24327 - CM #17-0547

S24327 Financial Form A

Type

Backup Material

Backup Material

Backup Material

Backup Material

Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 3/28/2018

H26579 - NWN Ncare Managed Services - MOTION

Agenda Item#: 3.

Summary:

NWN CORPORATION for approval of spending authority in an amount not to exceed \$70,624.00 through the Texas Department of Information Resources for NWN Ncare Managed Services for the Houston Health Department - Essential Public Health Services Fund

Background:

S17-H26579 - Approve spending authority in the amount not to exceed \$70,624.00 for the purchase of NWN Ncare Managed Services through the Texas Department of Information Resources (DIR) Go-Direct vendor NWN Corporation for the Houston Health Department (HHD).

Specific Explanation

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve spending authority in an amount not to exceed \$70,624.00 for the purchase of NWN Ncare Managed Services through the Texas Department of Information Resources (DIR) and that authorization be given to issue purchase orders, as necessary, to the DIR Go-Direct vendor **NWN Corporation** for HHD.

The Houston Health Department's ETHAN project, Emergency Tele-Health and Navigation, depends heavily on the utilization of its current CISCO based IT infrastructure to perform its day to day operations in serving the citizens of Houston as well as to meet the 1115 Waiver milestones and metrics for continued funding. The current ETHAN IT infrastructure includes the following Cisco components: Cisco Unified Communications Manager, Cisco Unified Contact Center Express, Cisco MediaSense, Cisco Finesse, Cisco Unified Intelligence Center, Cisco Jabber, and a Cisco Tele Presence Server.

The aforementioned Cisco IT components need to be managed, monitored, and updated on a regular basis to ensure proper functionality. NWN NCare Managed Services is to provide this level of support on a 24x7x365 basis.

The Houston Health Department has and will continue to work with Houston Information Technology Services on the implementation of this level of support from the vendor.

M/WBE Participation:

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

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 FY2018 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	FY2018	OUT YEARS	TOTAL
Houston Health Department	\$70,624.00	\$0.00	\$70,624.00

Amount of Funding:

\$70,624.00

Essential Public Health Services Fund

Fund No.: 2010

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Murdock Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8725
Adria Jackson, Division Manager	HHD	(832) 395-5006

ATTACHMENTS:

Description

RCA#H26579- NWN Corporation

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/1/2018

ALL

Item Creation Date: 3/28/2018

H26579 - NWN Ncare Managed Services - MOTION

Agenda Item#: 12.

Summary:

Background:

S17-H26579 - Approve spending authority in the amount not to exceed \$70,624.00 for the purchase of NWN Ncare Managed Services through the Texas Department of Information Resources (DIR) Go-Direct vendor NWN Corporation for the Houston Health Department (HHD).

Specific Explanation

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve spending authority in an amount not to exceed \$70,624.00 for the purchase of NWN Ncare Managed Services through the Texas Department of Information Resources (DIR) and that authorization be given to issue purchase orders, as necessary, to the DIR Go-Direct vendor **NWN Corporation** for HHD.

The Houston Health Department's ETHAN project, Emergency Tele-Health and Navigation, depends heavily on the utilization of its current CISCO based IT infrastructure to perform its day to day operations in serving the citizens of Houston as well as to meet the 1115 Waiver milestones and metrics for continued funding. The current ETHAN IT infrastructure includes the following Cisco components: Cisco Unified Communications Manager, Cisco Unified Contact Center Express, Cisco MediaSense, Cisco Finesse, Cisco Unified Intelligence Center, Cisco Jabber, and a Cisco Tele Presence Server.

The aforementioned Cisco IT components need to be managed, monitored, and updated on a regular basis to ensure proper functionality. NWN NCare Managed Services is to provide this level of support on a 24x7x365 basis. The Houston Health Department has and will continue to work with Houston Information Technology Services on the implementation of this level of support from the vendor.

M/WBE Participation:

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

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 FY2018 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	FY2018	OUT YEARS	TOTAL
Houston Health Department	\$70,624.00	\$0.00	\$70,624.00

Amount of Funding:

\$70,624.00

Essential Public Health Services Fund

Fund No.: 2010

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Murdock Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8725
Adria Jackson, Division Manager	HHD	(832) 395-5006

ATTACHMENTS:

Description	Type
<u>Funding Informaiton</u>	Financial Information
<u>Clear Tax Report</u>	Backup Material
<u>Coop Request</u>	Backup Material
<u>Affidavit of Ownership</u>	Backup Material
<u>Fair Campaign</u>	Backup Material
<u>Form B</u>	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date:

DR4332 OEM 002 - All American Waste Services Inc. -
MOTION

Agenda Item#: 4.

Summary:

ALL AMERICAN WASTE SERVICES, INC for approval of payment to address Disaster Recovery Activities due to Hurricane Harvey for Portable Showers and Waste Hauling Services for the Office of Emergency Management - \$333,260.00 - General Fund

Background:

SPD-MLK-08262017-006 - Approve payment to All American Waste Services, Inc. to address disaster recovery activities due to Hurricane Harvey for portable showers and waste hauling services in an amount not to exceed \$333,260.00 for the Office of Emergency Management.

Specific Explanation:

The Director of the Office of Emergency Management and the Chief Procurement Officer recommend that City Council approve payment to **All American Waste Services, Inc.** for portable showers and waste hauling services in an amount not to exceed **\$333,260.00** to address emergency disaster recovery activities because of Hurricane Harvey.

Due to Hurricane Harvey over 1,000 families and individuals were displaced from their damaged homes and needed disaster recovery emergency shelter assistance. Many of these individuals were provided shelters (George R. Brown Convention Center, 9424 Fannin, 1024 Pinemont, 101 Esplanade, and Community of Faith Church) operated by the Red Cross and the City of Houston. These shelters provided critical housing, food, and services. Showers were procured to allow for evacuees to maintain hygiene, health, and cleanliness standards.

All American Waste Services, Inc. provided trailer portable showers and moved them at a moment's notice, so that evacuees maintained the hygiene needs necessary for the public health and safety at shelters where this need did not exist. A lack of hygiene would threaten the safety and health of all due to the possible spread of communicable diseases. All American Waste Services, Inc. completed services on October 24th, 2017.

This recommendation was made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

M/WBE Participation:

OBO approves the waiver of an M/WBE goal on this procurement because, as per Chapter 15 of the Code of Ordinance, a waiver is appropriate when a public or administrative emergency exists which

case or emergency, a waiver is appropriate when a public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy.

Hire Houston First:

The proposed procurement may be funded by a federal grant; therefore, exempt from "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston Business and support job creation.

Disaster Recovery Note:

This item is related to the impact of Hurricane Harvey DR4332 and it is the City's intent to seek reimbursement from the Federal Emergency Management Agency ("FEMA") and other eligible sources for such expenditures.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Amount of Funding:

\$333,260.00

General Fund (1000)

Contact Information:

<u>Name:</u>	<u>Department/Division</u>	<u>Phone</u>
Martin King, Division Manager	FIN/SPD	(832)393-8705
Rick Flanagan, Emergency Management Coordinator	OEM	(713)884-4500
Norbert Aguilar, Procurement Specialist	FIN/SPD	(832)393-8751

ATTACHMENTS:

Description

DR4332 OEM 002 - All American Waster
Services, Inc.

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date:

DR4332 OEM 002 - All American Waste Services Inc. - MOTION

Agenda Item#: 11.

Background:

SPD-MLK-08262017-006 - Approve payment to All American Waste Services, Inc. to address disaster recovery activities due to Hurricane Harvey for portable showers and waste hauling services in an amount not to exceed \$333,260.00 for the Office of Emergency Management.

Specific Explanation:

The Director of the Office of Emergency Management and the Chief Procurement Officer recommend that City Council approve payment to **All American Waste Services, Inc.** for portable showers and waste hauling services in an amount not to exceed **\$333,260.00** to address emergency disaster recovery activities because of Hurricane Harvey.

Due to Hurricane Harvey over 1,000 families and individuals were displaced from their damaged homes and needed disaster recovery emergency shelter assistance. Many of these individuals were provided shelters (George R. Brown Convention Center, 9424 Fannin, 1024 Pinemont, 101 Esplanade, and Community of Faith Church) operated by the Red Cross and the City of Houston. These shelters provided critical housing, food, and services. Showers were procured to allow for evacuees to maintain hygiene, health, and cleanliness standards.

All American Waste Services, Inc. provided trailer portable showers and moved them at a moment's notice, so that evacuees maintained the hygiene needs necessary for the public health and safety at shelters where this need did not exist. A lack of hygiene would threaten the safety and health of all due to the possible spread of communicable diseases. All American Waste Services, Inc. completed services on October 24th, 2017.

This recommendation was made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

M/WBE Participation:

OBO approves the waiver of an M/WBE goal on this procurement because, as per Chapter 15 of the Code of Ordinance, a waiver is appropriate when a public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy.

Hire Houston First:

The proposed procurement may be funded by a federal grant; therefore, exempt from "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston Business and support job creation.

Disaster Recovery Note:

This item is related to the impact of Hurricane Harvey DR4332 and it is the City's intent to seek reimbursement from the Federal Emergency Management Agency ("FEMA") and other eligible sources for such expenditures.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Amount of Funding:

\$333,260.00 – General Fund (1000)

Contact Information:**Contact:**

<u>Name:</u>	<u>Department/Division</u>	<u>Phone</u>
Martin King, Division Manager	FIN/SPD	(832)393-8705
Rick Flanagan, Emergency Management Coordinator	OEM	(713)884-4500
Norbert Aguilar, Procurement Specialist	FIN/SPD	(832)393-8751

ATTACHMENTS:

<u>Description</u>	<u>Type</u>
<u>EPO Justification Form</u>	Backup Material
<u>Addendum</u>	Backup Material
<u>Invoices</u>	Backup Material
<u>Purchase Requisition</u>	Financial Information
<u>Fair Campaign Ordinance</u>	Backup Material
<u>Drug Policy Compliance</u>	Backup Material
<u>Certificate of Insurance</u>	Backup Material
<u>Affidavit of Ownership</u>	Backup Material
<u>Clear Tax Report</u>	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date:

S26234 – Personal Protective Gear – MOTION

Agenda Item#: 5.

Summary:

CASCO INDUSTRIES, INC for Personal Protective Gear for the Houston Fire Department 3 Years with two one-year options - \$1,326,267.46 - General Fund

Background:

Formal Bids Received August 24, 2017 for S65-S26234 – Approve an award to Casco Industries, Inc. in an amount not to exceed \$1,326,267.46 for personal protective gear 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 award to **Casco Industries, Inc.** on its low bid meeting specifications in an amount not to exceed **\$1,326,267.46** for personal protective footwear for the Houston Fire Department. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month term with two one-year options**. The award consists of footwear that protects firefighters against fires and contaminated situations. This footwear works collectively with bunker gear, gloves, hoods, and helmet ensembles to provide full body protection.

The total award is more than the total quantities advertised and shown on the bid tabulation below. After the bid closed, the Houston Fire Department adjusted its footwear quantities from 2,201 to 4,164 pairs.

As Hurricane Harvey was an unanticipated catastrophic event, existing footwear inventory and the emergency receipt of footwear, following the storm, were consumed at a high rate. The additional quantities (1,963) will restore the current inventory to normal operational levels and sufficiently sustain the department over the next 60-months. This increase causes a difference in the dollar amount on the tabulation and award amount, which is based on historical expenditures. Personnel from the Strategic Procurement Division (SPD) have spoken with the Casco representative to discuss the revised specification, as well as, the City's intent to award, based on actual expenditure predictions rather than bid tabulation totals. The supplier confirmed, in writing, acceptance of the award at the unit price bid for the recommended award amount.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-two (32) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and four (4) bids were received as outlined below:

Casco Industries, Inc.: Award on its low bid meeting specifications for Group No. 1 (firefighter bunker boots) in an amount not to exceed \$1,326,267.46.

Commanv

Total Amount

Company	Amount
1. Dooley Tackaberry, Inc.	\$660,300.00 (Did not Meet Specifications)
2. Jets Fire & Safety	\$693,315.00 (Did not Meet Specifications)
3. Casco Industries, Inc.	\$701,018.50
4. Fuego International, LLC	\$708,400.00

M/WBE Participation:

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

Hire Houston First:

The proposed award requires compliance with the City's "Hire Houston First" (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed supplier does not meet the requirements for HHF designation; no HHF firm were within three percent.

Fiscal Note:

Funding for this item is included in the FY18 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	FY2018	OUT YEARS	TOTAL
Houston Fire Department	\$55,261.18	\$1,271,006.28	\$1,326,267.46

Amount of Funding:

\$1,326,267.46 – General Fund (1000)

Contact Information:

Chief Samuel Peña	HFD	(832) 394-6702
Desiree Heath	FIN/SPD	(832) 393-8742
Carlethya Guillory	FIN/SPD	(832) 393-8713

ATTACHMENTS:

Description	Type
Cover Sheet	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date:

S26234 – Personal Protective Gear – MOTION

Agenda Item#:

Background:

Formal Bids Received August 24, 2017 for S65-S26234 – Approve an award to Casco Industries, Inc. in an amount not to exceed \$1,326,267.46 for personal protective gear 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 award to **Casco Industries, Inc.** on its low bid meeting specifications in an amount not to exceed **\$1,326,267.46** for personal protective footwear for the Houston Fire Department. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month term with two one-year options**. The award consists of footwear that protects firefighters against fires and contaminated situations. This footwear works collectively with bunker gear, gloves, hoods, and helmet ensembles to provide full body protection.

The total award is more than the total quantities advertised and shown on the bid tabulation below. After the bid closed, the Houston Fire Department adjusted its footwear quantities from 2,201 to 4,164 pairs. As Hurricane Harvey was an unanticipated catastrophic event, existing footwear inventory and the emergency receipt of footwear, following the storm, were consumed at a high rate. The additional quantities (1,963) will restore the current inventory to normal operational levels and sufficiently sustain the department over the next 60-months. This increase causes a difference in the dollar amount on the tabulation and award amount, which is based on historical expenditures. Personnel from the Strategic Procurement Division (SPD) have spoken with the Casco representative to discuss the revised specification, as well as, the City's intent to award, based on actual expenditure predictions rather than bid tabulation totals. The supplier confirmed, in writing, acceptance of the award at the unit price bid for the recommended award amount.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-two (32) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and four (4) bids were received as outlined below:

Casco Industries, Inc.: Award on its low bid meeting specifications for Group No. 1 (firefighter bunker boots) in an amount not to exceed \$1,326,267.46.

Company	Total Amount
1. Dooley Tackaberry, Inc.	\$660,300.00 (Did not Meet Specifications)
2. Jets Fire & Safety	\$693,315.00 (Did not Meet Specifications)
3. Casco Industries, Inc.	\$701,018.50
4. Fuego International, LLC	\$708,400.00

M/WBE Participation:

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

Hire Houston First:

The proposed award requires compliance with the City's "Hire Houston First" (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed supplier does not meet the requirements for HHF designation; no HHF firm were within three percent.

Fiscal Note:

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


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority			
DEPARTMENT	FY2018	OUT YEARS	TOTAL
Houston Fire Department	\$55,261.18	\$1,271,006.28	\$1,326,267.46

Amount of Funding:

\$1,326,267.46 – General Fund (1000)

Contact Information:

Chief Samuel Peña	HFD	(832) 394-6702
Desiree Heath	FIN/SPD	(832) 393-8742
Carlethya Guillory	FIN/SPD	(832) 393-8713

ATTACHMENTS:

Description

MWBE Waiver

Form B

S26234 - Fair Campaign Ordinance

Bid Tab

Affidavit

Funding Document

Type

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date:

DR4332 PWE 004 - Trafficware Group, Inc. - MOTION

Agenda Item#: 6.

Summary:

TRAFFICWARE GROUP, INC for approval of payment to address Emergency Disaster Recovery Activities related to Hurricane Harvey for 25 Traffic Controllers with 1B Processor and 50 Traffic Controllers with 1E Processor for Houston Public Works - \$191,250.00 - Disaster Recovery Fund-CUS Fund

Background:

SPD-LF-09012017-007 - Approve payment to Trafficware Group, Inc. to address emergency disaster recovery activities related to Hurricane Harvey for 25 Traffic Controllers with 1B processor and 50 Traffic Controllers with 1E processor in an amount not to exceed \$191,250.00 for the Houston Public Works.

Specific Explanation:

The Director of the Houston Public Works and the Chief Procurement Officer recommend that City Council approve payment to **Trafficware Group, Inc.** for 25 traffic controllers with 1B processors and 50 traffic controllers with 1E processor in an amount not to exceed **\$191,250.00** to address emergency disaster recovery activities as a result of Hurricane Harvey. Date of completion was September 1, 2017.

Trafficware Group, Inc. was selected because they could provide immediate needed items.

Hurricane Harvey caused severe flooding which submerged many of the City's Traffic Signal Controllers in several feet of water. These controllers needed to be replaced expeditiously as possible to restore mobility and traffic safety. The traffic signal controllers control the traffic signal indications, assures appropriate right-of-way assignments, as well as many other functions critical to public safety.

This recommendation was made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

M/WBE Participation:

OBO approves the waiver of an M/WBE goal on this procurement because, as per Chapter 15 of the Code of Ordinance, a waiver is appropriate when a public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy.

Hire Houston First:

The proposed procurement may be funded by a federal grant; therefore, exempt from "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston Business and support job

that will enhance and promote economic opportunity for Houston business and support job creation.

Disaster Recovery Note:

This item is related to the impact of Hurricane Harvey DR4332 and it is the City's intent to seek reimbursement from the Federal Emergency Management Agency ("FEMA") and other eligible sources for such expenditures.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Amount of Funding:

\$191,250.00

Disaster Recovery Fund-CUS Fund
Fund 8386

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Kelly Patel, Procurement Specialist	FIN/SPD	(832) 393-8737
John Petrie, Assistant Director	HPW	(832) 395-3754

ATTACHMENTS:

Description

HPW Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/24/2018

ALL

Item Creation Date:

DR4332 PWE 004 - Trafficware Group, Inc. - MOTION

Agenda Item#: 7.

Summary:

NOT A REAL CAPTION

TRAFFICWARE GROUP, INC. to approve payment for 25 Traffic controllers with 1B processor and 50 Traffic Controllers with 1E processor to address emergency disaster recovery activities related to Hurricane Harvey

Background:

SPD-LF-09012017-007 - Approve payment to Trafficware Group, Inc. to address emergency disaster recovery activities related to Hurricane Harvey for 25 Traffic Controllers with 1B processor and 50 Traffic Controllers with 1E processor in an amount not to exceed \$191,250.00 for the Houston Public Works.

Specific Explanation:

The Director of the Houston Public Works and the Chief Procurement Officer recommend that City Council approve payment to Trafficware Group, Inc. for 25 traffic controllers with 1B processors and 50 traffic controllers with 1E processor in an amount not to exceed \$191,250.00 to address emergency disaster recovery activities as a result of Hurricane Harvey. Date of completion was September 1, 2017.

Trafficware Group, Inc. was selected because they could provide immediate needed items.

Hurricane Harvey caused severe flooding which submerged many of the City's Traffic Signal Controllers in several feet of water. These controllers needed to be replaced expeditiously as possible to restore mobility and traffic safety. The traffic signal controllers control the traffic signal indications, assures appropriate right-of-way assignments, as well as many other functions critical to public safety.

This recommendation was made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

M/WBE Participation:

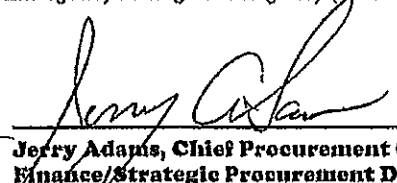
OBO approves the waiver of an M/WBE goal on this procurement because, as per Chapter 15 of the Code of Ordinance, a waiver is appropriate when a public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy.

Hire Houston First:

The proposed procurement may be funded by a federal grant; therefore, exempt from "Hire Houston First" (HHF) ordinance that promotes economic opportunity for Houston Business and support job creation.

Disaster Recovery Note:

This item is related to the impact of Hurricane Harvey DR4332 and it is the City's intent to seek reimbursement from the Federal Emergency Management Agency ("FEMA") and other eligible sources for such expenditures.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division


Department Approval Authority

Amount of Funding:

\$191,250.00

Disaster Recovery Fund-CUS Fund
Fund 8386

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Martin King, Division Manager	FIN/SPD	(832) 393-8705
Kelly Patel, Procurement Specialist	FIN/SPD	(832) 393-8737
John Petrie, Assistant Director	HPW	(832) 395-3754

ATTACHMENTS:

Description	Type
<u>Emergency Purchase Justification</u>	Backup Material
<u>Addendum</u>	Backup Material
<u>Invoice Quote-01663-T6X9D4 Rev 2</u>	Backup Material
<u>Invoice</u>	Backup Material
<u>Fair Campaign Ordinance</u>	Backup Material
<u>Affidavit of Ownership</u>	Backup Material
<u>Updated Tax Report</u>	Backup Material
<u>Funding Info Purchase Requisition</u>	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 3/30/2018

S26494 - Scott Air Paks and Replacement Parts - MOTION

Agenda Item#: 7.

Summary:

MUNICIPAL EMERGENCY SERVICES, INC for Scott Air Paks and Replacement Parts for Various Departments - 3 Years with two one-year options - \$5,493,700.00 - General and Other Funds

Background:

Sole Bid Received March 8, 2018 for S21-S26494 - Approve an award to Municipal Emergency Services, Inc. in an amount not to exceed \$5,493,700.00 for Scott air paks and replacement parts for various departments.

Specific Explanation:

The Chief Procurement Officer recommends that City Council approve an award to **Municipal Emergency Services, Inc.** on its sole bid in an amount not to exceed **\$5,493,700.00** for Scott air paks and replacement parts for various departments and that authorization be given to make purchases, as needed, for a **36-month period, with two one-year options**. This award consists of three price lists for Scott air paks and replacement parts which includes; but not limited to, self-contained breathing apparatuses, air pak assemblies, pressure hoses, brackets, head harnesses, face masks, exhalation valves, calibration kits, and neck straps to be used by the Houston Fire and Police Departments. The equipment will be employed by firefighters and emergency personnel working in contaminated areas, smoke-filled buildings, and confined spaces citywide.

It is the Houston Fire Department's (HFD) intent to return to Council periodically to appropriate the Equipment Acquisition Consolidated Funds (1800).

This project was advertised in accordance with the requirements of the State of Texas bid laws. Two prospective bidders downloaded the solicitation document from SPD's e-bidding website, and one bid was received.

Subsequent to receipt of the bid, the Strategic Procurement Division contacted the potential bidders to determine the reason for the limited response to the ITB. A representative for one bidder stated they did not propose a discount, assumed the e-bid document was sufficient, and was unaware they had to send in an original bid.

MWBE Participation:

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

Hire Houston First:

The proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Municipal Emergency Services, Inc. does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

Funding for this item is included in the FY18 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Finance Policy Ord. 2014-1078.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority

Department	FY18	Out Years	Total
Police	\$ 20,000.00	\$ 75,000.00	\$ 95,000.00
Fire	\$469,696.00	\$4,929,004.00	\$5,398,700.00
Total Amount	\$489,696.00	\$5,004,004.00	\$5,493,700.00

Amount of Funding:

\$3,757,444.00 - General Fund (1000)

\$ 20,000.00 - Asset Forfeiture Fund - State (2204)

\$ 356,256.00 - Federal Government Fund (5000)

\$1,360,000.00 - Equipment Acquisition Consolidated Fund (1800) (to be appropriated at later date)

\$5,493,700.00 - Total

Contact Information:

Desiree Heath 832-393-8742
Laura Guthrie 832-393-8735
Ruy Lozano 832-394-6706

ATTACHMENTS:**Description**

cover sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/1/2018

ALL

Item Creation Date: 3/30/2018

S26494 - Scott Air Paks and Replacement Parts - MOTION

Agenda Item#: 21.

Summary:

NOT A REAL CAPTION

MUNICIPAL EMERGENCY SERVICES, INC for Scott AirPaks and Replacement Parts for the Houston Fire Department and the Houston Police Department - \$5,493,700.00 - Equipment Acquisition Consolidated and Grant Funds

Background:

Sole Bid Received March 8, 2018 for S21-S26494 - Approve an award to Municipal Emergency Services, Inc. in an amount not to exceed \$5,493,700.00 for Scott air paks and replacement parts for various departments.

Specific Explanation:

The Chief Procurement Officer recommends that City Council approve an award to **Municipal Emergency Services, Inc.** on its sole bid in an amount not to exceed **\$5,493,700.00** for Scott air paks and replacement parts for various departments and that authorization be given to make purchases, as needed, for a **36-month period, with two one-year options**. This award consists of three price lists for Scott air paks and replacement parts which includes; but not limited to, self-contained breathing apparatuses, air pak assemblies, pressure hoses, brackets, head harnesses, face masks, exhalation valves, calibration kits, and neck straps to be used by the Houston Fire and Police Departments. The equipment will be employed by firefighters and emergency personnel working in contaminated areas, smoke-filled buildings, and confined spaces citywide.

It is the Houston Fire Department's (HFD) intent to return to Council periodically to appropriate the Equipment Acquisition Consolidated Funds (1800).

This project was advertised in accordance with the requirements of the State of Texas bid laws. Two prospective bidders downloaded the solicitation document from SPD's e-bidding website, and one bid was received.

Subsequent to receipt of the bid, the Strategic Procurement Division contacted the potential bidders to determine the reason for the limited response to the ITB. A representative for one bidder stated they did not propose a discount, assumed the e-bid document was sufficient, and was unaware they had to send in an original bid.

MWBE Participation:

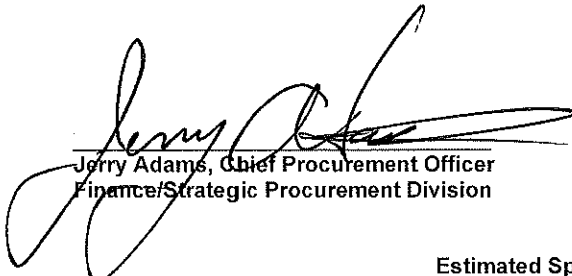
Zero-percentage goal document approved by the Office of Business Opportunity.

Hire Houston First:

The proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Municipal Emergency Services, Inc. does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

Funding for this item is included in the FY18 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Finance Policy Ord. 2014-1078.


Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority

Department	FY18	Out Years	Total
Police	\$ 20,000.00	\$ 75,000.00	\$ 95,000.00
Fire	\$469,696.00	\$4,929,004.00	\$5,398,700.00
Total Amount	\$489,696.00	\$5,004,004.00	\$5,493,700.00

Amount of Funding:

\$3,757,444.00 - General Fund (1000)

\$ 20,000.00 - Asset Forfeiture Fund - State (2204)

\$ 356,256.00 - Federal Government Fund (5000)

\$1,360,000.00 - Equipment Acquisition Consolidated Fund (1800) (to be appropriated at later date)

\$5,493,700.00 - Total

Contact Information:

Desiree Heath 832-393-8742

Laura Guthrie 832-393-8735

Ruy Lozano 832-394-6706

ATTACHMENTS:**Description**

\$26494 Zero-Percentage Approved Goal

\$26494 Bid Tab

\$26494 Form B

\$26494 Form A

\$26494 Cleared Tax Report

\$26494 RCA Budget Form A - HPD

\$26494 RCA Budget Form A - HFD

Type

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/26/2018

FIN - Resolution for FY 2019 Public Hearing

Agenda Item#: 8.

Summary:

RESOLUTION of the City Council prescribing the date, time, and location of a Public Hearing on the City Budgets for the time period July 1, 2018 through June 30, 2019; authorizing notice of such public hearing and making other provisions related to the subject

HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 23, 2018

Background:

SUBJECT: A Resolution providing for a Public Hearing on the FY2019 Proposed Operating Budget.

RECOMMENDATION: (Summary)

City Council call a public hearing on the Proposed FY2019 Operating Budget for May 23, 2018 and authorize the City Secretary to publish notice.

SPECIFIC EXPLANATION:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006), a public hearing is required on the proposed FY2019 Operating Budget. The hearing will be held at 9:00 a.m on May 23, 2018 in the City Council Chambers.

Contact Information:

Will Jones

Finance Department

Phone: 832.393.9080

ATTACHMENTS:

Description

FY2019 Public Hearing RCA

Type

Signed Cover sheet

REQUEST FOR COUNCIL ACTION**TO:** Mayor via City Secretary**RCA #****SUBJECT:** A Resolution providing for a Public Hearing on the FY2019 Proposed Operating Budget.**Category #****Page 1****Agenda Item#****FROM: (Department or other point of origin):**Tantri Emo, Interim Director
Finance Department**Origination Date**

April 25, 2018

Agenda Date

May 9, 2018

DIRECTOR'S SIGNATURE:**Council Districts affected:**
ALL**For additional information contact:** Will Jones
Phone: (832) 393-9080**Date and identification of prior authorizing Council Action:****RECOMMENDATION: (Summary)**

City Council call a public hearing on the Proposed FY2019 Operating Budget for May 23, 2018 and authorize the City Secretary to publish notice.

Amount of Funding:

N/A

Finance Budget:**SOURCE OF FUNDING:** ☐ General Fund ☐ Grant Fund ☐ Enterprise Fund ☐ Other (Specify)

N/A

SPECIFIC EXPLANATION:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006), a public hearing is required on the proposed FY2019 Operating Budget. The hearing will be held at 9:00 a.m. on May 23, 2018 in the City Council Chambers.

cc: Marta Crinejo, Mayor's Office
Ronald C. Lewis, City Attorney**REQUIRED AUTHORIZATION****Finance Director:****Other Authorization:****Other Authorization:**



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/21/2017

ARA-On-Street, Car-Share Ordinance

Agenda Item#: 9.

Summary:

ORDINANCE AMENDING ARTICLE II, CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Car-Share Houston; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability.

Background:

The Administration and Regulatory Affairs (ARA) Department recommends that City Council approve an ordinance permanently incorporating the City's On-Street Car-Share program into the City's Code of Ordinances ("City Code") so that the program may be expanded into other areas.

Car-share is a membership program with a fleet of on-demand, self-service vehicles located throughout a service area, which can be rented by the hour or the day and are accessible by an automated online reservation and billing system. Car-share complements the use of public transportation by providing an option for shorter time and shorter distance trips that might not otherwise be practical using transit. Accommodation of car-share services in the public right-of-way encourages car-sharing by providing visible, readily available locations for the public to utilize car-share. A 2010 study of car-share members conducted by the University of California Berkeley found that for every car-share vehicle, 9-13 vehicles are shed as car-share customers are more apt to refrain from purchasing a second vehicle or replacing an existing vehicle. Accommodation of car-share services can positively impact air quality and potentially mitigate traffic.

City Council approved the On-Street Car-Share Pilot program via Ordinance 2016-914 on November 30, 2016. The 2016 pilot also included a master license agreement awarded via RFP to ZipCar for an 18-month initial term and 3 one-year renewals. ZipCar is required to provide all labor, parts, materials, equipment, expenses, transportation and supervision necessary to provide basic services for the On-Street Car-Share Pilot program for fleet management of on-demand, self-service vehicles available for customers to rent on an hourly basis, and for the provision of related services at dedicated on-street parking spaces within the Midtown District of City of Houston. ZipCar pays the City \$100 per metered space per month and \$50 per non-metered space per month. The City has received \$4800 in revenue from the four spaces.

The On-Street Car-Share Pilot program went live on January 20, 2017 with 2 vehicles at 2000 Bagby and 2 vehicles at 1000 McGowen. Since that time:

- Car-share membership has increased 3.9%

- 16% of members in Houston have given up private vehicle ownership
- Average utilization of the car-share fleet is 27%
- Average utilization of the on-street car share fleet is 24%
-

If passed, the new section 26-99 of the City Code will:

- Define car-share and the Car-share Houston program;
- Authorize the City to enter into master license agreements with car-share companies;
- Authorize the traffic engineer, in consultation with the parking official, to designate on-street parking spaces for the exclusive use of Car-share Houston vehicles;
- Require a Car-share Houston vehicle that occupies a designated car-share parking space to display a city-issued permit;
- Authorize the traffic engineer to place signs in the City's right-of-way giving adequate notice of designated car-share parking spaces; and
- Create a civil offense, with a fine ranging from \$1.00 to \$200.00, prohibiting a person from parking in a designated car-share parking space without displaying a valid permit.

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

Other Departmental Authority Signature

Prior Council Action:

Ordinance 2016-913
Ordinance 2016-914

Contact Information:

Lara Cottingham: 832-393-8503
Maria Irshad, CAPP: 832.393.8643

ATTACHMENTS:

Description

4.20.2018 On-Street Car-Share Ordinance
RCA.pdf

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

Council District: All

Item Creation Date: 4/20/2018

ARA- On-Street Car-Share Ordinance

Background:

The Administration and Regulatory Affairs (ARA) Department recommends that City Council approve an ordinance permanently incorporating the City's On-Street Car-Share program into the City's Code of Ordinances ("City Code") so that the program may be expanded into other areas.

Car-share is a membership program with a fleet of on-demand, self-service vehicles located throughout a service area, which can be rented by the hour or the day and are accessible by an automated online reservation and billing system. Car-share complements the use of public transportation by providing an option for shorter time and shorter distance trips that might not otherwise be practical using transit. Accommodation of car-share services in the public right-of-way encourages car-sharing by providing visible, readily available locations for the public to utilize car-share. A 2010 study of car-share members conducted by the University of California Berkeley found that for every car-share vehicle, 9-13 vehicles are shed as car-share customers are more apt to refrain from purchasing a second vehicle or replacing an existing vehicle. Accommodation of car-share services can positively impact air quality and potentially mitigate traffic.

City Council approved the On-Street Car-Share Pilot program via Ordinance 2016-914 on November 30, 2016. The 2016 pilot also included a master license agreement awarded via RFP to ZipCar for an 18-month initial term and 3 one-year renewals. ZipCar is required to provide all labor, parts, materials, equipment, expenses, transportation and supervision necessary to provide basic services for the On-Street Car-Share Pilot program for fleet management of on-demand, self-service vehicles available for customers to rent on an hourly basis, and for the provision of related services at dedicated on-street parking spaces within the Midtown District of City of Houston. ZipCar pays the City \$100 per metered space per month and \$50 per non-metered space per month. The City has received \$4800 in revenue from the four spaces.

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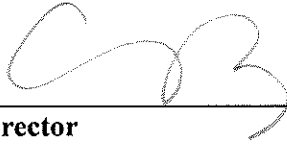
- Car-share membership has increased 3.9%
- 16% of members in Houston have given up private vehicle ownership
- Average utilization of the car-share fleet is 27%
- Average utilization of the on-street car share fleet is 24%

If passed, the new section 26-99 of the City Code will:

- Define car-share and the Car-share Houston program;
- Authorize the City to enter into master license agreements with car-share companies;
- Authorize the traffic engineer, in consultation with the parking official, to designate on-street parking spaces for the exclusive use of Car-share Houston vehicles;
- Require a Car-share Houston vehicle that occupies a designated car-share parking space to display a city-issued permit;

- Authorize the traffic engineer to place signs in the City's right-of-way giving adequate notice of designated car-share parking spaces; and
- Create a civil offense, with a fine ranging from \$1.00 to \$200.00, prohibiting a person from parking in a designated car-share parking space without displaying a valid permit.

Departmental Approval Authority:



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

Other Authorization

Prior Council Action:

Ordinance 2016-914

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Maria Irshad, CAPP Phone: (832) 393-8643



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 7/5/2017

FIN Revisions to City Financial Policies

Agenda Item#: 10.

Summary:

ORDINANCE amending Ordinance No. 2015-0514 to revise and update the amended and restated City of Houston's financial policies adopted thereunder as a result of the two-year review required in said financial policies

Background:

Approval of this item will amend the City's financial policies as shown in attached Exhibit A and an accompanying redline version. The changes are proposed in accordance with the policies' requirements that the policies be reviewed at least every two years by the Mayor or his designee, and that any proposed changes be presented to City Council's Budget and Fiscal Affairs Committee prior to Council consideration. The policies with proposed revisions are included as Exhibit A to the ordinance that carries the proposed changes; a redline version highlighting the proposed changes is also included with this agenda item.

Tantri Emo, Interim Director of Finance

Contact Information:

Tantri Emo, Interim Director of Finance -- 832-393-9051

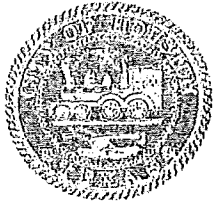
Andy Icken, Chief Development Officer -- 832-393-1064

Gwen Tillotson, Deputy Director, Economic Development -- 832-393-0937

Melissa Dubowski, Assistant Director, Finance Department -- 832-393-9101

ATTACHMENTS:

Description	Type
Coversheet	Signed Cover sheet
Financial Policies - Redline	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 7/5/2017

FIN Revisions to City Financial Policies

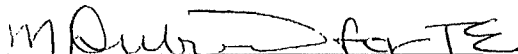
Agenda Item#: 43.

MD
4/26/18**Summary:**

ORDINANCE amending Ordinance No. 2015-0514 to revise and update the amended and restated City of Houston's financial policies adopted thereunder as a result of the two-year review required in said financial policies; making various findings and provisions related to the subject; and declaring an emergency.

Background:

Approval of this item will amend the City's financial policies as shown in attached Exhibit A and an accompanying redline version. The changes are proposed in accordance with the policies' requirements that the policies be reviewed at least every two years by the Mayor or his designee, and that any proposed changes be presented to City Council's Budget and Fiscal Affairs Committee prior to Council consideration. The policies with proposed revisions are included as Exhibit A to the ordinance that carries the proposed changes; a redline version highlighting the proposed changes is also included with this agenda item, as is a matrix listing the changes in order and offering a brief explanation for each.


Tanti Emo, Interim Director of Finance

Contact Information:

Tanti Emo, Interim Director of Finance -- 832-393-9051
 Andy Icken, Chief Development Officer -- 832-393-1064
 Gwen Tillotson, Deputy Director, Economic Development -- 832-393-0937
 Melissa Dubowski, Assistant Director, Finance Department -- 832-393-9101



ATTACHMENTS:**Description**

Proposed fin pols amendments redline
Proposed fin pols amendments clean version
Matrix of proposed amendments
RCA
Amended Restated Ordinance 7.12.17
Ordinance

Type

Backup Material
 Backup Material
 Backup Material
 Signed Cover sheet
 Ordinance/Resolution/Motion
 Ordinance/Resolution/Motion

CITY OF HOUSTON, TEXAS

FINANCIAL POLICIES

The basic policies related to the City's financial and budgetary policies were formalized on November 10, 1987. These policies were expanded in subsequent years with the adoption of the Integrated Budgeting and Planning Resolution (88-87). New policies were adopted by Ordinance No. 2014-1078 in December 2014, and were subsequently amended by Ordinance No. 2015-0514 to include provisions regarding pay-as-you-go funding in June 2015.

The intent of the City's policies is to protect public assets and to foster reliance on public information for decision-making purposes at all levels both internally and externally. The policies establish a framework within which the Mayor, City Council, City Controller, Finance Director and all department directors shall establish the presence of integrity, ethics, competence and a positive control environment. Managers and supervisory personnel are responsible for establishing, executing, and maintaining the financial policies and procedures at the detail level within their specific business units.

A. Definitions

Advance Refunding – A refunding under the federal tax code in which the refunded obligation is not redeemed for a period of more than 90 days after the issuance of the refunding issue.

Asset Renewal and Replacement – Cyclic repair and replacement of an asset's components [e.g., roofs, electrical systems, heating, ventilation, and air conditioning (HVAC) equipment, paving, replacement vehicles, computer servers, computer networks, and telephony systems] that extends the useful life and/or retains the usable condition of facilities, fleet, and systems not normally contained in the annual operating budget. Included are major building and infrastructure systems and components that have a maintenance cycle in excess of one year.

Balanced Budget – Budget in which revenues and other resources will be sufficient to support expenditures or uses within the fiscal year.

BFA – Budget and Fiscal Affairs Committee of City Council.

Budget Stabilization Fund, formerly called the "Rainy Day Fund" - Cash reserves available for any lawful use in the event of an emergency including temporary cash flow shortages, major disasters, economic instability, and other emergencies as determined by the City. A temporary cash flow shortage is a period of time where cash inflows are not sufficient to cover required outflows, even after the normal means for managing cash flow have been exhausted. Major disasters are any natural catastrophe including, but not limited to, hurricanes, tornados, floods, severe drought, and explosions, chemical or biological threats, or acts of terrorism. Economic instability is an unforeseen, unbudgeted dire financial situation affecting revenue and/or government spending such as declining property and sales tax revenues over the prior fiscal year and/or a very significant, rapid increase in inflation. Other emergencies are any unusual occasion or instance, unforeseen and/or unanticipated, for which the City expends funds in its efforts to

CITY OF HOUSTON, TEXAS

FINANCIAL POLICIES

save lives and to protect property, public health and safety or to lessen or avert the threat of catastrophe or major disaster.

Component Units – As defined by the Governmental Accounting Standards Board (GASB), component units are legally separate organizations that the City must include as part of its financial reporting entity for fair presentation.

Current Refunding – Refunding transaction where the refunded obligation will mature or be redeemed within 90 days from the date of issuance of the refunding issue.

Current Replacement Value - The standard industry cost and/or engineering estimate of materials, supplies, and labor required to replace a facility or item of equipment at its existing size and functional capability, and to meet applicable regulatory codes. When estimating Current Replacement Value, it should be assumed that code-compliant materials and systems will be used to replace the existing asset. Current Replacement Value is to be estimated for reconstructing an asset as it currently exists, without further modifications or improvements.

~~Entry Age Normal Actuarial Cost Method, also called Entry Age Actuarial Cost Method – A method which actuarial present value of the projected benefits of each individual included in an actuarial valuation is allocated on a level basis over the earnings or service of the individual between entry age and assumed exit age(s). The portion of this actuarial present value allocated to a valuation year is called the normal cost. The portion of this actuarial present value not provided for at a valuation date by the actuarial present value of future normal costs is called the actuarial accrued liability. Under this method, the actuarial gains (losses) are reflected as they occur in a decrease (increase) in the unfunded actuarial accrued liability.~~

Finance Working Group – Composed of the Mayor and City Controller (as used in connection with the activities of the Finance Working Group, other than the chairing of Finance Working Group meetings, the term “Mayor” or “City Controller” includes the designee of such office holder who may only be a City employee accountable to the designating office holder) and, upon the request of either the Mayor or City Controller, may also include:

- City Attorney or designees
- Finance Director or designees
- Other appropriate department directors or their designees
- Financial Advisor
- Bond Counsel
- Independent Auditor
- Any member of City Council interested in attending, or designee

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

- Others deemed necessary for the individual financing

Financial Advisor - With respect to a new issue of municipal securities, commonly refers to an individual or firm that advises the issuer or other obligated person on matters pertinent to the issue, such as structure, timing, marketing, fairness of pricing, terms and bond ratings. A financial advisor may also be employed to provide advice on subjects unrelated to a new issue of municipal securities, such as advising on cash flow and investment matters in connection with outstanding municipal securities.

Fiscal Note – Brief, high-level written estimate of the budgetary and fiscal impacts that may result from implementation of an ordinance, motion or resolution.

Fund Balance – Difference between fund assets and fund liabilities, also known as equity (for enterprise funds, fund balance is referred to as “Net Position” in line with GASB rules).

Major Renovation – Projects for the substantial rehabilitation or replacement of more than one building or building systems.

Non-Recurring Expenditures – Expenditures not expected to be funded each year. Examples include one-time transfers and one-time purchases.

Non-Recurring Revenues – Revenues that cannot be relied upon in future budget periods. Examples include, but are not limited to, Fund Balance, the sale of land (other than City rights-of-way), infrequent, irregular sales of City assets, bond refunding savings, infrequent, irregular revenues from development agreements, interlocal agreements, other contracts, short-term grants and one-time transfers, such as litigation settlements or non-routine transfers of fund balance from other funds.

Operating Maintenance - Preventive maintenance, where equipment, vehicles, and computer hardware are maintained *before* breakdown occurs in an attempt to avoid failures, and corrective maintenance, where equipment, vehicles, and computer hardware are maintained *after* breakdown occurs to bring it back to working order.

PAYGO – “Pay-As-You-Go” capital funding is the process of paying for capital expenditures at the time the cost is incurred instead of using credit or debt for the purchase. PAYGO expenditures at the City are those capital expenditures that were historically funded by credit or debt and are now paid for with cash.

Recurring Expenditures – Expenditures expected to be funded each year in order to maintain current/status quo service levels. Recurring Expenditures appear in the budget each year. Examples include salaries, benefits, supplies and services, debt and recurring pass-through expenditures; long-term contractual obligations should also be considered, including availability payments related to participation in a public-private partnership. Other expenditures including,

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

but not limited to, supplies, services, and transfers are recurring to the extent that expenditure levels in the current year match the expenditure levels in the previous year. For example, if computer supplies to support operations are needed every year and budgeted every year, this expenditure is considered recurring.

Recurring Revenues – Revenues expected to continue year to year with a reasonable degree of predictability. Examples include property taxes, sales taxes, licenses and permits, charges for services, fines and forfeits, franchise fees and recurring pass-through revenues. Small routine right-of-way sales are also considered Recurring Revenues, but all other land sales are Non-Recurring (one-time) Revenues. This does not include Fund Balance.

Structural Balanced Budget – Budget that balances Recurring Revenues and Recurring Expenditures and the current portion of all known long-term liabilities within the current fiscal year, including but not limited to: other post-employment benefits (OPEBs); compensated absences; and current annual service cost plus interest on unfunded pension liabilities, which is the difference between the total pension liability and the value of assets set aside in a pension plan to pay benefits, plus amortization of the unfunded liabilities over a program period (this definition is intended to align with the pension-related language in Section F.2.).

B. General Policies

1. With respect to the interpretation and application of these policies, the City shall comply with all applicable federal and state laws, the City Charter and Code of City Ordinances, Financial Accounting Standards Board (FASB) and Governmental Accounting Standards Board (GASB) standards, and all bond covenants, whether existing or hereafter provided, and associated ordinances relating to all budget, accounting, reporting, disclosure, and finance activities, and financial policies. In any conflict between these policies and such governing law, standards or documents, such governing law, standards or documents shall prevail.
2. The City will seek out, apply for, and effectively administer Federal, State, and other grants that address the City's priorities and policy objectives and provide a positive benefit to the city. Local tax dollars will not be used to make up for material losses of grant aid without first City Council reviewing and approving the program and its merits as a budgetary increment.
3. The proposed operating budget and proposed five-year Capital Improvement Plan (CIP) for each year shall include statements indicating whether they are in compliance with each relevant adopted financial policy. The adopted budget shall include a comprehensive listing of all adopted financial policies indicating whether the City is in compliance with each policy; for each policy not in compliance, there shall be a statement explaining why the City is or is not in compliance with said policy. Where the City is not in compliance, the statement shall also include ~~and~~ a plan for how the City will achieve compliance.

CITY OF HOUSTON, TEXAS

FINANCIAL POLICIES

4. The City's financial policies shall be reviewed at least every two years by the Mayor or the Mayor's designee; the results of the review are to be presented to BFA, and any proposed amendments are to be presented to City Council for consideration.

C. General Fund Reserve Policies

1. The City will maintain Fund Balance as additional insurance against disasters, emergencies, and economic instability. The City's desired minimum unassigned Fund Balance for any given fiscal year is 7.5% of General Fund expenditures for that fiscal year, excluding debt service payments and transfers for pay-as you-go (PAYGO) capital expenditures.
2. Unassigned Fund Balance in excess of the desired minimum is to be available for appropriation by City Council, and shall normally be used to fund Non-Recurring Expenditures. In the event a balanced budget is not attainable, that Fund Balance may be used for Recurring Expenditures and to achieve budget balance:
 - a. If the budget imbalance is expected to last for no more than one year and can be corrected with use of Fund Balance available in excess of the desired minimum; or
 - b. If the budget imbalance is expected to continue beyond one year, provided that Fund Balance in excess of the desired minimum is used to achieve balance as part of a corresponding plan to close the gap through revenue increases and/or expenditure reductions. (Note: this is intended to align with Section F.3.'s requirement that proposed use of Non-Recurring Revenues for Recurring Expenditures must be accompanied by a justification to City Council and a plan to end dependence on Non-Recurring Revenue sources.)
3. The unassigned Fund Balance may be temporarily reduced below the desired minimum when required for response to major disasters or to provide short-term resources in the event of economic instability or revenue shortfalls related to circumstances beyond the City's control. Any proposed use of Fund Balance which decreases Fund Balance below the desired minimum shall include a justification presented to City Council and shall require approval from two-thirds of the City Council present and voting. Once the event causing use of Fund Balance below the desired minimum has concluded, the City shall allocate sufficient funds to restore unassigned Fund Balance to at least 7.5% of General Fund expenditures (excluding debt service payments and transfers for pay-as-you-go (PAYGO) capital expenditures) by the end of the second subsequent full fiscal year.
4. In addition to the Fund Balance, the City shall maintain a separate Budget Stabilization Fund in an amount not less than the greater of (a) 1% of Adopted Budget General Fund expenditures (excluding debt service payments and transfers for pay-as-you-go (PAYGO)

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

capital expenditures) or (b) \$20 million, which may be used in accordance with the definition of the fund. Transfers necessary to meet this requirement shall occur by July 31 of each fiscal year. Any proposed use of the Budget Stabilization Fund shall be accompanied by a justification to City Council and shall require approval from two-thirds of the City Council present and voting. When an event causing use of the Budget Stabilization Fund has concluded, the City shall allocate sufficient funds by the end of the second subsequent full fiscal year to restore the Budget Stabilization Fund to at least minimum levels.

D. Enterprise Funds Reserve Policy

1. Each enterprise fund, as defined by GASB, shall have an appropriate written methodology for determining minimum and maximum cash reserves to serve as a margin or buffer for meeting obligations, mitigating risks, and ensuring stable services and fees. Factors to be considered in determining minimum and maximum cash reserves include any controlling bond covenants or indentures, as well as each fund's risk and revenue volatility, and other considerations such as cash funding of capital projects. The methodology for determining minimum and maximum cash reserves should define reserves in terms of days of operating cash on hand, and should identify components of cash reserves.

E. Internal Service Fund – Health Benefit Fund Reserve Policies

1. The City will fund a catastrophic and general claim risk reserve for unexpected large losses related to self-insurance healthcare costs managed by a third-party plan administrator and paid through an internal service fund. The following reserves will be maintained within the fund:
 - a. Claim Reserve – Periodically, and at least once every fiscal year, it will be determined by the Human Resources Department in conjunction with the Finance Department whether the fund has a funded liability to pay claims that have already been incurred but not reported as of that day. The plan is also obligated to cover the cost of administering run-out claims in the event that any of the self-insured programs are terminated.
 - b. Contingency Reserve – This reserve augments the Claim Reserve and represents an estimate for claim events that are unforeseen and catastrophic. The Contingency Reserve covers costs associated with such unexpected claims and provides financial capacity for smoothing the catastrophic and general claims payments. The amount of the Contingency Reserve shall be maintained at the minimum of 10% of annual claims up to a maximum of 60 days of average claims expense paid over the prior fiscal year (12 months) for each self-insured program.

This Contingency Reserve also supports:

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

- i. Maintaining cost effective and competitive benefits during periods of economic downturn, reduced revenues or higher expenses;
- ii. Maintaining cost effective and competitive benefits during periods of high medical cost trends, substantial insurance/reinsurance rate increases and an ability to absorb multiple catastrophic medical claims occurring simultaneously; and
- iii. Maintaining flexibility in the fund regarding calculating the degree and amount of risk it is willing to assume on a self-funded basis.

Such reserves will be funded by the City and subscriber (active and retiree) contributions as determined appropriate by the Human Resources Department in conjunction with the Finance Department. Subscriber funds are first in and first out in claim payments; therefore any excess health benefit contributions are City funds.

F. Operating Budget Policies – Revenues and Expenditures

1. The City will adopt a Balanced Budget annually, with each fiscal year's budget presented to and passed by City Council before the beginning of that fiscal year and in accordance with state law, the City Charter, and local ordinances.
2. All post-employment and employee benefit systems will be financed in a manner to fully and systematically fund all liabilities, with the City making all necessary payments in compliance with contractual obligations and statutory requirements and in a manner that results in full amortization of liabilities over a closed 30-year period. ~~The City will ensure that sufficient funds are contributed each year to the post-employment and employee benefit systems, where sufficient funds is an amount at least equal to the sum of the normal cost plus an amount to amortize the unfunded accrued liability over a closed 30-year period, calculated using the Entry Age Normal Actuarial Cost Method, the market value of assets, and an appropriate discount rate.~~ City Council shall be fully informed if sufficient funds are not allocated in the current budget.
3. ~~Budget-~~The City's annual proposed and adopted budgets and a presentation to City Council presentations to City Council shall identify the extent to which Recurring Revenues are aligned with Recurring Expenditures. If circumstances dictate use of Non-Recurring Revenues for Recurring Expenditures in any fund, justification must be presented to City Council with a plan to end dependence on Non-Recurring Revenue sources.
4. Each enterprise fund of the City shall maintain revenues which support the full (direct and indirect) cost of the services provided. (NOTE: This is not intended to preclude appropriate use of fund balance in line with enterprise fund balance policy described in Section D.1. above.)

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

~~5. The Mayor has the authority to transfer funds to and from the budget accounts within any department without limitation. In addition, the Mayor can authorize the transfer of funds from one department to another department within the same fund; however, such transfer cannot exceed 5% of the budget expenditure account group for the department from which funds are transferred.~~

~~6.5.~~ A comprehensive analysis of City fees and rates shall be performed at least every five years by an independent outside third-party contractor in conjunction with the Department administering the fee and the Finance Department, except for impact fees, which shall be made at least every ten years, and presented to BFA. Fees may be adjusted by ordinance during the interim period based on supplemental analysis whenever there have been significant changes in the method, level or cost of service delivery (including automatic fee and rate adjustments per City ordinance).

~~7.6.~~ All General Fund revenues and resources, not including those identified in the adopted budget as Beginning Fund Balance – Unassigned, received in a fiscal year in excess of the adopted and amended annual operating budget (for same fiscal year) shall be designated to the Fund Balance and shall not be appropriated for expenditures except by ordinance. Pass-through funds not included in this calculation include, but are not limited to:

~~a. Hotel Occupancy Tax Revenues – pass-through payments to partner organizations for attraction of tourists and convention delegates, promotion and development of the arts, historic preservation and restoration, and other related purposes permitted by state and local law;~~

~~b.a.~~ Sales Tax Revenues – pass-through payments related to strategic partnership agreements to Limited Partnership Annexations and transfers related to Chapter 380 agreements;

~~c.b.~~ Property Tax – pass-through transfer amount to the Dedicated Drainage and Street Renewal Fund for captured revenue and transfers related to Chapter 380 agreements;

~~d.c.~~ Municipal Service Fees revenues – pass-through transfer amount to Police Special Service Fund for police services in certain reinvestment zones and;

~~e.d.~~ Other collection revenues – payment to vendors based on commission-based contracts.

~~8.7.~~ A City employee compensation study shall be performed by an independent outside third-party contractor and presented to BFA at least every three years by the Human Resources Department in conjunction with the Finance Department. The compensation study shall review total compensation to include salary, overtime, medical benefits, paid leave, physical

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training leave, disability insurance, life insurance, retirement benefits, educational assistance programs, and all other compensation elements, and shall include appropriate comparisons to relevant competing employers from the public, non-profit and/or private sectors.

~~9.8. The City's operating budget shall include the required level of annual Operating Maintenance funding for facilities, fleet, equipment and technology necessary to maximize service efficiencies and to minimize the lifecycle cost of each asset.~~ Operating Maintenance funding will be prioritized each year to ensure capital facilities and equipment are sufficiently maintained and maintenance is not deferred to future years. To implement this policy, funding for Operating Maintenance of General Fund facilities shall be increased by at least 0.25% ~~each fiscal year~~ biennially beginning in FY~~2016~~2020 and continuing until annual funding reaches at least 2% of Current Replacement Value at which time it will remain constant.

~~10.~~ All Requests for Council Action that request funding not in the adopted budget (e.g., establishing a new service not in the budget, increasing enforcement above the level established in the budget, etc.) must be accompanied by a Fiscal Note that includes start-up costs of the program or project and the projected operating and maintenance costs for a minimum of five years, as well as identification of corresponding budgetary savings or other funding source necessary to meet funding needs.

9.

G. Capital Asset Management Policies

1. The five-year CIP shall be presented to and passed by City Council annually before the end of the preceding fiscal year.
2. Capital projects may not be included in the CIP without identified funding. Identified funding includes funds that are reasonably anticipated such as grants that have been awarded but not yet funded. Identified funding may also include proceeds from an anticipated future bond election.
3. A five-year operating budget impact projection for all projects shall be reported in the CIP.

~~4. The City shall prioritize Asset Renewal and Replacement of existing facilities over new facilities.~~

~~5.4.~~ All CIP-related Requests for Council Action must include a Fiscal Note that includes design and construction costs of the program/project and the projected operating and maintenance costs for a minimum of five years, as well as a reference to the item in the CIP where funding for the request is designated.

5. Beginning in FY2019~~8~~, over the five year CIP, an average of 2% of the Current Replacement Value of all General Fund facilities shall be included for capital maintenance in each fiscal year

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

of the CIP and every CIP thereafter. Such funds may be used on any owned General Fund facility.

~~For each new General Fund facility (i.e., not part of an enterprise fund) or Major Renovation of a General Fund facility, beginning in FY2016, 2% of the Current Replacement Value shall be included for capital maintenance in each fiscal year of the immediately following CIP and every CIP thereafter until that facility is sold or otherwise disposed of. Such funds may be used on any owned General Fund facility.~~

6. Except as required by law or legal agreements, p~~Proceeds from the sale of land or other assets shall be designated to the General Fund; and except as required by law or legal agreements, no City bond covenants or similar agreements shall prohibit such designation or limit the use of such proceeds.~~

H. Long-Term Financial Planning Policies

1. A five-year General Fund financial forecast shall be presented to BFA and provided to City Council annually in advance of the release of the proposed budget. The five-year forecast will include:
 - a. An in-depth analysis of economic conditions, revenues, expenditures, and all long-term obligations including debt, pensions, health benefits, accrued leave, and investment in facilities ~~(needs, maintenance, utilization)~~, fleet and information technology;
 - b. A plan for eliminating any funding shortfalls that would prevent adoption of a Balanced Budget in any year covered by the five-year forecast; and
 - c. Identification of requirements for achieving a Structural Balanced Budget in the upcoming fiscal year and the subsequent fiscal year, including a list of options for eliminating any funding shortfalls preventing achievement of a Structural Balanced Budget for the upcoming fiscal year and the subsequent fiscal year.
2. At least once every five years, the City shall use an independent outside third-party actuary to project the costs of its pension plans and unfunded liabilities for a period of 30 years or some other appropriate time horizon recommended by the City's actuary and approved by City Council. Costs shall be projected using the plans' assumed investment rates of return and under three shall include an appropriate number of downside scenarios (at least one) downside scenarios that anticipate anticipating lower investment rates of return.
- ~~2-3.~~ When a union contract is presented to City Council for adoption, supporting materials provided to the Council shall include an actuarial report estimating the impact of the proposed union agreement on pension system costs.

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I. Debt Management Policies

1. It is the City's goal to at least maintain the current credit ratings on each type of City credit or enterprise fund as of the date of adoption of these policies.
2. The debt service Fund Balance as of each fiscal year end relating to debt secured by ad valorem taxes shall be no less than debt service payments due within the first 180 days of the following fiscal year.
3. A standardized presentation format for proposed debt transactions will be adopted by BFA. Presentations of debt transactions to BFA shall at least include the following information: revenue source securing the debt uses of the debt proceeds, estimated weighted average life of the debt, estimated change to the overall weighted average life of outstanding debt, estimated present value savings as applicable, estimated true interest cost, anticipated date of pricing and closing.
- ~~4. Debt financing in excess of one year shall be limited to capital expenditures for assets, asset lots of similar items, or asset improvements costing more than \$50,000 and having a useful life of more than three years.~~
- ~~5-4.~~ Any capital project financed through the issuance of bonds shall be financed for a period not to exceed the average expected life of the assets.
- ~~6-5.~~ Each fiscal year, the City will use that year's General Obligation (GO) debt service payment as a baseline to establish an index reflecting 4% annual growth in the City's GO debt service (i.e., if the current fiscal year's debt service is \$100, then the debt service index for subsequent years would be \$104, \$108.16, \$112.49, \$116.99, etc.). If any proposed action by the City (e.g., adoption of the CIP, or Council authorization of debt issuance) is to cause the GO debt service schedule as projected by the City's Financial Advisor to exceed the index in FY2019 and/or any subsequent year(s), a funding mechanism (e.g., reduced expenditures or increased revenue) must be identified to offset the amount(s) by which the proposed debt service payment(s) exceed the index. For purposes of this section, "identification" of a funding mechanism is satisfied by presentation to BFA and/or City Council prior to any action that would incur GO debt.
- ~~7-6.~~ ~~To~~ Through greater emphasis on pay as you go infrastructure funding, it is the City's goal ~~to~~ reduce the General Fund transfer for debt service while remaining in compliance with all relevant bond or other debt covenants and indentures. ~~Toward this goal and in compliance with such covenants,~~ the maximum annual General Fund transfer for debt service is to be maintained at 20% of General Fund revenues (excluding state and federal grants) until FY2019. Beginning in FY2019 and in each subsequent fiscal year, the maximum annual General Fund transfer for debt service is to be reduced by 0.5% annually until it reaches 120%

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of General Fund revenues (excluding state and federal grants), at which point the maximum is to be held constant and remain at 120%.

~~8.7.~~ The City's ~~will maintain desired target for~~ average weighted General Obligation bond maturities ~~of~~ 12 years or less.

~~9.8.~~ When refunding debt, the average weighted maturity of the refunded bonds may not be extended by more than one year unless approved by a two-thirds vote of the City Council present and voting.

~~10.9.~~ Other than periodic refundings of commercial paper in accordance with routine City business, the City may initiate a refunding of outstanding debt when:

- a. A refinancing is expected to relieve the City of financially restrictive covenants;
- b. A refinancing is expected to significantly reduce the remaining term of the debt being refunded; or
- c. At the transaction's initiation, the City's financial advisors project net present value savings of at least:
 - i. 3% for Current Refundings, unless the final maturity of the refunded bonds is less than five years, in which case the bonds may be refunded for any savings if the final maturity of the bonds refunded is not extended; and
 - ii. 5% for Advance Refundings, unless the final maturity of the refunded bonds is less than five years, in which case the bonds may be refunded for any savings if the final maturity of the bonds refunded is not extended.

The Finance Working Group will be responsible for confirming that one of the above conditions exists.

~~11.10.~~ All City financings must ~~comply with applicable Federal, State and Local legal requirements~~ be approved by the Finance Working Group, and must first be analyzed for ~~long-term affordability and compliance with the City's financial policies and other legal or administrative requirements, and City Council must approve the issue; the City must analyze the long-term affordability of the debt and assess the issue's impact on the City's self-imposed financial limitations on indebtedness.~~

~~12.11.~~ The City shall review all outstanding debt at least annually for the purposes of identifying refunding opportunities.

~~13.12.~~ A formal procurement process ~~Request for Information (RFI) process~~ shall be conducted by the Finance Working Group annually when selecting underwriters in order to promote fairness, objectivity and transparency. The selection committee shall report results of the ~~RFI~~

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process to BFA and ~~present recommendations for transactions expected to occur during the following year~~ present the approved list of underwriters for the following year. Evaluation criteria. RFI's shall include questions related to the areas listed below to distinguish firms' qualifications and experience, including but not limited to:

- a. Relevant experience of the firm and the individuals assigned to the issuer, and the identification and experience of the individual in charge of day-to-day management of the bond sale, including both the investment banker(s) and the underwriter(s);
- b. A description of the firm's bond distribution capabilities including the experience of the individual primarily responsible for underwriting the proposed bonds. The firm's ability to access both retail and institutional investors should be described;
- c. Demonstration of the firm's understanding of the issuer's financial situation, including ideas on how the issuer should approach financing issues such as bond structures, credit rating strategies and investor marketing strategies;
- d. Demonstration of the firm's knowledge of local political, economic, legal or other issues that may affect the proposed financing;
- e. Documentation of the underwriter's participation in the issuer's recent competitive sales or the competitive sales of other issuers in the same state;
- f. Analytic capability of the firm and assigned investment banker(s);
- g. Access to sources of current market information to provide bond pricing data before, during, and after the sale;
- h. Any finder's fees, fee splitting, or other contractual arrangements of the firm that could present a real or perceived conflict of interest, as well as any pending investigation of the firm or enforcement or disciplinary actions taken within the past three years by the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, or any other regulatory agency.

J. Accounting, Auditing and Financial Reporting Policies

1. Single Audit Report or other audits of Federal and State grant funds will be performed in compliance with applicable provisions of the Single Audit Act, applicable Office of Management and Budget Circulars, and other relevant federal, state and local rules and regulations.
2. Annual financial statements will be prepared in accordance with Generally Accepted Accounting Principles.

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

3. An annual audit will be performed by an independent public accounting firm in accordance with Generally Accepted Government Auditing Standards and the opinion will be included in the Comprehensive Annual Financial Report.
4. To the extent practicable, all Component Units of the City must follow all City accounting, audit and financial reporting policies.
5. The City will complete a year-end soft close of its books within 65 calendar days of each fiscal year's end. Transactions will be booked in a timely manner and General Ledger accounts will be reconciled on a quarterly basis to facilitate the year-end soft close. The City will conduct a soft close of its books quarterly within 15 calendar days of quarter end for the first three quarters of any fiscal year. All normal business entries will be booked prior to fiscal year end soft close, which will occur within 65 calendar days of year end. This policy shall be implemented beginning with a soft close at the end of the first quarter of FY2016. Directors in charge of each fund, including grants, will submit certification upon close that include: All daily operational financial transactions have been recorded; All accounting system modules/subsidiary ledgers have been reconciled; All journal entries have been recorded [for example, bond issuance transactions, expenditures related to work In Progress and impact on capitalization, etc.]; All material journal entries have been reviewed and approved; All balance sheet accounts have been reconciled and are materially correct; All income and expense accounts have been reviewed and are materially correct; and Management review of accounts has occurred.
6. The Single Audit Report (annual audit) and the accompanying auditor's letter to management shall be released to City Council and published prominently on the City's website within 30 days of receipt from the auditor.
7. At least every two years, the Finance Working Group shall develop and update a written disclosure policy consistent with federal securities law and the City's continuing disclosure undertakings with respect to the City's outstanding debt.

K. Internal Control Over Financial Reporting Policies

- ~~1. The goals and objectives of the City's internal controls policies are to protect public assets and to foster reliance on public information for decision making purposes at all levels both internally and externally.~~
- ~~2. The Mayor, City Council, City Controller, Finance Director and all department directors shall establish the presence of integrity, ethics, competence and a positive control environment.~~
- ~~3. Managers and supervisory personnel are responsible for establishing, executing, and maintaining control policies and procedures at the detail level within their specific business units.~~

CITY OF HOUSTON, TEXAS

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4.1. The City's internal control structure will be based on the Committee of Sponsoring Organizations of the Treadway Commission on Fraudulent Financial Reporting (COSO) framework and comprised of the following five elements: (a) Control Environment – Factors include integrity and ethical values, commitment to competence, leadership philosophy and operating style, assignment of authority and responsibility, and policies and procedures; (b) Risk Assessment – Routine assessment of risk and its impact on internal controls; (c) Control Activities – Such as segregation of duties, authorization of transactions, retention of records, supervision or monitoring of operations, physical safeguards, etc.; (d) Information and Communication – Policies and procedures are documented and accessible; and (e) Monitoring – Assessment of the quality of performance over time and to determine whether controls are effective and track resolution achievements of identified problems.

5.2. The Single Audit Report as addressed in J.6. above shall include a report on the sufficiency of the City's internal controls over financial reporting, and shall include or be accompanied by management's response to the report; these shall also be released to City Council and published prominently on the City's website within 30 calendar days of receipt (for the report) or completion (for management's response if not included in the report).

L. Local Economic Development Policies

1. The City shall define its scope of economic development emphasis through three distinct priorities:

Priority 1: Foster increased economic opportunity for underserved Houstonians with the goal of reducing poverty and unemployment. To this end, the City shall deploy financial resources and beneficial impact to targeted areas (distressed, declining, brownfield or poor performing) that have poverty and unemployment rates above the City average to enhance their long-term sustainability.~~Through collaborative development partnerships and strategic use of financial resources, continue to support the defined industries (Energy, Aerospace, Manufacturing and Distribution, Biotech and Medical) that make up our competitive advantage and are recognized as the dominant economic contributors to the employment and capital base.~~

Priority 2: Through collaborative development of partnerships and strategic use of financial resources, and with an emphasis on fostering technology and innovation, continue to support the defined industries (Energy, Aerospace, Manufacturing and Distribution, Biotech and Medical) that make up our competitive advantage and are recognized as the dominant economic contributors to the employment and capital

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~~base. Deploy financial resources to underutilized, unproductive target areas (distressed, declining, brownfield or poor performing) to enhance their long term sustainability.~~

Priority 3: Create programs designed to address a specific development deficiency within a defined geographic boundary with the intended outcome of stabilizing the local area. The City shall perform market and business analyses to identify target areas to focus its efforts. ~~One such analysis is statistical cluster analysis to determine hotspots of infrastructure gaps. Priorities will be established to address specific development deficiencies, high poverty and/or unemployment areas, inadequate quality of life, assets, housing disparities and insufficient access to food. The City shall regularly evaluate and confirm industry clusters and business sectors that create its distinct competitive advantage and establish the criteria, guidelines and performance metrics by which to evaluate projects submitted for certain incentive consideration.~~

2. ~~The City shall identify~~ Upon identifying target areas that are distressed or otherwise deficient in relation to any economic development priority listed above, with primary emphasis on areas where poverty, unemployment, and/or underemployment above the City average are identified, the City shall ~~deficient in any development category and impairing economic production and~~ establish the criteria, guidelines and performance metric by which to evaluate projects submitted for certain incentive consideration.
3. The City shall determine the most appropriate economic development program(s) available to address ~~one or more~~ the economic development priorities ~~situation or priority and,~~ where applicable, engage public or private partners to contribute financial or other resources to achieve the desired economic or development outcome.
4. The City shall set forth project eligibility and/or scoring criteria to include: minimum job creation, minimum compensation levels, minimum private investment, justification for public participation, qualifying public improvements (including City infrastructure), ~~maximum public investment,~~ term of incentive, financial viability of developer, public purpose for financial assistance, where applicable, risks associated with public investment, ~~financing instruments,~~ and total project costs. Project eligibility and scoring criteria shall give clear preference and greater weight to projects that offer community benefits including, but not limited to: employee compensation above the minimum required; provision of employee health benefits; hiring/employment of people living in communities identified as having poverty, underemployment, and/or unemployment above the city average; open opportunities for employment and job training for individuals with barriers to employment (specifically, individuals with criminal records and low educational attainment); and quality affordable housing for families earning no more than 120 percent of the Houston metropolitan area's median family income. Specific minimum thresholds for all criteria shall be reflected in local

CITY OF HOUSTON, TEXAS FINANCIAL POLICIES

ordinances and policies governing use of economic development tools such as grants, loans, tax abatements and other programs.

5. Standardized ~~presentation~~, application and evaluation formats will be adopted by ~~BFA~~ the Economic Development Committee or the equivalent appropriate committee as defined by the Mayor for use in consideration of economic development projects.
6. The standard application format for economic development projects shall include, but is not limited to, the following:
 - a. Name of the applicant;
 - b. General nature of the applicant's investment;
 - c. Relationship between the applicant's industry and the types of jobs to be created by the applicant;
 - d. Relative level of the applicant's investment per job to be created by the applicant;
 - e. Number of each type of jobs to be created by the applicant, distinguishing between temporary/seasonal vs. permanent jobs, part-time vs. full-time jobs, and newly created vs. retained jobs;
 - f. Wages, salaries, and benefits to be offered by the applicant to the job holders for each type of job, the ability of the applicant to locate or relocate in another state, or another city in the region;
 - g. Financial impact the project will have on the City;
 - h. Specific plans and goals for delivery of community benefits such as those identified in Section L.4. above; ~~Number of similar projects, if applicable, completed in the City during the two years preceding the date of application submittal; and~~
 - i. The City's proposed investment in the project, including total investment and investment per job proposed for creation;
 - ~~h.~~ j. Project applicant's performance on other City-incentivized projects during the five years preceding the date of application; and
 - ~~i.~~ k. Projected market value of the proposed project.
7. The standard evaluation criteria for economic development projects shall include, but ~~is~~ are not limited to, the following:
 - a. Scope and appropriateness of economic development tools;
 - b. Eligibility in accordance with Section L.54. above;

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- c. Compliance with the City's standard application format; and
 - d. Performance for any prior approved projects.
8. The Mayor's designee, in conjunction with the City Attorney, shall establish procedures by which the City shall recoup its investment in the event a project fails to comply with the terms of its agreement.
9. The Mayor's designee shall report annually to ~~BFA~~ the Economic Development Committee (and/or any other committee charged with overseeing economic development activities) detailing the progress of each active project in which the City has provided an incentive. A project shall not be deemed inactive and removed from the report until the project has achieved its goals or the City has recouped its investment. Such reports shall be published prominently on the City's website within 30 calendar days of presentation to the appropriate committee. Annual ~~The reports~~ shall include, but ~~is~~ are not limited to, the following:
- a. Amount of the investment each recipient committed to expend or allocate;
 - b. Amount of the investment each recipient expended or allocated ~~per project~~;
 - c. Market value of the property of each recipient as determined by appraiser;
 - d. Number of jobs each recipient of an incentive committed to create;
 - e. Number of new jobs each recipient actually created, the range of actual salaries with benefits component of the new jobs created, median wage of the new jobs created, and the number of jobs created that provided health benefits for employees.
 - f. Community benefits to be delivered as part of the project agreement; and
 - g. Community benefits delivered, including identification of any areas where benefits delivered did not meet projected levels specified in the project agreement.
 - h. For Chapter 380 agreements, tax abatements and Texas Enterprise Zone endorsements, annual reporting shall also include:
 - i. The projected economic value to the City at the time of execution of the agreement through the respective project's completion;
 - ii. Any alterations to the projected economic value to the City;
 - iii. Economic benefits realized by the City since the execution of the respective agreements; and
 - iv. Analysis of the positive and negative impacts (economic and otherwise) on the community and immediately surrounding communities.

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10. The Mayor's designee shall hold a public hearing for each recommended economic development project at least 10 days before the City Council may vote on the proposed project's application. This hearing may be held before the Economic Development Committee or other appropriate City Council committee established by the Mayor; the proposal and related unrestricted information shall be made available to the public at least three days prior to the public hearing.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 3/13/2018

MYR - Adopting Tax Abatement Guidelines Ordinance

Agenda Item#: 11.

Summary:

ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to tax abatement

Background:

SUBJECT: An Ordinance electing to continue eligibility to participate in tax abatements and adopting guidelines and criteria for tax abatements.

RECOMMENDATION: (Summary)

Approve an Ordinance electing to continue City eligibility to participate in tax abatements and adopting guidelines and criteria for tax abatements.

SPECIFIC EXPLANATION:

Chapter 312 of the Texas Tax Code requires a municipality to establish guidelines and criteria before it can grant tax abatements. The statute provides that the guidelines are effective for two years from the date adopted. The City established guidelines pursuant to Chapter 312, which are codified in Article IV of Chapter 44 of the Houston, Texas Code of Ordinances. City Council first approved participation in the tax abatement program in 1988 and last adopted tax abatement guidelines and criteria on March 30, 2016, by Ordinance No. 2016-252.

State law requires cities to adopt tax abatement guidelines and criteria before entering into tax abatement agreements and each approved abatement agreement must meet those guidelines. The City's current tax abatement guidelines and criteria will expire on March 30, 2018. The City desires to continue its eligibility to participate in the tax abatement program; it does not require or predicate any approval of projects. The proposed guidelines are substantially unchanged, but includes revisions to clarify ordinance language, eliminate potential ambiguities in defined terms, require commitment for companies requesting a tax abatement to commit to providing at least one community benefit, allow an abatement on certain inventory and reduce the requirement for projects located within a defined complete community.

Modifications to the current guidelines include:

Sec.44-120 (c)(3): Require companies to commit at least one (1) community benefit as a term of the agreement.

Sec.44-120 (c)(4): Allow tax abatement inventory for logistic, distribution, and manufacturing

projects.

Sec.44-121: Incorporate a reduction for the job creation requirement and minimum investment requirement for investments within Complete Communities.

cc Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Ronald Lewis, City Attorney
Kimberley Mickelson, Senior Assistant City Attorney
Tantri Emo, Interim Finance Director

Prior Council Action:

Ordinance 2016-0252 dated 03/30/2016

Contact Information:

Gwendolyn Tillotson

Phone: 832-393-0937

ATTACHMENTS:

Description

RCA Tax Abatement Guidelines

Redline

Type

Signed Cover sheet

Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance electing to continue eligibility to participate in tax abatements and adopting guidelines and criteria for tax abatements.

Category #

Page 1 of 1

Agenda Item#

FROM: (Department or other point of origin):

Andrew Icken, Chief Development Officer

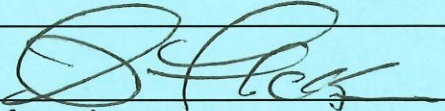
Origination Date

March 09, 2018

Agenda Date

March 28, 2019

SIGNATURE:



Council Districts affected:

All

For additional information contact:

Gwendolyn Tillotson

Phone: 832-393-0937

Date and identification of prior authorizing Council Action:

Ordinance 2016-0252 dated 03/30/2016

RECOMMENDATION: (Summary)

Approve an Ordinance electing to continue City eligibility to participate in tax abatements and adopting guidelines and criteria for tax abatements.

Amount of Funding:

No City funding required

P&D Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

Chapter 312 of the Texas Tax Code requires a municipality to establish guidelines and criteria before it can grant tax abatements. The statute provides that the guidelines are effective for two years from the date adopted. The City established guidelines pursuant to Chapter 312, which are codified in Article IV of Chapter 44 of the Houston, Texas Code of Ordinances. City Council first approved participation in the tax abatement program in 1988 and last adopted tax abatement guidelines and criteria on March 30, 2016, by Ordinance No. 2016-252.

State law requires cities to adopt tax abatement guidelines and criteria before entering into tax abatement agreements and each approved abatement agreement must meet those guidelines. The City's current tax abatement guidelines and criteria will expire on March 30, 2018. The City desires to continue its eligibility to participate in the tax abatement program; it does not require or predicate any approval of projects. The proposed guidelines are substantially unchanged, but includes revisions to clarify ordinance language, eliminate potential ambiguities in defined terms, require commitment for companies requesting a tax abatement to commit to providing at least one community benefit, allow an abatement on certain inventory and reduce the requirement for projects located within a defined complete community.

Modifications to the current guidelines include:

Sec.44-120 (c)(3): Require companies to commit at least one (1) community benefit as a term of the agreement.

Sec.44-120 (c)(4): Allow tax abatement inventory for logistic, distribution, and manufacturing projects.

Sec.44-121: Incorporate a reduction for the job creation requirement and minimum investment requirement for investments within Complete Communities.

cc Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Ronald Lewis, City Attorney
Kimberley Mickelson, Senior Assistant City Attorney
Tantri Emo, Interim Finance Director

F&A Director:

Other Authorization:

Other Authorization:

Chapter 44

TAXATION

* * *

ARTICLE IV. TAX ABATEMENT

Sec. 44-120. Preamble—General policy and program requirements.

(a) The City of Houston Tax Abatement Program is created to encourage new development and the growth of existing development and to stimulate new job growth and investment in the city. The tax abatement program and other forms of economic development incentives are available to many types of businesses to address the city's economic development needs and objectives stated in this general policy and pursuant to the provisions of this article.

The city's principal economic development tools should be maintenance of the city's natural competitive advantages and provision of detailed information concerning the city's advantages compared to those of other ~~sites~~ cities for potential relocation of all or substantial portions of various businesses. For a wide variety of businesses and professional firms, Houston rarely should be at a cost disadvantage relative to large urban centers, particularly those outside of Texas.

The city and its metropolitan area offer significant competitive advantages and cost savings to businesses seeking to locate or expand in our region. These advantages include:

- (1) A large, growing workforce with abundant skills appropriate for all levels of an organization;
- (2) An affordable cost of living, which makes Houston attractive to workers and makes our personnel costs more competitive than most major urban areas;
- (3) An abundance of buildable sites and relatively low cost of occupancy compared to other major urban centers in the United States, especially those outside of Texas; and
- (4) A superb transportation infrastructure, including the Port of Houston, the Houston Airport System, and central locations for distribution by truck, rail, and water.

The city, however, will from time to time consider appropriate economic incentives for the relocation, expansion or retention of businesses, whether intellectual capital or fixed asset-based, to the extent these incentives would be the critical element that would govern a decision to relocate or expand a business here. Incentives might include tax

abatements, as described in these guidelines and criteria, or another appropriate form of incentive, such as expedited permitting for a development project or investment in infrastructure that would be useful in developing a particular site, which could include investments enhancing transportation, water and sewer services or other public infrastructure. Such improvements benefit not only the affected business but also the larger community.

Incentives other than tax abatement might be funded through accelerated capital improvements plan action or special district financing such as tax increment financing, special assessment financing, or in-city municipal utility districts. The city could also consider beneficial land exchanges, right-of-way abandonment, or below-market financing or leases on public property that could provide mutual benefit to the city and the proposed development. Any offer of such an incentive would be reviewed case-by-case to determine eligibility and compliance with all applicable laws.

To assist the city in obtaining an equitable portion of state economic development funds, the city will consider applications for tax abatements that trigger some level of State economic development assistance. The Houston region contributes about one-quarter of the funds to the State of Texas' general revenues. In turn, a proportionate share of the State's economic development budget is attributable to the Houston region. If allocated over time equitably among the regions of the State in proportion to the employment and financial contributions to State revenues, these funds should provide funding for economic incentives for corporate relocations and expansions in our region, when combined with the other substantial advantages for economic growth in our region.

It is the goal of the city that local taxing jurisdictions in our region should not use ad valorem tax abatement to compete against each other for business relocations or expansions. It should be recognized that the attraction of new businesses to any part of our region strengthens our overall region and the people in it.

Officials at the city, at the most senior level, will meet at any time with the person who is ultimately responsible for making a decision to relocate or to expand to address specific economic or other issues that would be decisive in corporate location. The city would negotiate in a business-like manner on a case-by-case basis. There is no "standard" tax abatement, and no entity or individuals other than a designated city officials ~~are~~ is authorized to negotiate with respect to any tax abatement proposal or incentive that might be available on a case-by-case basis.

Typically, city officials would want to see pro forma financial information to assist in making judgments concerning the role of property tax costs in the economics of the relocation. The city understands that for many businesses some incremental amount of ad valorem taxes would not represent a substantial percentage of the cost of goods sold. Other incentives, as referenced above, may be discussed with city officials.

(b) Tax abatements may be used in special situations, subject to the guidelines and criteria described herein. Examples of special situations include:

- (1) The location of a high-employment facility in a particularly distressed or neglected part of the city, where increased job opportunities could contribute significantly to a reduction in crime or cascading redevelopment of other sites, which would more than offset the loss of the tax benefit;
 - (2) A substantial equity investment in real estate development serving an important public purpose, such as providing affordable housing that could lead to redevelopment of a blighted area or attracting additional development; ~~or~~
 - (3) A case in which a company could not and would not remain, expand or locate in Houston, because of another viable option that took into account all significant costs. Any representation by the company would need to be supported by credible economic analysis in a direct communication between the mayor or other appropriate senior official and the private sector decision maker; or
 - (4) The property, if abated, will be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment that would be a benefit to the property and the larger community and that would contribute to the economic development of the city.
- (c) Subject to this general policy, when tax abatements are available, they would be offered as described in the guidelines and criteria set forth in this article, with the following general limits and guidelines:
- (1) For typical commercial and industrial tax abatements, the city would negotiate an abatement scale and duration based primarily on investment level, rather than jobs. Each project would be evaluated and the incentive tailored to an analysis based on factors such as industry competitive disadvantages, quantifiable economic impacts, and furthering other public purposes in unique ways. An applicants would be required to submit an economic impact analysis from reliable modeling tools. Depending on an analysis of such factors and data, the city would evaluate the appropriate level and duration of abatement;
 - (2) Reduced investment requirements and flexible abatement scales could be available for tax abatements within state enterprise zones, or eligible new markets tax credits census tracts, bank finance districts, and other non-city incentives that require local matching. This aspect of the program would emphasize encouraging access to other local, state and federal incentives to leverage the city abatement incentive;
 - (3) The city will require applicants to commit to providing enhanced community benefits as a condition to tax abatement incentive benefit. The enhanced community benefit may include give more favorable consideration to

applicants committing to employment and development of community benefits programs that strengthen local communities, such as the city's Minority and Women-Owned and Disadvantaged Business Enterprise Programs, local purchasing, construction and redevelopment within underserved communities or other identified areas that would see a greater benefit or return on investment in the area, and the creation of permanent employment and full-time job opportunities within a those defined areas, jobs that include employee health care benefits, and other examples, as follows: endeavors that can be shown to bring a wider reaching, long-term economic benefit to the communities where the activity or enterprise will be located, and to the city overall. Table 44-1 below includes the types of activities and benefits the city will give the most weight to, though others not on the list may be considered by the Mayor's Office of Economic Development. Applications for tax abatement must include one or more of the items listed in Table 44-1.

Table 44-1

1	Local, Community Job Recruitment
2	Non-Business benefitting public improvements
3	Crime Prevention Through Environmental Design (CPTED)
4	Affordable Housing
5	Workforce Housing
6	<u>Creation of Job Training for Entry or Mid-Skill Level Jobs</u>
7	<u>Participation in Job Reentry Job Programs (other than the City of Houston's Community Re-Entry Network Program)</u>
8	Paid Internships for Low Income Students

- (4) In addition, the city will require applicants to provide evidence they will:
- a. Advertise new job postings with the City of Houston's Community Re-Entry Network Program;
 - b. Provide construction workers with a minimum of 10-hours of OSHA-approved safety training;
 - c. Require general contractors to employ a safety representative with a minimum of 30 hours of OSHA-approved supervisor safety training on each construction site;
 - d. Make good faith efforts to ensure that a minimum of 25 percent of the total labor force for construction and non-construction job requirements is obtained by hiring individuals who live in a census tract with an average income lower than that of the city average,

based on the most recent five-year American Community Survey estimate;

- e. Make good faith efforts to ensure that a minimum of 25 percent of the total labor force for construction and non-construction job requirements is obtained by hiring individuals who live in the same census tract as the project, or who live in an adjacent census tract, for a tax abatement agreement described in subsection (c)(8) of this section where the project is located in, or adjacent to, a census tract described in subsection (c)(4)d above; and
 - f. Make good faith efforts to hire and employ a minimum of 30 percent of its construction workforce from local Department of Labor-certified apprenticeship programs.
- (5) All contracts and subcontracts for public infrastructure, or for other public improvements that are to be conveyed to the city upon completion, shall contain requirements for compliance with governing statutes and local requirements on labor classification of wage scales for each craft or type of laborer, worker, or mechanic.
- (6) Contractors and subcontractors will be subject to audits and inspections of payroll records to ensure compliance with the requirements of this chapter.
- (7) Qualifying residential projects or projects with a qualifying residential component will be required to develop and commit 20 percent or more of the project residential units for residents with income levels between 30 percent and 120 percent of area median income for the duration of the tax abatement agreement.
- (8) An enhanced abatement for no more than 10 years and up to 90% may be considered for:
- a. Targeted industry clusters specifically targeted for future growth, for example, aviation, biotechnology, information technology, aerospace, energy, or other industries that the city from time to time determines to have a particular beneficial impact on the regional economy;
 - b. New or expanding businesses (for example, retail, industrial, commercial) in neighborhood areas targeted for revitalization (for example, Houston Hope areas or other distressed or neglected parts of the city); and
 - c. Transit-oriented development within 1,500 feet of transportation corridors, such as existing and planned Metro rail stops, multi-modal centers, and bus transfer stations.

Sec. 44-121. Definitions.

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

Abatement means the full or partial exemption from ad valorem taxes of certain real and/or personal property in a reinvestment zone.

Abatement recipient means the owner of real or tangible personal property located on the real property, the lessee of real or personal property, or both, as applicable, who receive an abatement pursuant to this article.

Agreement means a contractual agreement authorized by the city council between an abatement recipient and the city for the purpose of a tax abatement.

Base year value means the assessed value of eligible property on January 1 preceding the execution of the agreement plus the agreed upon value of eligible property improvements made after January 1, but before the execution of the agreement.

Brownfield facility means real property or tangible personal property located on the real property used as an authorized facility as provided in sections 44-129 and 44-130 of this Code.

Competitive siting means evidence that the applicant has studied competing locations for expansion, relocation, or new operations to evaluate operating cost differentials and incentives available, excluding, however, locations in taxing jurisdictions with which the city has an agreement not to compete for projects by offering financial incentives.

Complete community means an area designated as such by the city or the mayor in order to focus civic, business, and philanthropic resources on community needs as identified by the residents and larger community, such as housing, parks and environmental, economic, health, educational, mobility and infrastructure, and other social services, projects, or programs.

Contract employee means an individual who is not a permanent employee or an affiliate of the abatement recipient but who does work for the abatement recipient in the reinvestment zone on a contract basis, either on a full- or part-time basis.

Deferred maintenance means improvements necessary for continued operations that do not improve productivity or alter the process technology.

Deteriorated/demolished property means any real property located in a reinvestment zone designated pursuant to ~~paragraphs~~ item (1), (2), or (3) of

subsection 44-122(d) of this Code, and on which improvements subject to an order and any extensions granted by the Department of Neighborhoods were declared dangerous or were demolished not more than one year before the date that a complete application for tax abatement is filed, and pursuant to a permit for demolition issued by the city with which the owner complied, and on which the owner has filed with the city an application for a building permit to construct new improvements ~~on the demolished property~~ no later than one year after the date that a complete application for tax abatement was filed.

Deteriorated/demolished property redevelopment means a residential facility with structures containing four or fewer dwelling units per structure constructed as part of a unified plan on contiguous property comprising at least one existing block.

Director means the mayor, or the person designated by the mayor to administer these guidelines and criteria.

Dwelling unit means a structure, or a portion of a structure, that has independent living facilities including provisions for non-transient sleeping, cooking and sanitation.

Economic life means the number of years a property improvement is expected to be in service in a facility.

Eligible jurisdiction means any county, municipality or college district that levies ad valorem taxes upon and provides services to property located within a proposed or existing reinvestment zone.

Expansion means the addition of buildings, structures, fixed machinery or equipment for purposes of increasing production capacity.

Facility means property improvements, completed or in the process of construction or expansion, that together comprise an integral whole.

Full-time equivalent means a job that is equivalent to 1,750 hours of work annually performed in the reinvestment zone by one or more Ccontract employees or Ppart-time employees.

Manufacturing facility means buildings and structures, including fixed machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

Mixed-use facility means a facility used or to be used for more than one of the types of facilities defined in this section.

Modernization means the replacement and upgrading of existing facilities that increase the productive input or output, extend the economic life of a facility, update the technology or substantially lower the unit cost of the operation of a facility. Modernization may result from the construction, alteration or installation of buildings, structures or fixed machinery or equipment, but construction, alteration or installation for the purpose of reconditioning, refurbishing or repairing to meet local, state, or federal regulations shall not be considered modernization.

New facility means improvements on property previously undeveloped that is placed into service by means other than or in conjunction with expansion or modernization.

Order means an order issued by the city pursuant to article IX of chapter 10 of this Code requiring the improvements on property to be demolished.

Other basic industry facility means buildings and structures, including fixed machinery and equipment not elsewhere described, that meet the economic development objectives of the general policy stated in section 44-120 of this Code.

Owner means the person or entity responsible for paying property taxes on taxable real property or tangible personal property located on the real property or an interest therein including one or more leasehold interests.

Part-time employee means an individual who works for, and is an employee of, the abatement recipient in the reinvestment zone, but is not a permanent employee.

Permanent employee means an individual who is an employee of the abatement recipient or an affiliate of the abatement recipient, works a minimum of 35 hours in a seven-day period, and reports to work in the reinvestment zone, excluding any Contract employee, seasonal employee or Part-time employee.

Regional distribution center facility means buildings and structures, including fixed machinery and equipment, used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility operator, where a majority of the goods or services are distributed to points at least 100 miles from any part of Harris County, unless there is no facility in Harris County that receives, services or distributes such goods and services to businesses and residents of Harris County.

Regional entertainment facility means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public, where the majority of users reside at least 100 miles from any part of Harris County, unless there is no facility providing the same or similar entertainment in Harris County.

Regional service facility means buildings and structures, including fixed machinery and equipment, used or to be used to service goods, where a majority of the goods being serviced originate at least 100 miles from any part of Harris County, unless there is no facility in Harris County where businesses and residents of the county can obtain such service.

Research and development facility means buildings and structures, including machinery and equipment, used or to be used primarily for research or experimentation to improve or develop current technology, including but not limited to bio-medicine, electronics or pre-commercial emerging industries.

Research facility means buildings and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop the production processes therefor.

Residential facility means one or more buildings and structures, including machinery and equipment, used or to be used primarily for living, sleeping, cooking and eating, that are intended to be used or occupied as dwelling places whether or not attached.

Retail facility means buildings and structures, including machinery and equipment, used or to be used primarily for the sale or service of goods or foods to consumers.

Target area means an area that qualifies for Texas Enterprise Zones designation pursuant to the Texas Enterprise Zone Act.

Texas Enterprise Zone Act means Chapter 2303 of the Texas Government Code, as amended from time to time.

TCEQ means the Texas Commission on Environmental Quality or other agency of the state of Texas that administers the voluntary cleanup program authorized in ~~s~~Subchapter S, Chapter 361, Texas Health & Safety Code.

Sec. 44-122. Reinvestment zones.

(a) Tax abatement shall only be allowed in a reinvestment zone.

(b) Reinvestment zones in the city for the purpose of tax abatement shall be considered for designation by city council upon the recommendation of the director subject to the criteria of this section. The city council ~~shall~~ may approve the creation of reinvestment zones on a zone-by-zone basis after a public hearing before the city council. ~~Following the public hearing, the city council may consider the ordinance creating a new reinvestment zone in the proposed area.~~

(c) The city council shall not adopt an ordinance designating a reinvestment zone until it has held a public hearing at which interested persons are entitled to speak

and present evidence for or against the designation. Notice of the hearing shall be given not later than the seventh day before the date of the hearing by:

- (1) Publication in a newspaper of general circulation in the city; and
- (2) Delivery in writing to the presiding officer of each eligible jurisdiction.

The notice shall contain the location, time, and place of the public hearing and a description of the proposed boundaries of the reinvestment zone.

(d) To be designated as a reinvestment zone an area must:

- (1) Substantially impair or arrest the sound growth of the city, retard the provision of housing accommodations or constitute an economic or social liability and be a menace to the public health, safety, morals, or welfare in its present condition and use by reasons of the presence of:
 - a. A substantial number of substandard, slum, deteriorated, or deteriorating structures;
 - b. The predominance of defective or inadequate sidewalks or streets;
 - c. Faulty size, adequacy, accessibility or usefulness of lots;
 - d. Unsanitary or unsafe conditions;
 - e. The deterioration of site or other improvements;
 - f. Tax or special assessment delinquency exceeding the fair value of the land;
 - g. Defective or unusual conditions of title;
 - h. Conditions that endanger life or property by fire or other cause; or
 - i. Any combination of these factors or conditions;
- (2) Be predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements or other factors, substantially impair or arrest the sound growth of the city;
- (3) Be designated a local or state-federal enterprise zone under the Texas Enterprise Zone Act;
- (4) Be located wholly within an eligible area under Section 119 of the Housing and Community Development Act of 1974, as identified from time to time by city council; or

- (5) Be reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and the larger community and that would contribute to the economic development of the city.

(e) The goals and objectives expressed above and the standards and restrictions expressed in Chapter 312 of the Texas Tax Code, as amended, are not exhaustive and shall be supplemented by such further and additional goals, objectives, rules, standards and restrictions as the city council may from time to time impose.

(f) The designation of a reinvestment zone hereunder shall expire five years after the date of its designation and may be renewed for periods not to exceed five years. The expiration of a designation, however, shall not affect any existing agreements entered into pursuant to sections 44-128, 44-130, or 44-133 of this Code.

Sec. 44-123. Abatement application.

(a) Any present or potential owner in the city may request tax abatement by filing a written request with the director.

(b) The application shall consist of a complete application form accompanied by a \$1,000.00 nonrefundable application fee and:

- (1) A general description of the new improvements to be undertaken;
- (2) A descriptive list of the improvements for which abatement is requested;
- (3) A list of the kind, number and location of all proposed improvements of the property;
- (4) A map and legal description of the property;
- (5) A time schedule for undertaking and completing the proposed improvements;
- (6) Financial information ~~may include documents including but not limited to~~ items (i) demonstrating the role of property tax costs in the economics of the proposed improvements; (ii) stating concisely the amounts and sources of financing for the proposed improvements, including all sources and terms of debt and equity financing; and (iii) demonstrating the overall financial impact of the proposed improvements on the local and regional economy, using reliable economic forecast modeling tools in such form as approved by the director;
- (7) If the applicant is considering a location outside the city for the proposed improvements, evidence of abatement or other financial incentive from other local, state, or federal governmental entities; and

- (8) A statement describing how the proposed improvements are consistent with the general policy stated in section 44-120 of this Code.
- (c) The complete application for an economic development abatement must also include:
 - (1) A certification of the current number of ~~P~~permanent, ~~P~~part-time, and ~~C~~contract employees of the applicant, by category, at the time of the application;
 - (2) If the applicant is considering a location outside the city for the project, information regarding the project's competitive siting, including written evaluation of competing locations for expansion, relocation, or new operations, including identification of specific sites in those locations;
 - (3) For a project located in a leased facility, the name and address of the lessor and, if executed, a copy of the lease; and
 - (4) For modernization, a statement of the assessed value of the existing facility for the tax year immediately preceding the application year, separately stated for real and tangible personal property; and
- (d) The complete application for a brownfield development abatement shall consist of a complete application form accompanied by:
 - (1) A description of the intended use of the proposed brownfield facility; and
 - (2) A copy of a voluntary cleanup agreement with the TCEQ for the proposed brownfield facility or a certificate of completion for the property issued by TCEQ for the proposed brownfield facility.
- (e) The complete application for a deteriorated/demolished property abatement shall consist of a complete application form accompanied by a \$1,000.00 nonrefundable application fee; and:
 - (1) The information required by paragraphs (1) through (5) of ~~subsection 44-123(b) of this Code~~ section;
 - (2) A copy of the order;
 - (3) A copy of the demolition permit issued by the city for the demolition of the improvements subject to the order;
 - (4) Photographs showing the current conditions of the deteriorated/demolished property.

(f) The application form may require such financial and other information as the director deems appropriate for evaluation of the financial capacity and other factors of the applicant.

(g) The city shall not enter into an agreement if it finds that the request for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed modernization, expansion or new facility. An applicant is ineligible for abatement if a decision to commence a modernization, expansion or new facility in the city has been formally announced on or before an application for abatement has been filed with the city.

(h) Upon receipt of a complete application for abatement, the director shall notify in writing the presiding officer of the governing body of each eligible jurisdiction of the abatement application, which notice shall include a copy of the application.

Sec. 44-124. Cost/benefit analysis.

After receipt of a complete application for abatement, the director shall prepare a cost/benefit impact analysis setting out the impact of the proposed tax abatement. The cost/benefit impact analysis shall include, but need not be limited to, an estimate of the economic effect of the abatement of taxes, the benefit to the city and the property to be included in the zone, and any other pertinent measures of the project's overall projected effects on the city's revenue stream both during and after the abatement period.

Sec. 44-125. Variances.

Requests for a variance from any of the provisions of these guidelines and criteria shall be made in writing to the director; provided however, the total duration of an abatement shall in no instance exceed ten years, or such other limitation on duration as provided by applicable law. A request for a variance shall include a complete description of the circumstances explaining why the applicant should be granted a variance and how the grant of abatement is consistent with the general policy of section 44-120 of this Code. If the city council finds that the application meets the economic development objectives of these guidelines, then the city council may approve a request for variance by a ~~majority~~ three-fourths vote of the city council members present.

Sec. 44-126. Public hearing and approval.

(a) Prior to entering into an agreement, the city council ~~may, at its option, shall~~ hold a public hearing at which interested persons shall be entitled to speak and present written materials for or against the approval of the agreement. Notice of the public hearing shall be published in a local daily newspaper of general circulation not later than the seventh day before the date of the hearing. Notice of the public hearing may be given, posted or published in other places or by other means as the director deems appropriate, including giving notice to civic associations in the area surrounding the proposed zone.

(b) In order to enter into an agreement, the city council must find that the terms of the proposed agreement meet the applicable criteria of this article and that:

- (1) There will be no substantial potential adverse effect on the provision of city services or the tax base; and
- (2) The planned use of the property will not constitute a hazard to public safety, health or morals.

Sec. 44-127. Economic development abatement authorized.

(a) *Authorized facility.* A facility is eligible for economic development abatement if it is a manufacturing facility, mixed-use facility, regional distribution center facility, regional service facility, regional entertainment facility, research facility, research and development facility, residential facility, retail facility, or other basic industry facility.

(b) *Creation of new value.* Abatement shall only be granted for the additional value of eligible property improvements made subsequent to and listed in an agreement, subject to such limitations as the city council may require.

(c) *New and existing facilities.* Abatement may be granted for new facilities or the expansion of existing facilities. Improvements to existing facilities for purposes of modernization may receive abatement if proven to be essential to the entity's or the facility's economic survival.

(d) *Eligible property.* The following types of property shall be eligible for abatement:

- (1) Buildings;
- (2) Structures;
- (3) Fixed machinery and equipment;
- (4) Site improvements;
- (5) Office space and related fixed improvements necessary to the operation and administration of the facility; and
- (6) Tangible personal property, including inventory purchased after the effective date of a tax abatement agreement under this article, for logistics, distribution, or manufacturing facility, with the exception of inventory of natural gas, fluids or gases, or crude petroleum products that are not integral to the operation of the facility.

(e) *Ineligible property.* The following types of property shall be ineligible for abatement:

- (1) Land;
- ~~(2) Inventory;~~
- (32) Supplies;
- (43) Tools;
- (54) Vehicles, vessels and aircraft;
- (65) Property receiving a historic site exemption as provided in section 44-29 of this Code;
- (76) Deferred maintenance investments;
- (87) Improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion;
- (98) Any improvements, including those to produce, store or distribute natural gas, fluids or gases, that are not integral to the operation of the facility;
- (409) Any improvements that are not integral to the operation of the facility;
- (4410) Property owned or used by the State of Texas or its political subdivisions or by an organization owned, operated or directed by a political subdivision of the State of Texas; and
- (4211) Property that is owned or leased at any time during the term of an abatement agreement by a member of city council or by a member of the city planning commission.

(f) *Value and term of the abatement.* Abatement may be granted effective upon the January 1 valuation date immediately following the effective date of the agreement or such later date upon which the parties may agree. On or before reaching the agreed date, the parties may agree, by mutual consent, to terminate the agreement, subject to approval by the city council. Projects (other than modernizations) that meet these guidelines and criteria are eligible for abatement on the value of the new properties in an amount and for a duration based on an analysis of factors such as industry competitive disadvantages, quantifiable economic impacts, and furthering other public purposes in unique ways. Depending on an analysis of such factors and data, the director will evaluate and make a recommendation for approval by the city council of the appropriate amount and duration of abatement. In no case, however, shall the period of abatement exceed ten years.

If a modernization project includes facility replacement, the value upon which abatement shall be determined shall be the value of the new unit(s) less the value of the old unit(s).

(g) *Economic qualifications.* Except as provided in subsections (h), (i), and ~~(i)~~ (j) of this section, to be eligible for abatement, the planned improvement shall:

- (1) Provide an economic benefit to the city, taking all relevant factors into consideration, including:
 - a. Size of the abatement;
 - b. Income from sales tax and franchise fees generated by the planned improvement; and
 - c. Any additional expense to the city in providing city services as a result of the improvement;
- (2) Be necessary because capacity cannot be provided efficiently utilizing existing improved property when reasonable allowance is made for necessary improvements;
- (3) Be reasonably expected to increase the value of the real or tangible personal property in the amount of \$1,000,000 for deteriorated/demolished property redevelopment or \$5,000,000 for other development, including commercial, upon completion of construction; and
- (4) Be expected to either:
 - a. Prevent the loss of permanent employment, retain or create permanent employment for at least 25 people on a permanent basis in the designated zone beginning three years after the effective date of abatement and continuing through the remaining term of the agreement; or
 - b. Result in an abatement equivalent to a maximum investment of \$500,000.00 per job created or retained.

(h) *Economic qualifications in enterprise zone.* If the property includes property described under the provisions of section 44-127 of this Code and (i) is located in an area designated as an enterprise zone and the city has not created a reinvestment zone or (ii) is an authorized facility that meets the criteria established for a qualified business pursuant to the Texas Enterprise Zone Act, to be eligible for tax abatement the planned improvement shall:

- (1) Be reasonably expected to increase the value of the property by a minimum amount of \$500,000.00 upon completion of construction;
- (2) Be expected to create additional permanent employment for at least five people on a permanent basis who are residents of the enterprise zone or

who are economically disadvantaged as that term is defined in the Texas Enterprise Zone Act;

- (3) Not be expected to solely or primarily have the effect of transferring employment from one part of the city to another; and
- (4) Be necessary because capacity cannot be provided efficiently utilizing existing improved property when reasonable allowance is made for necessary improvements.

(i) *Economic qualifications in a Complete Community.* If the property includes property described under the provisions of section 44-127 of this Code and is located in an area designated as a complete community, to be eligible for tax abatement the planned improvement shall:

- (1) Be reasonably expected to increase the value of the real or tangible personal property in the amount of \$500,000 for deteriorated/demolished property redevelopment or \$1,000,000 for other development, including commercial, upon completion of construction; and
- (2) Be expected to create permanent employment for at least five people on a permanent basis beginning three years after the effective date of abatement and continuing through the remaining term of the agreement.

(j) *Research and development projects.* If the planned improvement is for a research and development facility, to be eligible for tax abatement the planned improvement shall:

- (1) Be reasonably expected to increase the value of the property by a minimum amount of \$1,000,000.00 upon the completion of construction; and
- (2) Be expected to create permanent employment for at least five people on a permanent basis in the designated zone, provided that this employment qualification shall take effect two years after the effective date of abatement and continue through the term of the agreement. The abatement period shall not exceed five years from the effective date of abatement, and the percentage of value to be abated shall be 100 percent throughout the abatement period.

~~(j)~~(k) *Taxability.* From the date of execution of the abatement agreement to the end of the abatement period, taxes shall be payable as follows:

- (1) The value of ineligible property as provided in subsection 44-127(e) of this Code-section shall be fully taxable;
- (2) The base year value of existing eligible property as determined each year shall be fully taxable; and

- (3) The additional value of new eligible property shall be taxable in the manner described in subsection 44-127(f) of this Code section.

Sec. 44-128. Agreement for economic development abatement.

Upon designation of a reinvestment zone, the city may enter into an agreement that shall include:

- (1) Estimated value to be abated and the base year value;
- (2) Percent of value to be abated each year as provided in this article;
- (3) The commencement date and the termination date of abatement;
- (4) The proposed use of the facility, nature of construction, time schedule, map, property description and improvement list as provided in this article;
- (5) Contractual obligations regarding the event of default, violation of terms or conditions, delinquent taxes, recapture of all previously abated taxes, administration, and assignment as provided in this article and other provisions that may be required for uniformity or by state law;
- (6) Amount of investment and total ~~P~~permanent employees to be retained or created and total ~~F~~full-time equivalent jobs to be retained or created;
- (7) A requirement that the abatement recipient, on or before not later than February 1 of each year the tax abatement agreement is in effect, provide the director an affidavit that includes a delineation of the number of ~~P~~permanent employees, ~~C~~contract employees and ~~P~~part-time employees of the abatement recipient as of the immediately preceding December 1, who report to work in the reinvestment zone at each site covered by the agreement;
- (8) A requirement that the abatement recipient annually file the appropriate form with the appropriate county appraisal district to qualify for the abatement;
- (9) A provision that ~~C~~contract employees and ~~P~~part-time employees may be used to comply with the abatement recipient's contractual obligation to create/retain jobs on a ~~F~~full-time equivalency basis for any number of jobs; provided that ~~F~~full-time equivalent jobs shall only be used to satisfy the abatement recipient's contractual obligation if the abatement recipient maintains a minimum of 25 ~~P~~permanent employees who work on the project within the reinvestment zone;
- (10) A requirement that property in a reinvestment zone that is owned or leased at any time during the term of an abatement agreement by a member of the

city council or by a member of the city planning commission is ineligible for and excluded from tax abatement;

- (11) A requirement that the abatement recipient's chief financial officer, or ~~his or her~~ the officer's designee, on or before January 1 of each year that the agreement is in effect, provide the director an affidavit that the recipient is and has been in compliance in the prior year with all agreement provisions;
- (12) A requirement that the abatement recipient's chief financial officer, or ~~his or her~~ the officer's designee, who cannot make the affidavit required by item (11) of this section on any January 1 shall provide the director with a written statement identifying any provision of the agreement with which the abatement recipient is or has not been in full compliance;
- (13) A provision that failure by the abatement recipient's chief financial officer, or ~~his or her~~ the officer's designee, to timely provide the director with either the affidavit required by item (11) of this section or the statement required by item (12) of this section will result in automatic default under the agreement for which no notice of default or opportunity to cure shall be required; and
- (14) A provision that the city may amend the agreement in lieu of termination pursuant to section 44-134(d) of this ~~article~~ Code.

Sec. 44-129. Brownfield development abatement authorized.

(a) *Creation.* A property tax abatement program is hereby created for brownfield development abatements to be administered in accordance with Chapter 312 of the Texas Tax Code, ~~as amended from time to time~~.

(b) *Authorized facility.* A facility shall be eligible for brownfield development abatement if it is real property or tangible personal property located on real property that is:

- (1) ~~is~~ located in a reinvestment zone;
- (2) ~~is a~~ Not an improvement project financed by tax increment bonds; and
- (3) ~~is~~ not the subject of a voluntary cleanup agreement under Section 361.606 of the Texas Health & Safety Code.

(c) *Eligible property.* The following types of property are eligible for brownfield development abatement:

- (1) Land;
- (2) Buildings;

- (3) Structures;
- (4) Fixed machinery and equipment;
- (5) Site improvements; and
- (6) Tangible personal property located on the real property.

(d) *Ineligible property.* The following types of property are ineligible for brownfield development abatement:

- (1) Property that is owned or used by the State of Texas or its political subdivisions or by an organization owned, operated or directed by a political subdivision of the State of Texas; and
- (2) Property that is owned or leased at any time during the term of an abatement agreement by a member of city council or by a member of the city planning commission.

(e) *Value and term of the abatement.* Abatement shall be granted effective upon the January 1 valuation date immediately following the date the owner of the brownfield facility receives a certificate of completion for the property under Section 361.609 of the Texas Health and Safety Code. A brownfield facility is eligible for abatement according to the following sliding scale:

Year Abated	Percentage of Value Abated
1	100%
2	75%
3	50%
4	25%

Provided, however that no abatement shall be given in a year in which the use of the brownfield facility is changed from the use specified in the certificate of completion and the city council determines that the new use may result in an increased risk to human health or the environment.

(f) *Taxability.* From the date of execution of the abatement agreement to the end of the abatement period, the value of eligible property shall be taxable in the manner described in subsection (e) of this section.

Sec. 44-130. Agreement for brownfield development abatement.

Upon designation of a reinvestment zone, the city may enter into an agreement with the owner of the brownfield facility. The agreement shall include:

- (1) The estimated value to be abated;
- (2) The percent of value to be abated each year as provided in this article;
- (3) The commencement date and the termination date of abatement;
- (4) The proposed use of the facility as indicated on the certificate of completion issued pursuant to ~~s~~Section 361.609 of the Texas Health and Safety Code, a map showing the location of the brownfield facility, and a property description of eligible improvements;
- (5) Contractual obligations regarding the event of default, violation of terms or conditions, delinquent taxes, recapture, administration, and assignment as provided in this article and other provisions that may be required for uniformity or by state law;
- (6) A requirement that the owner of the eligible property subject to abatement annually file with the appraisal district the appropriate form for qualifying for the abatement;
- (7) A requirement that property in a reinvestment zone that is owned or leased at any time during the term of an abatement agreement by a member of the city council or by a member of the city planning commission is ineligible for and excluded from tax abatement;
- (8) A requirement that the abatement recipient's chief financial officer, or his or her designee, on or before January 1 of each year that the agreement is in effect, provide the director an affidavit that the recipient is and has been in full compliance with all agreement provisions;
- (9) A requirement that the abatement recipient's chief financial officer, ~~or his or her designee~~, who cannot make the affidavit required by item (8) of this section on any January 1 shall provide the director with a written statement identifying any provision of the agreement with which the abatement recipient is or has not been in compliance;
- (10) A provision that failure by the abatement recipient's chief financial officer, ~~or his or her~~ the officer's designee, of an abatement recipient to timely provide the director with either the affidavit required by item (8) of this section or the affidavit required by item (9) of this section will result in automatic default under the agreement for which no notice of default or opportunity to cure shall be required; and
- (11) A provision that the city may amend the agreement in the event of default or in lieu of termination pursuant to section 44-134(d) of this ~~article~~ Code.

Sec. 44-131. Leadership in Energy and Environmental Design (LEED®) tax abatement.

If the owner of a new or refurbished commercial facility has registered with the U.S. Green Building Council ("USGBC") seeking LEED Certification, then the ~~Economic Development Division of the City of Houston~~ Mayor's Office of Economic Development or a successor may recommend approval by the ~~City Council~~ of a partial tax abatement for the incremental investment associated with obtaining such certification. The agreement shall be effective up to 10 years, at a percentage based upon the level of certification actually obtained after completion of construction or refurbishment:

(a1) LEED Certification Level and "Imputed LEED-Related Value Increment:"

(1) a.	Basic "Certified" Level	1.0%
(2) b.	Silver Level	2.5%
(3) c.	Gold Level	5.0%
(4) d.	Platinum Level	10%

- (b2) The minimum value increase requirement derived from the "Imputed LEED-Related Value Increment" to meet eligibility test is \$100,000.
- (e3) This type of tax abatement may be a stand-alone abatement or part of a standard economic development tax abatement. When an applicant seeks only a LEED Certification tax abatement, no job creation target will be required in order to qualify. The investment requirement will be at least \$1 million for a commercial structure with Platinum LEED Certification, and at least \$10 million for a commercial structure with Basic Certification (assumes percentages from preceding table and minimum value increase of \$100,000).
- (d4) The applicant must register with USGBC seeking LEED Certification prior to submitting its application to the city.
- (e5) The application for a LEED Certification tax abatement must be submitted to the city prior to commencing construction or refurbishment of the applicable development.
- (f6) The agreement shall become effective in the year the application is approved by the city council and may remain in effect up to 10 years. The tax abatement benefit (i.e., partial exemption of value from ad valorem taxes) shall not commence until construction or refurbishment of the project is completed and LEED Certification is obtained by the applicant. The value of the tax abatement shall be calculated on the appraised value after LEED Certification is obtained.

Sec. 44-132. Deteriorated/demolished property abatement authorized.

(a) *Creation.* A property tax abatement program ~~may be granted is hereby created~~ for deteriorated/demolished properties that meet the requirements of this section.

(b) *Authorized facility.* A facility shall be eligible for abatement if:

- (1) ~~It is located on a~~ deteriorated/~~blighted~~ demolished property ~~as defined in section 44-121 of this Code;~~
- (2) It is not an improvement project financed by tax increment bonds;
- (3) It is constructed pursuant to and in compliance with a valid building permit issued by the city;
- (4) Construction has not commenced prior to the application for abatement; and
- (5) It is not a facility eligible for economic development abatement pursuant to section 44-127 of this Code.

(c) *Eligible property.* The following types of property are eligible for deteriorated/demolished property abatement:

- (1) Buildings;
- (2) Structures;
- (3) Fixed machinery and equipment; and
- (4) Site improvements.

(d) *Ineligible property.* The following types of property are ineligible for deteriorated/demolished property abatement:

- (1) Land;
- (2) The value of improvements on deteriorated/demolished properties prior to demolition;
- (3) Residential facilities containing four or fewer dwelling units per structure other than a deteriorated/demolished property redevelopment;
- (4) Modernization;
- (5) Inventory;
- (6) Supplies;

- (7) Tools;
- (8) Vehicles, vessels and aircraft;
- (9) Deferred maintenance investments;
- (10) Property that is owned or used by the State of Texas or its political subdivisions or by an organization owned, operated or directed by a political subdivision of the State of Texas; ~~and~~
- (11) Property that is owned or leased at any time during the term of an abatement agreement by a member of city council or by a member of the city planning commission; and
- (12) Property receiving a historic site exemption as provided in section 44-29 of this Code.

(e) *Value and term of the abatement.* Abatement shall be granted effective upon the January 1 valuation date following the year in which the owner receives a final certificate of occupancy for the improvements constructed on the property. Absent extraordinary conditions as determined by the director in the exercise of his or her professional judgment, the amount of abatement shall not exceed 90% for properties located in a target area and shall not exceed 50% for properties not located in a target area.

(f) *Economic qualifications.* To be eligible for abatement, the planned new improvement shall:

- (1) Provide an economic benefit to the city, taking into consideration all relevant factors, including the impact of the new improvements on the neighborhood in which the property is located; and
- (2) Be reasonably expected to increase the value of the real deteriorated/demolished property by the lesser of \$1,000,000 or 1.5 x the value of the demolished improvements on the deteriorated/demolished property.

(f) *Taxability.* From the date of execution of the abatement agreement to the end of the abatement period, the value of eligible property shall be taxable in the manner described in subsection (j) of section 44-127 of this Code.

Sec. 44-133. Agreement for deteriorated/demolished property abatement.

Upon designation of a reinvestment zone, the city may enter into an agreement with the owner of the facility to be constructed on the deteriorated/demolished property. The agreement shall include:

- (1) The estimated value to be abated;
- (2) The percent of value to be abated each year as provided in this article;
- (3) The commencement date and the termination date of abatement;
- (4) Contractual obligations regarding the event of default, violation of terms or conditions, delinquent taxes, recapture, administration, and assignment as provided in this article and other provisions that may be required for uniformity or by state law;
- (5) A requirement that the owner of the eligible property subject to abatement annually file with the appropriate county appraisal district the appropriate form for qualifying for the abatement;
- (6) A requirement that property that is owned or leased at any time during the term of an abatement agreement by a member of the city council or by a member of the city planning commission is ineligible for and excluded from tax abatement; and
- (7) A provision that the city may amend the agreement in the event of default or in lieu of termination pursuant to section 44-134(d) of this article.

Sec. 44-134. Default; recapture.

(a) *Event of Default.* The abatement recipient shall be in default under the agreement if any of the following occur at any time during the term of the agreement:

- (1) A facility is completed and begins producing or providing the product or service delineated in the agreement, but subsequently discontinues producing or providing the product or service for any reason other than fire, explosion, or other casualty or accident or natural disaster;
- (2) The abatement recipient fails to comply timely with job creation or investment requirements pursuant to the agreement;
- (3) The abatement recipient fails to comply timely with any material term of the agreement;
- (4) The abatement recipient fails to timely file any required report or statement or to timely give any required notice pursuant to the agreement; or
- (5) Employees or designated representatives of the city determine pursuant to an inspection under section 44-135 of this Code that the abatement recipient has not complied with the agreement.

(b) *Notice.*

- (1) If the director determines that an event of default has occurred, the director shall notify the abatement recipient in writing at the address stated in the agreement, and if the condition of default is not cured within 30 days ~~from~~ after the date of the notice, then the city may take any one or more of the ~~following~~ actions set forth in subsection (d) of this section ~~44-134~~. Provided, however, that the city shall only be required to give a 30-day notice of default for failure to comply with job creation or investment requirements. The abatement recipient's failure to comply with job creation or investment requirements is an "incurable default." Within ~~such the~~ 30-day notice period, the abatement recipient shall be entitled to question the accuracy of the city's determination of the incurable default but shall not be entitled to cure ~~such the~~ default. After the 30-day notice period, if the city concludes that its determination of the incurable default is correct ("noticed incurable default"), then the city shall be entitled to pursue any one or more of the remedies set forth in subsection (d) of this section ~~44-134~~.
- (2) If the abatement recipient is in default under subsection (a) of this section, the abatement recipient shall notify the city within 30 days ~~of~~ after the default and if the default is one that can be cured hereunder (and is not an incurable default), such default shall be cured within 30 days following the date of the notice of default. If the abatement recipient fails to cure such curable default within ~~such the~~ 30-day period, then the city may pursue any one or more of the remedies listed in subsection (d) hereof.
- (c) *Cure*. In curing an event of default based on any of the items set forth in subsection (a) of this section ~~44-134~~, and assuming such event of default is curable and is not an incurable default, the abatement recipient shall provide sufficient evidence to the director that the default has been cured within 30 days following the date of the notice of default. Sufficient evidence shall include the providing of the information not timely provided and/or providing evidence of the completion of the act(s) not timely performed. The city shall have the right to ask for additional information to confirm the adequate cure of any default.
- (d) *City ~~R~~emedies for ~~D~~efault*.
 - (1) In the event of a noticed incurable default or a curable default ~~which that~~ has not been cured after notice and an opportunity to cure, no tax abatement shall be allowed for the calendar year in which the default occurs (and thereafter), and the city shall have the right to pursue any one or more of the following remedies: terminate the agreement; terminate the abatement recipient's right to any future abatement under the agreement without terminating the agreement; pursue any and all remedies allowed under the abatement agreement; and pursue any and all remedies allowed under Texas law;

- (2) In addition to the foregoing, in the event of a noticed incurable default or a curable default ~~which~~that has not been cured after notice and an opportunity to cure, the city, in its sole discretion, may recover all or any part of the taxes abated at any time under the agreement. The abatement recipient shall pay all ~~such~~ taxes to the city within 30 days ~~of~~after the city's written demand therefore. Any taxes not paid timely shall bear interest at the rate of 12% annually; ~~and~~
- (3) Notwithstanding the foregoing, the director and the city attorney are hereby authorized to negotiate and enter into amendments and revisions to agreements under which there are noticed incurable defaults or curable defaults ~~which~~that have not been cured after notice and opportunity to cure. In the foregoing circumstances, the parties are also authorized to negotiate and enter into any other and further agreements they determine best protect the city's interests; and
- (4) The city's right and authority to pursue any default and to recover abated taxes under this section shall survive the amendment, revision, expiration, or termination of any tax abatement agreement.

Sec. 44-135. Administration.

(a) The chief appraiser of the county appraisal district shall annually determine the value of the real and personal property comprising the reinvestment zone. Each year, the abatement recipient shall furnish the city with any additional information applicable to the tax abatement that may be necessary for the administration of the abatement. Once the value of the real and personal property has been established, the chief appraiser shall notify the eligible jurisdictions of the amount of the assessment.

(b) The agreement shall stipulate that employees of the city and/or designated representatives will have full access to the reinvestment zone both during and after the expiration or termination of the term of the abatement agreement in order to inspect the facility and shall have full access to any and all abatement recipient records related to the agreement to determine, by audit or otherwise, that the abatement recipient is (or has been) in full compliance with the agreement. All inspections will be made only after the giving of 24 hours' notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with safety standards.

Sec. 44-136. Assignment.

An agreement may be assigned to a new owner or lessee of the facility with the written consent of the director, which consent shall not be unreasonably withheld. If the proposed assignee is an affiliated entity of the assignor, then the director may consent to an assignment if the assignor is in compliance with all terms of the agreement. Any

assignment of the agreement shall not relieve the assignor of continuing liability under the agreement unless specifically agreed to in a writing signed by both the director and the city attorney. Any assignment shall provide that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions as set out in the agreement. Any assignment of an agreement shall be to an entity that contemplates the same improvements or repairs to the property, except to the extent such improvements or repairs have been completed. No assignment shall be approved if either the assignor or the assignee is indebted to the city for ad valorem taxes or other obligations.

Sec. 44-137. Sunset provision.

These guidelines and criteria for tax abatement are readopted and will expire on _____, 2020~~18~~.¹ These guidelines and criteria shall apply to all applications subsequently considered by city council prior to the expiration date. At the expiration of these guidelines and criteria, all reinvestment zones and agreements created and entered into pursuant to these provisions shall be reviewed to determine whether the goals have been achieved. Based on that review, the guidelines and criteria shall be modified, renewed or eliminated. The expiration of these guidelines shall not affect the validity or enforceability (for the full term thereof) of any agreement entered into when these guidelines were in effect.

¹ Editor to insert month and day of effective date of ordinance.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District I

Item Creation Date:

25RS203 – Purchase and Sale Agreement between City of
Houston (Seller) and Missio Dei Anglican Church
(Purchaser)

Agenda Item#: 12.

Summary:

ORDINANCE declaring Parcel SY18-021 surplus property; approving and authorizing Purchase and Sale Agreement between the City of Houston, Texas, Seller, and **MISSIO DEI ANGLICAN CHURCH**, Buyer, for the sale of 21,780 square feet adjacent to 4865 Gulf Freeway, Houston, Harris County, Texas - \$150,000.00 - **DISTRICT I - GALLEGOS**

Background:

RECOMMENDATION: 1) Declare surplus and authorize the sale of **Parcel SY18-021**, and (2) Approve and authorize Purchase and Sale Agreement between City of Houston (Seller) and Missio Dei Anglican Church (Purchaser) for the purchase of 21,780 square feet of land located adjacent to 4865 Gulf Freeway, Houston, Texas Street, (**Parcel SY18-021**), for a purchase price of \$150,000.00.

SPECIFIC EXPLANATION: Houston Public Works has determined that **Parcel SY18-021**, located adjacent to 4865 Gulf Freeway, is surplus to its needs. All City departments with land needs were canvassed and it has been determined that **Parcel SY18-021** is not needed for City purposes.

Missio Dei Anglican Church is a Texas nonprofit corporation. The Church is active in supporting their community through La Roca Youth Program; De La Fuente after school music and fine arts program; Resurrect Houston, an ongoing hurricane recovery initiative, and more. The Church desires to acquire the land adjacent to their property to provide neighborhood youth with suitable green spaces for activities. These will include programs like the free La Roca Sports and Arts Camp.

This sale is in accordance with Section 272.001 (b) (4) of the Texas Local Government Code, which permits a political subdivision to sell real property to an independent foundation for development under terms specified by the City, and is subject to the City's billboard restrictions; historic landmark restrictions; all easements and public utilities; and the applicable covenants, conditions and restrictions.

Therefore, the General Services Department recommends approval of a Purchase and Sale Agreement with Missio Dei Anglican Church, Inc. for the above-described land for a purchase price of \$150,000.00, which represents the appraised 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 Missio Dei Anglican Church.

The net proceeds will be directed to the General Fund.

DIRECTOR'S SIGNATURE/DATE:

C. J. Messiah, Jr.
General Services Department

Amount of Funding:

Revenue

Contact Information:

Jacquelyn L. Nisby
Council Liaison
Phone: 832.393.8023

ATTACHMENTS:

Description

Signed RCA
MAP

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District I
Item Creation Date:

25RS203 – Purchase and Sale Agreement between City of Houston (Seller) and Missio Dei Anglican Church (Purchaser)

Agenda Item#:

Background:

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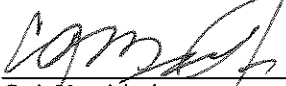
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This sale is in accordance with Section 272.001 (b) (4) of the Texas Local Government Code, which permits a political subdivision to sell real property to an independent foundation for development under terms specified by the City, and is subject to the City's billboard restrictions; historic landmark restrictions; all easements and public utilities; and the applicable covenants, conditions and restrictions.

Therefore, the General Services Department recommends approval of a Purchase and Sale Agreement with Missio Dei Anglican Church, Inc. for the above-described land for a purchase price of \$150,000.00, which represents the appraised 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 Missio Dei Anglican Church.

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General Services Department

Amount of Funding:

Revenue

Contact Information:

Jacquelyn L. Nisby
Council Liaison
Phone: 832.393.8023

ATTACHMENTS:

Description

PSA

MAP

Type

Signed Cover sheet

Signed Cover sheet





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 3/28/2018

HHD Premier Financial Management Services

Agenda Item#: 13.

Summary:

ORDINANCE approving and authorizing contract between the City of Houston and **PREMIER FINANCIAL MANAGEMENT SERVICES** for financial services for Veteran-Directed Home and Community-Based Services Program; providing a maximum contract amount - Term starting at countersignature through 12 months with 4 automatic one-year renewals - \$660,000.00 - Health Special Revenue Fund

Background:

The Houston Health Department (HHD) requests City Council approval of an ordinance authorizing and approving a professional service agreement between the City of Houston and Premier Financial Management Services. The contract is for a term starting at countersignature by the City Controller through 12 months, including 4 automatic one-year renewal terms. The total contract amount is \$660,000.00.

Veterans in this program are given a flexible budget for services that can be managed by the Veteran or the family caregiver. Many veterans need assistance to continue to live in their homes and communities. The assistance needed includes services such as cooking, cleaning, bathing, lawn care, etc. The individuals that provide the services are considered employees of the veteran by the VA. Veteran-Directed Care can be used to help Veterans continue to live at home or in their community.

As part of this program, veterans and their caregivers have more access, choice and control over their long-term care services. For example, Veterans can:

- Decide what mix of services will best meet their needs
- Hire their own personal care aides (which might include their own family member or neighbor)
- Buy items and services that will help them live independently in the community

Premier FMS will provide the following services, information and support:

1. Comply with applicable government regulations concerning employee withholdings, garnishments, mandated withholdings and benefits;
2. Prepare and file required tax forms and reports;
3. Pay allowable expenses incurred by the veteran/employer;
4. Provide status reports concerning the individual's budget, expenditures, and compliance with consumer directed option requirements, as requested by HCAAA;
5. Provide each veteran and HCAAA with a monthly summary of veterans' budgets and expenditures; using the template provide by HCAAA;

6. Respond to the veteran/employer, HCAAA or designated representative as soon as possible, but at least within two working days after a receipt of information requiring a response from Premier (i.e. timesheets and corrections of timesheets and/or any other payment issues);
7. Obtain employer-agent status with the Internal Revenue Service, the Texas Workforce Commission, and other appropriate government agencies within the timeframe established by each agency;
8. Perform all required employer-agent responsibilities required by governmental agencies that regulate the relationship between employer-agent (Premier) and the employer (the individual or the legally authorized representative [LAR]) and maintain an original copy of each form required to document compliance;
9. Provide HCAAA with all employer/employee necessary forms required to be filled out by the Internal Revenue Service, Texas Workforce Commission, and other governmental agencies as noted below for HCAAA to provide initial education and orientation role required by VD-HCBS Program. Upon completion, HCAAA will forward forms to Premier to complete the enrollment process;
10. Maintain a copy of required forms and reports that Premier files with or receives from government agencies;
11. Within 15 calendar days after receipt, provide a copy of each form and report to the veteran/employer and HCAAA (this includes copies of timesheets ([for veterans/employers] employee pay stubs and the employer tax amounts [for HCAAA]) for backup to reconcile monthly reports;
12. Complete Criminal Background check on all employees bi-annually of the veteran/employer and deduct the cost from the employer/veteran service plan;
13. Enter a service agreement provided by HCAAA with each of the veteran's/employer's service providers before issuing the initial payment for services to the service provider;
14. Premier must maintain originals or copies of records to document compliance with the requirements listed herein;
15. Assist a veteran/employer or LAR to purchase allowable veteran/employer support services and goods for veteran/employer-related activities and employment related activities (Premier must contact HCAAA before purchase to confirm it is an allowed item for purchase);
16. Reimburse documented, budgeted and allowable expenses incurred related to implementing service back-up plan strategies (Premier must retain a copy of service back-up plans received from the veteran/employer);
17. Submit electronic billing to Veterans Administration billing center on behalf of HCAAA utilizing UB04 forms monthly; Billing will be completed electronically; Premier will pay for setup costs associated with using the electronic billing system. HCAAA will pay Premier \$110 per month per veteran to cover administrative costs;
18. Provide "up-front" payment of goods and services for each veteran's first month of services; Premier will recoup these costs via one-time Service Transition and Assessment Reimbursement (STAR) Fee; VA may recoup these costs after a veteran disenrolls from VD-HCBS program

The Veteran Directed Home and Community Based Services (VD-HCBS) is a program created and funded by the Administration on Aging (AoA) and the Department of Veterans Affairs (VA). VD-HCBS is a system of service delivery that allows for veterans to become more involved in their own care and to remain in their homes and community while receiving services. The VA will identify veterans and their families who are eligible to enroll and receive services under this provision of VD-HCBS. This program will have an average client load of 10 veteran clients monthly. This program will be supervised within HHD by Harris County Area Agency on Aging and the Aging and

Disability Resource Center.

MWBE Participation:

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

Pay or Play Program:

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

Fiscal Note:

Funding for this item is included in the FY2018 Adopted Budget. Therefore, no Fiscal note is required as stated in the Financial Policy Ord. 2014-1078.

Stephen L. Williams, M.Ed., M.P.A.
Director - Houston Health Department

Amount of Funding:

\$660,000.00 – Health Special Revenue Fund (Fund 2002)

\$60,000.00 – Allocation for FY18
\$150,000.00 – Allocation for FY19
\$150,000.00 – Allocation for FY20
\$150,000.00 – Allocation for FY21
\$150,000.00 – Allocation for FY22

Contact Information:

Porfirio Villarreal
Telephone: 832-393-5041; 713-826-5695

-

ATTACHMENTS:

Description

Signed Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 3/28/2018

HHD Premier Financial Management Services

Agenda Item#:

Summary:

The Houston Health Department (HHD) requests City Council approval of an ordinance authorizing and approving a professional service agreement for the amount of \$660,000.00 for a contract between City of Houston and Premier Financial Management Services, for a 12-month term and 4 automatic renewals for the Veteran Directed Home and Community Based Services program.

Background:

The Houston Health Department (HHD) requests City Council approval of an ordinance authorizing and approving a professional service agreement between the City of Houston and Premier Financial Management Services. The contract is for a term starting at countersignature by the City Controller through 12 months, including 4 automatic one-year renewal terms. The total contract amount is \$660,000.00.

Veterans in this program are given a flexible budget for services that can be managed by the Veteran or the family caregiver. Many veterans need assistance to continue to live in their homes and communities. The assistance needed includes services such as cooking, cleaning, bathing, lawn care, etc. The individuals that provide the services are considered employees of the veteran by the VA. Veteran-Directed Care can be used to help Veterans continue to live at home or in their community.

As part of this program, veterans and their caregivers have more access, choice and control over their long-term care services. For example, Veterans can:

- Decide what mix of services will best meet their needs
- Hire their own personal care aides (which might include their own family member or neighbor)
- Buy items and services that will help them live independently in the community

Premier FMS will provide the following services, information and support:

1. Comply with applicable government regulations concerning employee withholdings, garnishments, mandated withholdings and benefits;
2. Prepare and file required tax forms and reports;
3. Pay allowable expenses incurred by the veteran/employer;
4. Provide status reports concerning the individual's budget, expenditures, and compliance with consumer directed option requirements, as requested by HCAAA;
5. Provide each veteran and HCAAA with a monthly summary of veterans' budgets and expenditures; using the template provide by HCAAA;
6. Respond to the veteran/employer, HCAAA or designated representative as soon as possible, but at least within two working days after a receipt of information requiring a response from Premier (i.e. timesheets and corrections of timesheets and/or any other payment issues);
7. Obtain employer-agent status with the Internal Revenue Service, the Texas Workforce Commission, and other appropriate government agencies within the timeframe established by each agency;
8. Perform all required employer-agent responsibilities required by governmental agencies that regulate the relationship between employer-agent (Premier) and the employer (the individual or the legally authorized representative [LAR]) and maintain an original copy of each form required to document compliance;
9. Provide HCAAA with all employer/employee necessary forms required to be filled out by the Internal Revenue Service, Texas Workforce Commission, and other governmental agencies as noted below for HCAAA to provide initial education and orientation role required by VD-HCBS Program. Upon completion, HCAAA will forward forms to Premier to complete the enrollment process;
10. Maintain a copy of required forms and reports that Premier files with or receives from government agencies;
11. Within 15 calendar days after receipt, provide a copy of each form and report to the veteran/employer and HCAAA (this includes copies of timesheets ([for veterans/employers] employee pay stubs and the employer tax amounts [for HCAAA]) for backup to reconcile monthly reports;
12. Complete Criminal Background check on all employees bi-annually of the veteran/employer and deduct the cost from the employer/veteran service plan;
13. Enter a service agreement provided by HCAAA with each of the veteran's/employer's service providers before issuing the initial payment for services to the service provider;

14. Premier must maintain originals or copies of records to document compliance with the requirements listed herein;
15. Assist a veteran/employer or LAR to purchase allowable veteran/employer support services and goods for veteran/employer-related activities and employment related activities (Premier must contact HCAAA before purchase to confirm it is an allowed item for purchase);
16. Reimburse documented, budgeted and allowable expenses incurred related to implementing service back-up plan strategies (Premier must retain a copy of service back-up plans received from the veteran/employer);
17. Submit electronic billing to Veterans Administration billing center on behalf of HCAAA utilizing UB04 forms monthly; Billing will be completed electronically; Premier will pay for setup costs associated with using the electronic billing system. HCAAA will pay Premier \$110 per month per veteran to cover administrative costs;
18. Provide "up-front" payment of goods and services for each veteran's first month of services; Premier will recoup these costs via one-time Service Transition and Assessment Reimbursement (STAR) Fee; VA may recoup these costs after a veteran disenrolls from VD-HCBS program

The Veteran Directed Home and Community Based Services (VD-HCBS) is a program created and funded by the Administration on Aging (AoA) and the Department of Veterans Affairs (VA). VD-HCBS is a system of service delivery that allows for veterans to become more involved in their own care and to remain in their homes and community while receiving services. The VA will identify veterans and their families who are eligible to enroll and receive services under this provision of VD-HCBS. This program will have an average client load of 10 veteran clients monthly. This program will be supervised within HHD by Harris County Area Agency on Aging and the Aging and Disability Resource Center.

MWBE Participation:

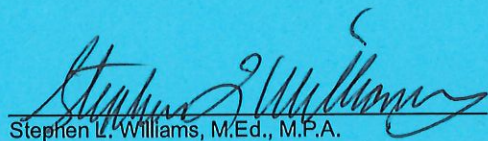
Zero-percentage goal document approved by the Office of Business Opportunity.

Pay or Play Program:

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

Fiscal Note:

Funding for this item is included in the FY2018 Adopted Budget. Therefore, no Fiscal note is required as stated in the Financial Policy Ord. 2014-1078.



Stephen L. Williams, M.Ed., M.P.A.
Director - Houston Health Department

Prior Council Action:

N/A

Amount of Funding:

Total Amount \$660,000.00 – Special Funds (2002)

\$60,000.00 – Allocation for FY18
\$150,000.00 – Allocation for FY19
\$150,000.00 – Allocation for FY20
\$150,000.00 – Allocation for FY21
\$150,000.00 – Allocation for FY22

Contact Information:

Porfirio Villarreal
Telephone: 832-393-5041; 713-826-5695

ATTACHMENTS:

Description	Type
Form A Contractor Submission List (Fair Campaign Ordinance)	Backup Material
MWSBE Waiver (Approved)	Backup Material

Delinquent Tax Report
Affidavit of Ownership
Drug Detection Policy
Conflict of Interest Questionnaire
Certification Debarment
Form 1295 Certificate
Budget Information

Backup Material
Backup Material
Backup Material
Backup Material
Backup Material
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/23/2018

LGL-Settlement & Release-Dwight Leman Fields v. Paul Foster, & COH

Agenda Item#: 14.

Summary:

ORDINANCE approving and authorizing settlement and release agreement between the City of Houston, **PAUL FOSTER, STUART RED** and **DWIGHT LEMAN FIELDS** (USDC Civil Action 4:16-CV-3542) to settle a lawsuit - \$125,000.00 - Property and Casualty Fund

Background:

On or about December 6, 2016, Plaintiff filed his lawsuit entitled *Dwight Leman Fields v. Paul Foster, in his individual capacity, Stuart Red, in his individual capacity and the City of Houston*, under the cause number 4:16-CV-3542 in the United States District Court for the Southern District of Texas, Houston Division. Plaintiff claimed that his civil and constitutional rights were violated by City Defendants when he was attacked by a Police K-9. Specifically, Plaintiff alleged that Officer Foster violated his 4th Amendment rights (unreasonable seizure and excessive use of force); violated his 14th Amendment rights (racial profiling) and assaulted him (Texas state law claim), while the City of Houston violated his 14th Amendment rights (racial profiling); failed to train, supervise and discipline Houston police officers; as well as failed to intervene (created a special relationship by asking him to assist in locating a wanted suspect, created a danger by allowing dog to attack and did not take any steps to prevent injury to him). Sgt. Red is alleged to have tampered with a witness.

On or about September 15, 2016, Houston police officers engaged in a vehicle pursuit with a driver who was observed to have committed various traffic violations and then failed to stop for the officers. The vehicle pursuit came to an end when the driver abandoned his vehicle in a residential area and fled from the officers on foot. Helicopter and K-9 were requested to assist in locating the driver. Officer Foster ("Foster") and his partner, T-Rex, responded to the call. Foster ultimately released the canine who engaged Dwight Fields. Mr. Fields was not driver of the vehicle.

The parties participated in court-ordered mediation. The City Attorney recommends that City Council adopt an ordinance approving and authorizing the compromise, settlement and release of Plaintiff's claims against the City Defendants by issuing a check to Dwight Leman Fields and his attorney, Edward Coe Tredennick of Daniels & Tredennick, LLP, in exchange for a payment of \$125,000.

Fiscal Note: Funding for this item is included in the FY18 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078.

Amount of Funding:

\$125,000.00

Property and Casualty Fund

Fund 1004

Contact Information:

Don Fleming, Section Chief of LECR: 832-393-6303

Jennifer Callan, Sr. Assistant City Attorney: 832-393-6286

ATTACHMENTS:**Description**

RCA-Fields Settlement

Type

Signed Cover sheet

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

SUBJECT: An ordinance approving and authorizing settlement and release agreement between the City of Houston, <i>et al</i> and Dwight Leman Fields (USDC civil action number 4:16-CV-3542) to settle a lawsuit.		Category #	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department		Origination Date	Agenda Date	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Don Fleming, Section Chief of LECR: 832-393-6303 Jennifer Callan, Sr. Assistant City Attorney: 832-393-6286		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) That Council adopt an ordinance approving and authorizing a settlement and release agreement between the City of Houston, <i>et al</i> and Dwight Leman Fields (USDC civil action number 4:16-CV-3542) to settle a lawsuit.				
Amount and Source of Funding: \$125,000.00 – Fund 104 – Property and Casualty Fund				
SPECIFIC EXPLANATION: FOR SETTLEMENT PURPOSES ONLY On or about December 6, 2016, Plaintiff filed his lawsuit entitled <i>Dwight Leman Fields v. Paul Foster, in his individual capacity, Stuart Red, in his individual capacity and the City of Houston</i> , under the cause number 4:16-cv-3542 in the United States District Court for the Southern District of Texas, Houston Division. Plaintiff claimed that his civil and constitutional rights were violated by City Defendants when he was attacked by a Police K-9. Specifically, Plaintiff alleged that Officer Foster violated his 4 th Amendment rights (unreasonable seizure and excessive use of force); violated his 14 th Amendment rights (racial profiling) and assaulted him (Texas state law claim), while the City of Houston violated his 14 th Amendment rights (racial profiling); failed to train, supervise and discipline Houston police officers; as well as failed to intervene (created a special relationship by asking him to assist in locating a wanted suspect, created a danger by allowing dog to attack and did not take any steps to prevent injury to him). Sgt. Red is alleged to have tampered with a witness. On or about September 15, 2016, Houston police officers engaged in a vehicle pursuit with a driver who was observed to have committed various traffic violations and then failed to stop for the officers. The vehicle pursuit came to an end when the driver abandoned his vehicle in a residential area and fled from the officers on foot. Helicopter and K-9 were requested to assist in locating the driver. Officer Foster ("Foster") and his partner, T-Rex, responded to the call. Foster ultimately released the canine who engaged Dwight Fields. Mr. Fields was not driver of the vehicle. The parties participated in court-ordered mediation. The City Attorney recommends that City Council adopt an ordinance approving and authorizing the compromise, settlement and release of Plaintiff's claims against the City Defendants by issuing a check to Dwight Leman Fields and his attorney, Edward Coe Tredennick of Daniels & Tredennick, LLP, in exchange for a payment of \$125,000.				
REQUIRED AUTHORIZATION				
Other Authorization:	Other Authorization:	Other Authorization:		



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B

Item Creation Date: 4/19/2018

HAS - Amendment No. 1 to Design-Build Contract with
Azteca Enterprises for Parking Count and Guidance System
at IAH

Agenda Item#: 15.

Summary:

ORDINANCE appropriating \$14,371,010.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to the Design Build Contract between the City of Houston and **AZTECA ENTERPRISES INC** to accept the Guaranteed Maximum Price for Construction Phase Services for the Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (Project No. 761; Contract No. 4600014438); providing funding for testing services, alternate options and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - DAVIS**

Background:

RECOMMENDATION:

Enact an Ordinance to approve Amendment No. 1 to the Design-Build Contract with Azteca Enterprises, Inc. to accept the Guaranteed Maximum Price and appropriate the necessary funds to finance the cost of this project. Project No. 761 (WBS# A-000563-0002-4-01-01 and A-000563-0003-4-01-01, Contract No. 4600014438)

SPECIFIC EXPLANATION:

On June 21, 2017, City Council approved a Design-Build Contract with Azteca Enterprises, Inc. for the Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (IAH) and appropriated \$928,991 for Phase I Pre-Construction Phase Services.

It is now requested that City Council approve Amendment No. 1 to establish the Guaranteed Maximum Price (GMP) and provide funding for the Phase II, Construction Phase Services portion of the Parking Count and Guidance System.

The current appropriation of \$14,371,010 for Construction Phase Services includes the fabrication and installation for the Parking Count and Guidance System of the IAH parking garages (A/B, C, and D/E). The project installation includes ultrasonic sensors and camera-based sensors, which will monitor parking spaces in the IAH garages and display to our customers parking availability

information via dynamic messaging signs.

The project also includes demolition of the existing dynamic message signs that are out of commission within the IAH parking garages. This system will provide an improved level of service to our customers, allowing them to quickly find available parking within the garages.

Project Costs:

\$12,428,517.00 Phase II Construction Phase Services

\$ 1,056,972.00 Alternate Options*

\$ 60,053.00 Testing Services

\$ 825,468.00 Contingency

\$14,371,010.00 TOTAL

* Alternate Options include the following customer-service-driven enhancements:

- Find My Car Kiosk – This item allows customers to easily locate their vehicles (floor level and aisle) in the garages.
- Mobile License Plate Recognition/License Plate Inventory (LPR/LPI) Vehicle System – This system scans the license plates of incoming vehicles, then feeds that information into the Find My Car Kiosk.
- Wireless Sensors on the Roof – These are device indicators that allow customers to identify parking spaces on the roof level of the garages.

M/WBE Participation:

The Houston Airport System's Office of Business Opportunity (HAS OBO) approved an MBE and WBE goal for this project of 15% (11% MBE and 4% WBE).

Azteca Enterprises Inc. committed to a 19.10% participation plan for the Pre-Construction Services phase of the project, and has achieved 19.51% toward the goal using the following certified subcontractors:

Firms	Type of Work	Amount	%
Parking Guidance Systems (WBE)	Support/Mockups	\$ 116,319.00	14.36%
The Principle Partnering Group (MBE)	M/W/DBE Outreach	\$ 0	0%
Gonzales Commercial Electric (MBE)	Electrical Services	\$ 40,000.00	4.94%
W. A. Robbins Construction Co., Inc. (MBE)	Site Logistics Work & Demo.	\$ 1,693.00	0.21%
TOTAL		\$ 177,407.00	19.51%

Azteca Enterprises Inc. has committed to a 63.68% participation plan for the Phase II Construction Services Phase of the project, using the following certified subcontractors:

Firms	Type of Work	Amount	%
	Equipment Testing &		

Parking Guidance Systems (WBE)	Design/Construct	\$4,374,678.00	35.20%
The Principle Partnering Group (MBE)	M/W/DBE Outreach	\$ 100,000.00	0.80%
Gonzales Commercial Electric (MBE)	Electrical Services	\$2,237,755.00	18.01%
W.A. Robbins Construction Co., Inc.(MBE)	Site Logistics Work & Demo.	\$1,200,735.00	9.67%

TOTAL \$ 7,913,168 63.68%

Capital Fiscal Note:

This item is considered to be a capital project. This appropriation is for Amendment No. 1 to the Design-Build Contract with Azteca Enterprises, Incorporated Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (IAH).

There is no impact to the FY18 Adopted Operating Budget for this item. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078 as an Operating Budget Item.

Director's Signature:

Additional Approval:

Mario C. Diaz
Houston Airport System

Andy Icken
Chief Development Officer

Prior Council Action:

06/21/2017 (O) 2017-446

Prior Appropriations:

06/21/2017 \$928,991.00 HAS Arpt Improvement (8011)

Amount of Funding:

\$14,371,010.00 HAS Arpt Improvement (8011)

Contact Information:

Todd Curry 281/233-1896
Bob Barker 281/233-1953

ATTACHMENTS:

Description

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 4/19/2018

HAS - Amendment No. 1 to Design-Build Contract with Azteca Enterprises for Parking Count and Guidance System at IAH

Agenda Item#:

Background:

RECOMMENDATION:

Enact an Ordinance to approve Amendment No. 1 to the Design-Build Contract with Azteca Enterprises, Inc. to accept the Guaranteed Maximum Price and appropriate the necessary funds to finance the cost of this project. Project No. 761 (WBS# A-000563-0002-4-01- 01 and A-000563-0003-4-01-01, Contract No. 4600014438)

SPECIFIC EXPLANATION:

On June 21, 2017, City Council approved a Design-Build Contract with Azteca Enterprises, Inc. for the Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (IAH) and appropriated \$928,991 for Phase I Pre-Construction Phase Services.

It is now requested that City Council approve Amendment No. 1 to establish the Guaranteed Maximum Price (GMP) and provide funding for the Phase II, Construction Phase Services portion of the Parking Count and Guidance System.

The current appropriation of \$14,371,010 for Construction Phase Services includes the fabrication and installation for the Parking Count and Guidance System of the IAH parking garages (A/B, C, and D/E). The project installation includes ultrasonic sensors and camera-based sensors, which will monitor parking spaces in the IAH garages and display to our customers parking availability information via dynamic messaging signs.

The project also includes demolition of the existing dynamic message signs that are out of commission within the IAH parking garages. This system will provide an improved level of service to our customers, allowing them to quickly find available parking within the garages.

Project Costs:

\$12,428,517.00 Phase II Construction Phase Services
\$ 1,056,972.00 Alternate Options*
\$ 60,053.00 Testing Services
\$ 825,468.00 Contingency
\$14,371,010.00 TOTAL

* Alternate Options include the following customer-service-driven enhancements:

- Find My Car Kiosk – This item allows customers to easily locate their vehicles (floor level and aisle) in the garages.
- Mobile License Plate Recognition/License Plate Inventory (LPR/LPI) Vehicle System – This system scans the license plates of incoming vehicles, then feeds that information into the Find My Car Kiosk.
- Wireless Sensors on the Roof – These are device indicators that allow customers to identify parking spaces on the roof level of the garages.

M/WBE Participation:

The Houston Airport System's Office of Business Opportunity (HAS OBO) approved an MBE and WBE goal for this project of 15% (11% MBE and 4% WBE).

Azteca Enterprises Inc. committed to a 19.10% participation plan for the Pre-Construction Services phase of the project, and has

achieved 19.51% toward the goal using the following certified subcontractors:

Firms	Type of Work	Amount	%
Parking Guidance Systems (WBE)	Support/Mockups	\$ 116,319.00	14.36%
The Principle Partnering Group (MBE)	M/W/DBE Outreach	\$ 0	0%
Gonzales Commercial Electric (MBE)	Electrical Services	\$ 40,000.00	4.94%
W. A. Robbins Construction Co., Inc. (MBE)	Site Logistics Work & Demo.	\$ 1,693.00	0.21%
TOTAL		\$ 177,407.00	19.51%

Azteca Enterprises Inc. has committed to a 63.68% participation plan for the Phase II Construction Services Phase of the project, using the following certified subcontractors:

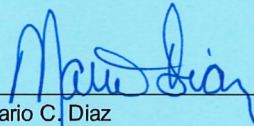
Firms	Type of Work	Amount	%
Parking Guidance Systems (WBE)	Equipment Testing & Commissioning	\$4,374,678.00	35.20%
The Principle Partnering Group (MBE)	M/W/DBE Outreach	\$ 100,000.00	0.80%
Gonzales Commercial Electric (MBE)	Electrical Services	\$2,237,755.00	18.01%
W.A. Robbins Construction Co., Inc.(MBE)	Site Logistics Work & Demo.	\$1,200,735.00	9.67%
TOTAL		\$ 7,913,168	63.68%

Capital Fiscal Note:

This item is considered to be a capital project. This appropriation is for Amendment No. 1 to the Design-Build Contract with Azteca Enterprises, Incorporated Parking Count and Guidance System at George Bush Intercontinental Airport/Houston (IAH).

There is no impact to the FY18 Adopted Operating Budget for this item. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078 as an Operating Budget Item.

Director's Signature:


 Mario C. Diaz
 Houston Airport System

Additional Approval:

 Andy Icken
 Chief Development Officer

Prior Council Action:

06/21/2017 (O) 2017-446

Prior Appropriations:

06/21/2017 \$928,991.00 HAS Arpt Improvement (8011)

Amount of Funding:

\$14,371,010.00 HAS Arpt Improvement (8011)

Contact Information:

Todd Curry 281/233-1896
 Bob Barker 281/233-1953



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B, District I

Item Creation Date: 4/17/2018

HAS - Restated Airport Parking Operations and Management Concessions Agreement with New South Parking-Texas

Agenda Item#: 16.

Summary:

ORDINANCE approving and authorizing Restated Airport Parking Operations and Management Concessions Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; amending Ordinance 2017-411 to increase the maximum contract amount - \$90,000,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS and I - GALLEGOS**

Background:

RECOMMENDATION:

Enact an ordinance to approve a Restated Airport Parking Operations and Management Concessions Agreement with New South Parking – Texas and providing for a Maximum Contract Amount.

SPECIFIC EXPLANATION:

New South Parking – Texas (“NSP”), a joint venture between SP+ and Global Parking, currently operates and manages all parking facilities owned by the Houston Airport System (“HAS”) at George Bush Intercontinental Airport/Houston (“IAH”) and William P. Hobby Airport (“HOU”) under a Parking Operations and Management Concession Agreement (“Original Agreement”).

Anticipating the expiration of the Original Agreement on January 29, 2017, the City advertised a Request for Proposals (RFP) in 2016 for a new parking operator/manager for IAH and HOU. SP+ Global Alexander was recommended by the evaluation committee, but the RFP was canceled because the City was unwilling to award the same operator with a new contract after 18 years. In order to create more opportunity for other operators in the industry, a second round of RFPs were issued in 2017 for separate parking operators/managers for each airport. SP+ Global Alexander emerged as the recommended winner for IAH and ABM Mid-City Parking as the recommended winner for HOU. Unfortunately, the new proposals taken together would have increased the City's costs for airport parking operations by \$11.5 million over the anticipated 10-year term, compared to the 2016 RFP proposal. As a result, the 2017 RFPs were canceled as well.

To achieve the City's objective of increasing opportunity for the industry without adding to the City's costs, it must be recognized that NSP has developed a unique cost advantage from its years of operating airport parking for the City. Under the Original Agreement, NSP built a shuttle bus maintenance facility and performs all bus maintenance at in-house labor rates. Competing firms in

the RFPs proposed outsourced bus maintenance programs at considerably higher cost. The City intends to eliminate this obstacle to a competitive RFP by building its own shuttle bus maintenance facility on airport property for use by future airport parking operators/managers.

The City wishes to extend the contract with NSP for three years, during which time the City will build the bus maintenance facility and issue a new RFP. Therefore, the City and NSP have restated the Original Agreement to reflect the terms sought by the City under the RFPs to (a) extend the term from July 1, 2018 to June 30, 2021, and (b) transition to a management model in which the City will reimburse NSP for actual costs plus a management fee, rather than paying a fixed price that lacks transparency (the "Restated Agreement"). Additional key terms of the Restated Agreement include:

1. Requirement of a minimum wage of \$10/hour in year one, \$11/hour in year two, and \$12/hour in year three;
2. Replacement of 30 shuttle buses at ecopark; and
3. Increased shuttle bus service by approximately 20% to reduce passenger wait times.

This topic was presented to the City Council Economic Development Committee on March 8, 2018.

Increase to Maximum Contract Amount:

\$ 27,230,731.00 HAS-Revenue (8001) FY2019
\$ 62,769,269.00 HAS-Revenue (8001) Out Years
\$ 90,000,000.00 Total (Increase to Maximum Contract Amount)

ACDBE Participation:

The Airport Concession Disadvantage Business Enterprise (ACDBE) goal for the Original Agreement is 15%, and NSP is currently achieving 33.1% participation. NSP has committed to achieve ACDBE participation of 35%, using the following certified firms: Global Parking Systems, LLC (Parking & Transportation Services), Aztec Facility Management (Janitorial Services), and Sports Productions (Uniforms and Promotional Items).

Fiscal Note:

O&M funding will be required in FY19 and has been included in the Proposed Budget that has been submitted for approval by Council later in FY18. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078. See Attachment A.

Director's Signature:

Additional Approval:

Mario C. Diaz
Houston Airport System

Andy Icken
Chief Development Officer

Prior Council Action:

12/08/1999 (O) 1999-1292
08/24/2004 (O) 2004-0888
12/09/2009 (O) 2009-1298
12/30/2011 (O) 2011-1009
03/05/2014 (O) 2014-0180
10/14/2015 (O) 2015-0995
01/31/2017 (O) 2017-0043
06/07/2017 (O) 2017-0411

Amount of Funding:

\$90,000,000.00
HAS-Revenue (8001)

Contact Information:

Todd Curry 281/233-1896
Ian Wadsworth 281/233-1682

ATTACHMENTS:**Description**

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B, District I

Item Creation Date: 4/17/2018

HAS - Restated Airport Parking Operations and Management Concessions Agreement with
New South Parking-Texas

Agenda Item#: 6.

Background:

RECOMMENDATION:

Enact an ordinance to approve a Restated Airport Parking Operations and Management Concessions Agreement with New South Parking – Texas and providing for a Maximum Contract Amount.

SPECIFIC EXPLANATION:

New South Parking – Texas ("NSP"), a joint venture between SP+ and Global Parking, currently operates and manages all parking facilities owned by the Houston Airport System ("HAS") at George Bush Intercontinental Airport/Houston ("IAH") and William P. Hobby Airport ("HOU") under a Parking Operations and Management Concession Agreement ("Original Agreement").

Anticipating the expiration of the Original Agreement on January 29, 2017, the City advertised a Request for Proposals (RFP) in 2016 for a new parking operator/manager for IAH and HOU. SP+ Global Alexander was recommended by the evaluation committee, but the RFP was canceled because the City was unwilling to award the same operator with a new contract after 18 years. In order to create more opportunity for other operators in the industry, a second round of RFPs were issued in 2017 for separate parking operators/managers for each airport. SP+ Global Alexander emerged as the recommended winner for IAH and ABM Mid-City Parking as the recommended winner for HOU. Unfortunately, the new proposals taken together would have increased the City's costs for airport parking operations by \$11.5 million over the anticipated 10-year term, compared to the 2016 RFP proposal. As a result, the 2017 RFPs were canceled as well.

To achieve the City's objective of increasing opportunity for the industry without adding to the City's costs, it must be recognized that NSP has developed a unique cost advantage from its years of operating airport parking for the City. Under the Original Agreement, NSP built a shuttle bus maintenance facility and performs all bus maintenance at in-house labor rates. Competing firms in the RFPs proposed outsourced bus maintenance programs at considerably higher cost. The City intends to eliminate this obstacle to a competitive RFP by building its own shuttle bus maintenance facility on airport property for use by future airport parking operators/managers.

The City wishes to extend the contract with NSP for three years, during which time the City will build the bus maintenance facility and issue a new RFP. Therefore, the City and NSP have restated the Original Agreement to reflect the terms sought by the City under the RFPs to (a) extend the term from July 1, 2018 to June 30, 2021, and (b) transition to a management model in which the City will reimburse NSP for actual costs plus a management fee, rather than paying a fixed price that lacks transparency (the "Restated Agreement"). Additional key terms of the Restated Agreement include:

1. Requirement of a minimum wage of \$10/hour in year one, \$11/hour in year two, and \$12/hour in year three;
2. Replacement of 30 shuttle buses at ecopark; and
3. Increased shuttle bus service by approximately 20% to reduce passenger wait times.

This topic was presented to the City Council Economic Development Committee on March 8, 2018.

Increase to Maximum Contract Amount:

\$ 27,230,731.00 HAS-Revenue (8001) FY2019

\$ 62,769,269.00 HAS-Revenue (8001) Out Years

\$ 90,000,000.00 Total (Increase to Maximum Contract Amount)

ACDBE Participation:

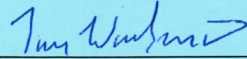
The Airport Concession Disadvantage Business Enterprise (ACDBE) goal for the Original Agreement is 15%, and NSP is currently achieving 33.1% participation. NSP has committed to achieve ACDBE participation of 35%, using the following certified firms: Global Parking Systems, LLC (Parking & Transportation Services), Aztec Facility Management (Janitorial Services), and Sports Productions (Uniforms and Promotional Items).

Fiscal Note:

O&M funding will be required in FY19 and has been included in the Proposed Budget that has been submitted for approval by Council later in FY18. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078. See Attachment A.

Director's Signature:

Additional Approval:

for 

Mario C. Diaz
Houston Airport System

Andy Icken
Chief Development Officer

Prior Council Action:

12/08/1999 (O) 1999-1292
08/24/2004 (O) 2004-0888
12/09/2009 (O) 2009-1298
12/30/2011 (O) 2011-1009
03/05/2014 (O) 2014-0180
10/14/2015 (O) 2015-0995
01/31/2017 (O) 2017-0043
06/07/2017 (O) 2017-0411

Amount of Funding:

\$90,000,000.00 HAS-Revenue (8001)

Contact Information:

Todd Curry 281/233-1896
Ian Wadsworth 281/233-1682



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B, District E, District I

Item Creation Date: 4/20/2018

HAS - Amendment No. 1 to Interlocal Agreement with Texas
A&M Engineering Experiment Station (TEES)

Agenda Item#: 17.

Summary:

ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and **TEXAS A&M ENGINEERING EXPERIMENT STATION** for Energy Management Related Engineering Services for the Houston Airport System and amending Ordinance No. 2013-1092 to increase the maximum contract amount - \$500,000.00 - Enterprise Fund - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**.

Background:

RECOMMENDATION:

Enact an ordinance to approve Amendment No. 1 to the Interlocal Agreement with Texas A&M Engineering Experiment Station (TEES) adding one year and to amend Ordinance 2013-1092 to increase the maximum Contract amount. (Contract No. 4600612409)

SPECIFIC EXPLANATION:

On December 4, 2013, Council approved Ordinance 2013-1092, authorizing the Professional Program Management Interlocal Agreement with Texas A&M Engineering Experiment Station (TEES) for Energy Management Related Engineering Services for the Houston Airport System (HAS).

On December 07, 2016, HAS exercised the Agreement two-year renewal option, which adjusted the Contract terminus date to December 15, 2018.

This agreement has provided on-call services related to energy conservation, emissions reduction, and systems optimization throughout HAS.

The original scope of work included:

- Operating assessments and optimization of Heating, Ventilation & Air Conditioning (HVAC) systems and Central Utilities Plants (CUP) thermal production and distribution systems;
- Implementation of Continuous Commissioning™ processes, including on-going measurement and verification programs to benchmark energy conservation initiatives;
- Identification, quantification and potential implementation of energy conservation and emissions reduction strategies and procedures involving HVAC, CUP and lighting

- control and distribution systems;
- Development of specific near-term and long-term recommendations to improve the operating performance of energy-consuming system located throughout HAS facilities;

Since initiation of the energy management-related services provided through this agreement, the Texas A&M Engineering Experiment Station Energy Systems Laboratory and Houston Airport System have initiated numerous measures to reduce energy consumption at the three HAS airports. These initiatives have resulted in a cumulative energy cost savings of \$954,689.00 as of January 2018, with an on-going annual savings of \$285,600.00. This one-year extension of the agreement will enable HAS to continue implementation of additional energy conservation, air emission reductions and system optimization initiatives.

It is now requested that Council approve an amendment to increase the contract term by one (1) year and to increase the maximum Contract amount by \$500,000 to \$2,000,000.00. The amended Contract expiration date will be December 16, 2019.

Budget Breakdown:

\$295,000.00 HAS-Revenue (8001)
\$205,000.00 HAS-Revenue (8001) Out Year
 \$500,000.00 TOTAL

M/WBE Participation:

The Minority Women Business Enterprise (MWBE) goal for this contract is three percent (3%) MBE and one percent (1%) WBE.

TEES is currently achieving 6.22% toward the 4% goal using the following certified firms:

Firms	Type of Work	Paid %
Breakthrough Engineering LLC (MBE)	Energy Services	1.89%
Collaborative Engineering Group (WBE)	Energy Services	4.33%

The HAS Office of Business Opportunity will continue to monitor this contract in accordance with its procedures.

Fiscal Note:

Funding for this item is included in the FY18 Adopted Budget. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078. See attached "Attachment A."

Director's Signature:

Mario C. Diaz
Houston Airport System

Prior Council Action:

12/04/2013 (O) 2013-1092

Prior Appropriations:

12/04/2013 \$1,500,000.00 HAS Revenue Fund (8001)

Amount of Funding:

\$500,000.00

HAS Revenue Fund

Fund 8001

Contact Information:

Todd Curry 281/233-1896

Bob Barker 281/233-1953

ATTACHMENTS:

Description

Coversheet (revised)

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District B, District E, District I
Item Creation Date: 4/20/2018

HAS - Amendment No. 1 to Interlocal Agreement with Texas A&M Engineering Experiment Station (TEES)

Agenda Item#:

Background:

RECOMMENDATION:

Enact an ordinance to approve Amendment No. 1 to the Interlocal Agreement with Texas A&M Engineering Experiment Station (TEES) adding one year and to amend Ordinance 2013-1092 to increase the maximum Contract amount. (Contract No. 4600612409)

SPECIFIC EXPLANATION:

On December 4, 2013, Council approved Ordinance 2013-1092, authorizing the Professional Program Management Interlocal Agreement with Texas A&M Engineering Experiment Station (TEES) for Energy Management Related Engineering Services for the Houston Airport System (HAS).

On December 07, 2016, HAS exercised the Agreement two-year renewal option, which adjusted the Contract terminus date to December 15, 2018.

This agreement has provided on-call services related to energy conservation, emissions reduction, and systems optimization throughout HAS.

The original scope of work included:

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- Implementation of Continuous Commissioning™ processes, including on-going measurement and verification programs to benchmark energy conservation initiatives;
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- Development of specific near-term and long-term recommendations to improve the operating performance of energy-consuming system located throughout HAS facilities;

Since initiation of the energy management-related services provided through this agreement, the Texas A&M Engineering Experiment Station Energy Systems Laboratory and Houston Airport System have initiated numerous measures to reduce energy consumption at the three HAS airports. These initiatives have resulted in a cumulative energy cost savings of \$954,689.00 as of January 2018, with an on-going annual savings of \$285,600.00. This one-year extension of the agreement will enable HAS to continue implementation of additional energy conservation, air emission reductions and system optimization initiatives.

It is now requested that Council approve an amendment to increase the contract term by one (1) year and to increase the maximum Contract amount by \$500,000 to \$2,000,000.00. The amended Contract expiration date will be December 16, 2019.

Budget Breakdown:

\$ 295,000.00	HAS-Revenue (8001)
\$ 205,000.00	HAS-Revenue (8001) Out Year
\$ 500,000.00	TOTAL

M/WBE Participation:

The Minority Women Business Enterprise (MWBE) goal for this contract is three percent (3%) MBE and one percent (1%) WBE.

TEES is currently achieving 6.22% toward the 4% goal using the following certified firms:

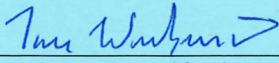
Firms	Type of Work	Paid %
Breakthrough Engineering LLC (MBE)	Energy Services	1.89%
Collaborative Engineering Group (WBE)	Energy Services	4.33%

The HAS Office of Business Opportunity will continue to monitor this contract in accordance with its procedures.

Fiscal Note:

Funding for this item is included in the FY18 Adopted Budget. Therefore, no fiscal note is required as stated in the Financial Policy Ord. 2014-1078. See attached "Attachment A."

Director's Signature:



for Mario C. Diaz 4/27/18
Houston Airport System

Prior Council Action:

12/04/2013 (O) 2013-1092

Prior Appropriations:

12/04/2013 \$1,500,000.00 HAS Revenue Fund (8001)

Amount of Funding:

\$500,000.00 HAS Revenue Fund (8001)

Contact Information:

Todd Curry	281/233-1896
Bob Barker	281/233-1953



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/16/2018

HFD - FY17 Fire Prevention and Safety Grant

Agenda Item#: 18.

Summary:

ORDINANCE approving and authorizing submission of an electronic application for grant to the **DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY**, for the FY2017 Fire Prevention and Safety Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Fire Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

Background:

Approval of an ordinance authorizing the application and acceptance of award for the Federal Emergency Management Agency (FEMA) FY 2017 Fire Prevention and Safety grant.

SPECIFIC EXPLANATION:

The Houston Fire Department (HFD) requests City Council approve an ordinance authorizing the application and acceptance of award for the Federal Emergency Management Agency (FEMA) FY 2017 Fire Prevention and Safety Grant Program in the amount of \$41,357, with a cash match of \$2,067 for a total program cost of \$43,424.

HFD proposes a Community Risk Assessment project to evaluate potential fire-related hazards present in our community. The goal of the project is to expand our current fire safety and prevention programs to better serve the citizens of the City of Houston. Through obtaining a formal community risk assessment, HFD intends to gather fruitful information that identifies and prioritizes risks in our community. HFD is requesting funds to procure an expert analysis consultant to conduct a formal comprehensive community risk assessment, analysis and prioritization that will result in the development of a community risk reduction plan to reduce fire-related death, injury and property loss.

Fiscal Note:

Funding for grant match is included in the proposed FY19 budget.

Amount of Funding:

Total: \$43,424.00

\$2,067 General Fund Cash Match (Fund 1000)

\$41,357 Federal Grant (Fund 5000)

Contact Information:

Richard Mann

Phone: 832-394-6712

ATTACHMENTS:

Description

Signed RCA

Type

Signed Cover sheet

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

An ordinance authorizing the Director of the Houston Fire Department to apply for a grant from the FEMA Assistance to Firefighters Grant ("AFG") Program.

Category #

4

Page 1 of 1**Agenda Item****From:** (Department or other point of origin):

Samuel Peña

Fire Chief

Fire Department

Origination Date**Agenda Date****DIRECTOR'S SIGNATURE****Council District(s) Affected:** All**For additional information contact:**

Richard Mann

Phone: 832-394-6712

Date and Identification of prior authorizing Council Action:**RECOMMENDATION: (Summary)**

Approval of an ordinance authorizing the application and acceptance of award for the Federal Emergency Management Agency (FEMA) FY 2017 Fire Prevention and Safety grant.

Amount and Source of Funding:

Total: \$43,424

\$2,067 General Fund Cash Match (Fund 1000)

\$41,357 Federal Grant (Fund 5000)

Finance Budget**SPECIFIC EXPLANATION:**

The Houston Fire Department (HFD) requests City Council approve an ordinance authorizing the application and acceptance of award for the Federal Emergency Management Agency (FEMA) FY 2017 Fire Prevention and Safety Grant Program in the amount of \$41,357, with a cash match of \$2,067 for a total program cost of \$43,424.

HFD proposes a Community Risk Assessment project to evaluate potential fire-related hazards present in our community. The goal of the project is to expand our current fire safety and prevention programs to better serve the citizens of the City of Houston. Through obtaining a formal community risk assessment, HFD intends to gather fruitful information that identifies and prioritizes risks in our community. HFD is requesting funds to procure an expert analysis consultant to conduct a formal comprehensive community risk assessment, analysis and prioritization that will result in the development of a community risk reduction plan to reduce fire-related death, injury and property loss.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ETJ

Item Creation Date: 3/1/2018

20WR36 - Petition Addit (4.1674) Meadowhill Regional
Municipal Utility District

Agenda Item#: 19.

Summary:

ORDINANCE consenting to the addition of 4.1674 acres of land to **MEADOWHILL REGIONAL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 4.1674 acres to Meadowhill Regional Municipal Utility District (Key Map No. 292 P).

RECOMMENDATION: Petition for the City's consent to the addition of 4.1674 acres to Meadowhill Regional Municipal Utility District be approved.

SPECIFIC EXPLANATION: Meadowhill Regional Municipal Utility District was created through an act of the Texas Legislature in 1971, and currently consists of 899.8867 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 4.1674 acres of vacant land, proposed be developed as commercial property, to the district. The proposed annexation tract is located in the vicinity of Spring Stuebner Road, Holzwarth Road, Union Pacific Railroad, and Interstate Highway 45. The addition of land to the district will not release it from the City's extraterritorial jurisdiction.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Meadowhill Regional Wastewater Treatment Plant. This regional plant also provides wastewater treatment to Shasla Public Utility District, Northwest Harris County Municipal Utility District No. 28, and Klein Independent School District. Potable water is provided by the district.

The nearest major drainage facility for Meadowhill Regional Municipal Utility District is Cypress Creek which flows into Spring Creek, then into the San Jacinto River and finally into Lake Houston. The proposed annexation tract is not within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

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

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/1/2018

20WR36 - Petition Addit (4.1674) Meadowhill Regional Municipal Utility District

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 4.1674 acres to Meadowhill Regional Municipal Utility District (Key Map No. 292 P).

RECOMMENDATION: Petition for the City's consent to the addition of 4.1674 acres to Meadowhill Regional Municipal Utility District be approved.

SPECIFIC EXPLANATION: Meadowhill Regional Municipal Utility District was created through an act of the Texas Legislature in 1971, and currently consists of 899.8867 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 4.1674 acres of vacant land, proposed be developed as commercial property, to the district. The proposed annexation tract is located in the vicinity of Spring Stuebner Road, Holzwarth Road, Union Pacific Railroad, and Interstate Highway 45. The addition of land to the district will not release it from the City's extraterritorial jurisdiction.

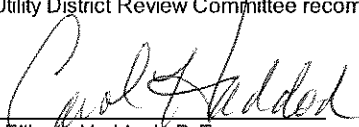
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The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Meadowhill Regional Wastewater Treatment Plant. This regional plant also provides wastewater treatment to Shasla Public Utility District, Northwest Harris County Municipal Utility District No. 28, and Klein Independent School District. Potable water is provided by the district.

The nearest major drainage facility for Meadowhill Regional Municipal Utility District is Cypress Creek which flows into Spring Creek, then into the San Jacinto River and finally into Lake Houston. The proposed annexation tract is not within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.


Carol Ellinger Haddock, P. E.

Director

Houston Public Works

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

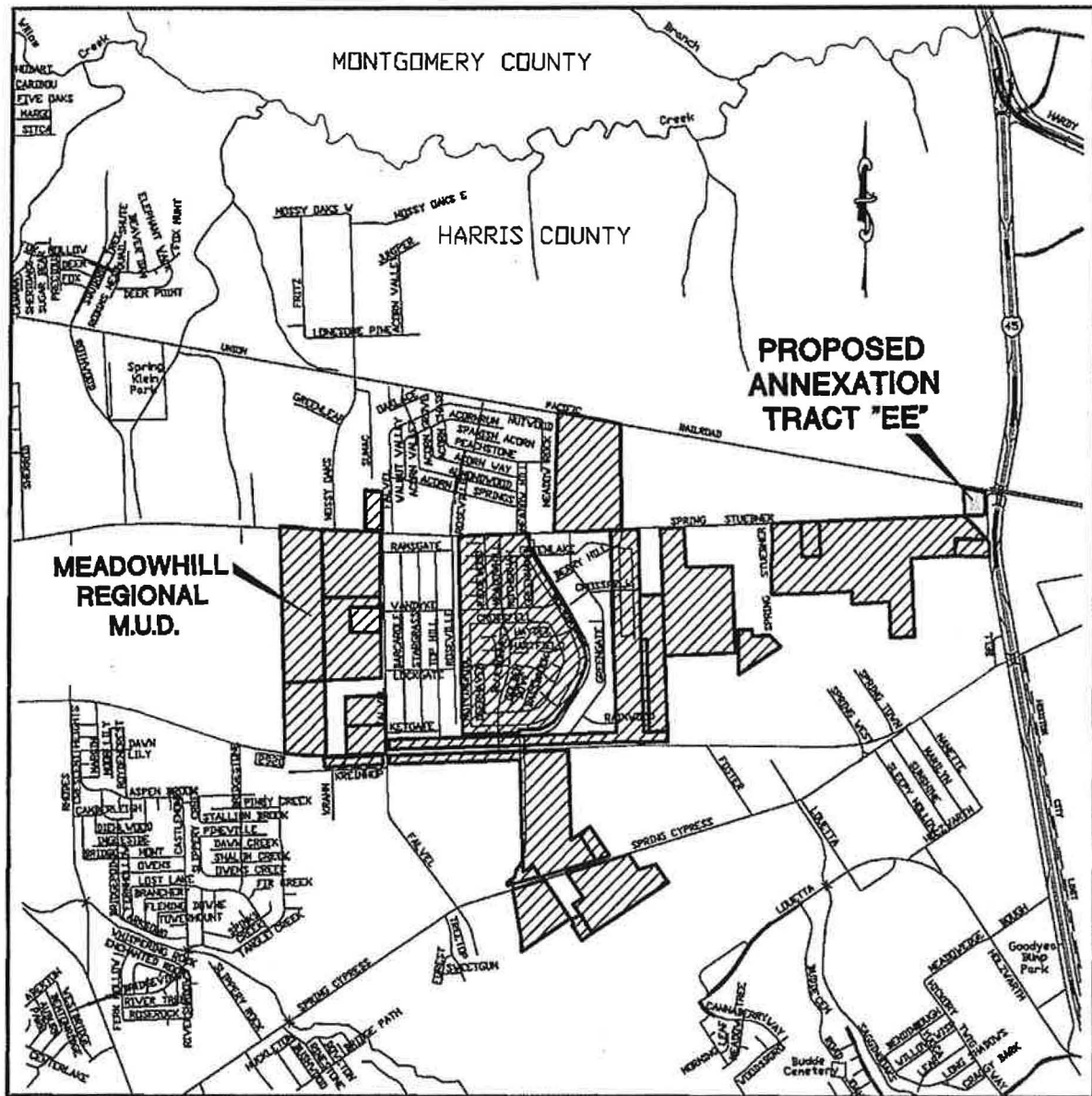
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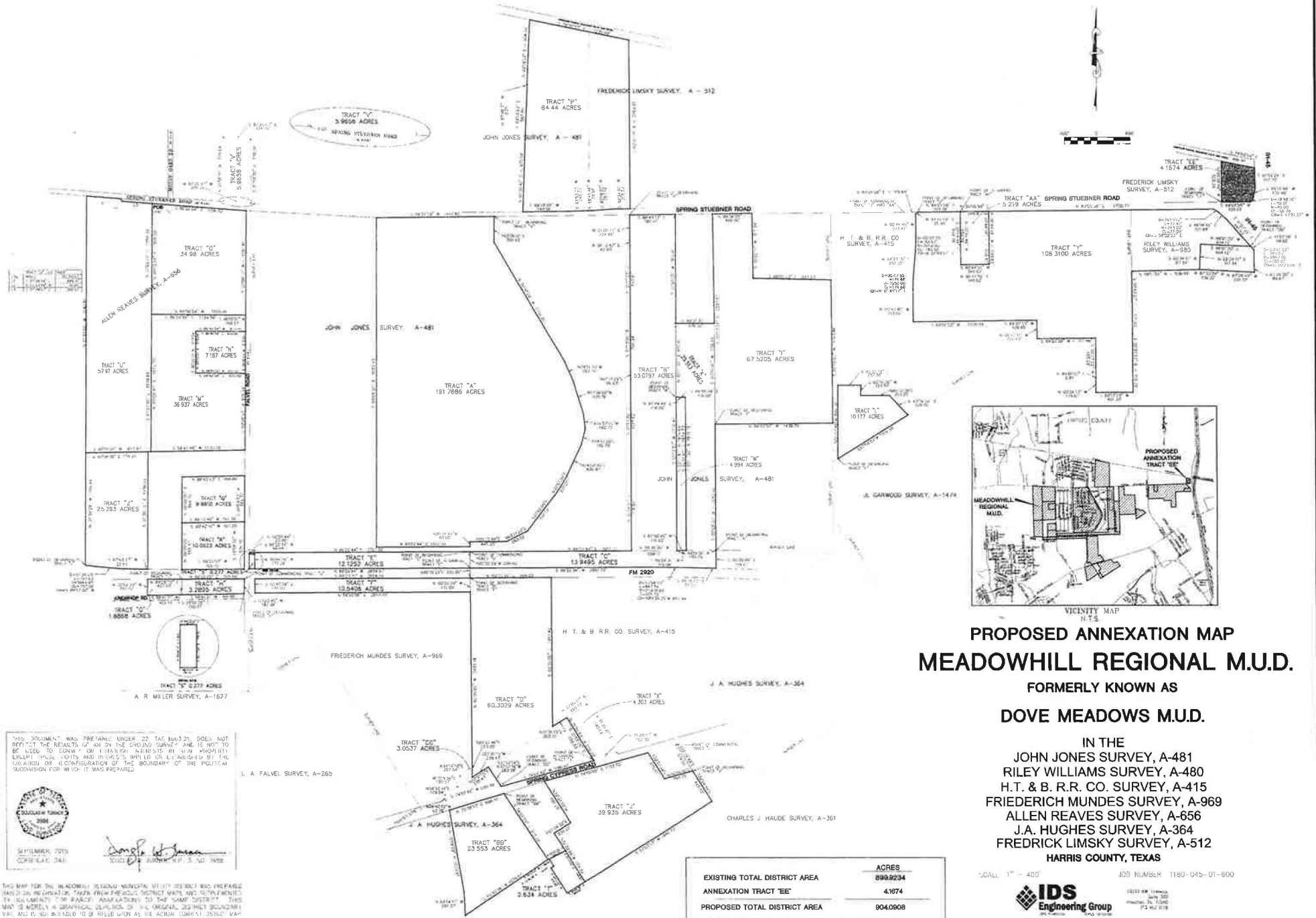
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DISTRICT BOUNDARY OF MEADOWHILL REGIONAL M.U.D.



VICINITY MAP
N.T.S.





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ETJ

Item Creation Date: 10/31/2017

20WR27 – Petition Addit (2.690) Northampton Municipal
Utility District

Agenda Item#: 20.

Summary:

ORDINANCE consenting to the addition of 2.690 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 2.690 acres to Northampton Municipal Utility District (Key Map No. 250 Z).

RECOMMENDATION: Petition for the City's consent to the addition of 2.690 acres to Northampton Municipal Utility District be approved.

SPECIFIC EXPLANATION: Northampton Municipal Utility District was created through an act of the Texas Legislature in 1967, and currently consists of 1,585.9743 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 2.690 acres of vacant land, proposed be a commercial development, to the district. The proposed annexation tract is located in the vicinity of Dovershire Drive, Northcrest Drive, West Rayford Road, and Gosling Road. The addition of land to the district does not release it from the City's extraterritorial jurisdiction.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Northampton Municipal Utility District Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Oakmont Public Utility District. Potable water is provided by the district.

The nearest major drainage facility for Northampton Municipal Utility District is Willow Creek, which flows to Cypress Creek, then into Spring Creek, then into the San Jacinto River, and finally into Lake Houston. The proposed annexation tract is within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within

the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

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

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 10/31/2017

20WR27 – Petition Addit (2.690) Northampton Municipal Utility District

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 2.690 acres to Northampton Municipal Utility District (Key Map No. 250 Z).

RECOMMENDATION: Petition for the City's consent to the addition of 2.690 acres to Northampton Municipal Utility District be approved.

SPECIFIC EXPLANATION: Northampton Municipal Utility District was created through an act of the Texas Legislature in 1967, and currently consists of 1,585.9743 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 2.690 acres of vacant land, proposed be a commercial development, to the district. The proposed annexation tract is located in the vicinity of Dovershire Drive, Northcrest Drive, West Rayford Road, and Gosling Road. The addition of land to the district does not release it from the City's extraterritorial jurisdiction.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Northampton Municipal Utility District Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Oakmont Public Utility District. Potable water is provided by the district.

The nearest major drainage facility for Northampton Municipal Utility District is Willow Creek, which flows to Cypress Creek, then into Spring Creek, then into the San Jacinto River, and finally into Lake Houston. The proposed annexation tract is within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

Carol Ellinger Haddock, P. E.

Director

Houston Public Works

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

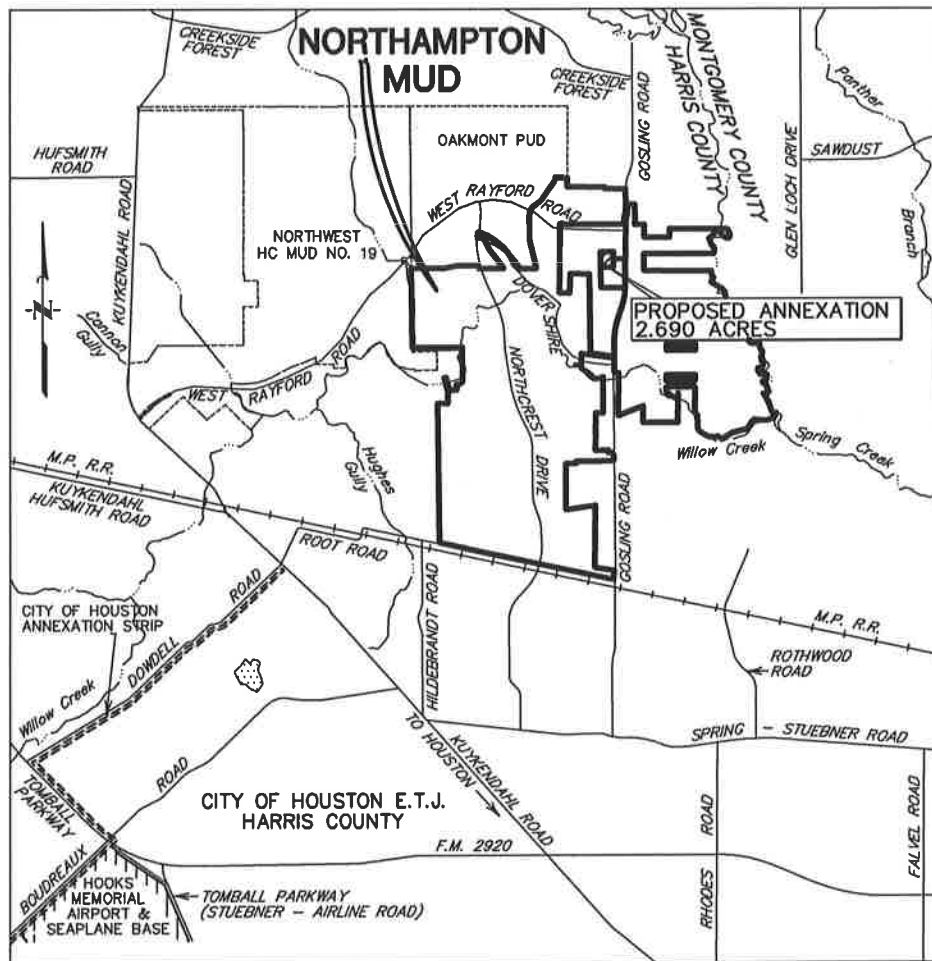
ATTACHMENTS:

Description	Type
Maps	Backup Material
Application	Backup Material
Petition	Backup Material
Backup Material	Backup Material

NORTHAMPTON MUNICIPAL UTILITY DISTRICT

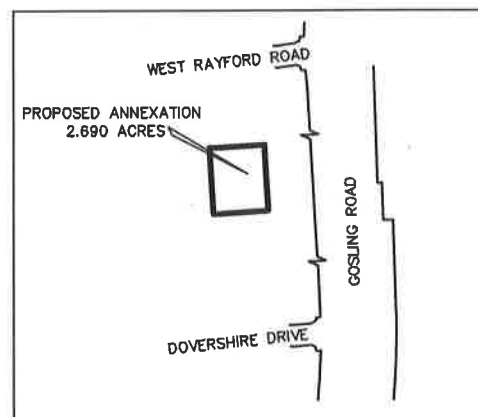
Proposed Annexation of 2.690 Acres of Land

(HARRIS COUNTY KEY MAP: 250-Z)



VICINITY MAP

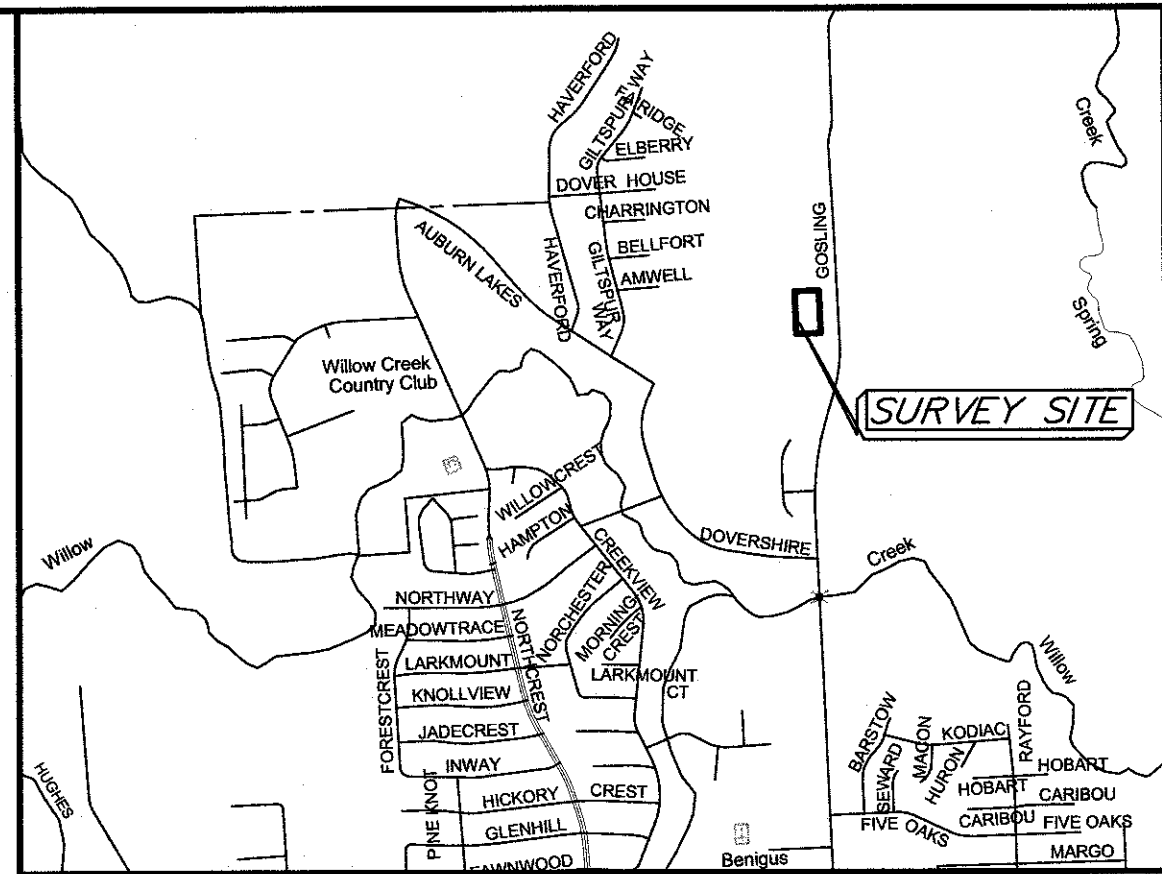
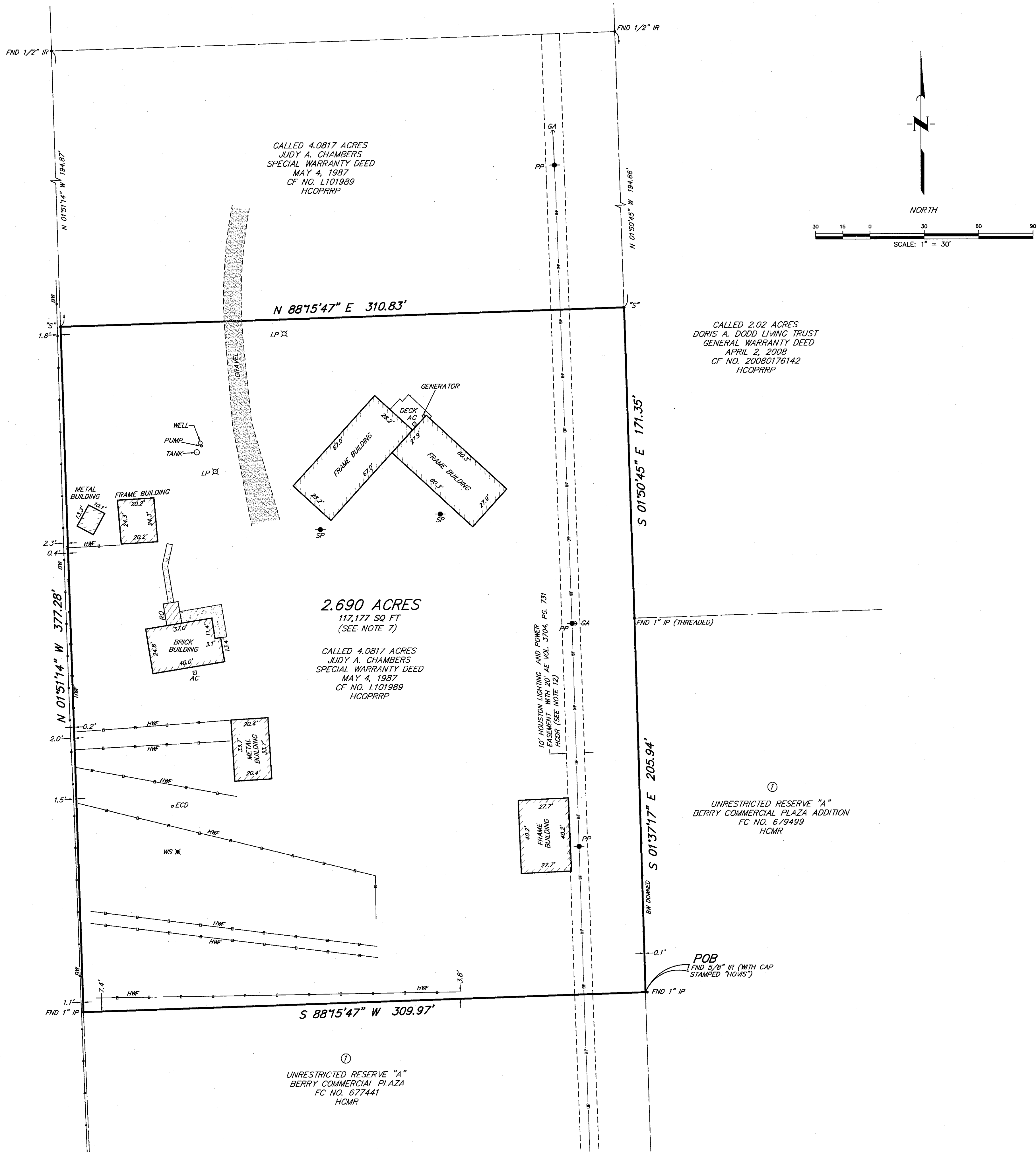
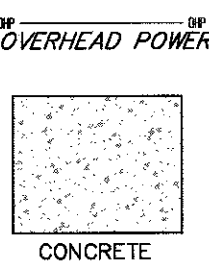
N.T.S.



1. Reference Commitment for Title Insurance issued by Stewart Title Guaranty Company countersigned by Stewart Title of Montgomery County, Inc., File No. 17199862, having an effective date of February 25, 2017 and an issue date of February 27, 2017. No further research for easements or encumbrances was performed by JonesCortez.
2. Development of the subject tract may require submittal, approval, and/or recording of a plat or plat of replat. Rules and regulations are established by the governmental agency, which has jurisdiction. These rules and regulations may include designation of setback lines, easements, additional right-of-way, and other matters.
3. Bearings shown hereon are based on the Texas Coordinate System of 1983, South Central Zone.
4. This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
5. According to Map No. 48201C0235M of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Harris County, Texas and Incorporated Areas, dated October 16, 2013, the subject tract is situated within: Shaded Zone X defined as areas of the 0.2% annual chance flood (500-year flood); areas of 1% annual chance flood (100-year flood) with areas of 1% annual chance flood less than or equal to 1% annual chance flood less than one square mile; and areas protected by levees from 1% annual chance flood and Unshaded Zone X defined as areas determined to be outside the 0.2% annual chance floodplain (500-year flood).

This flood statement does not imply that the property or structures therein will be free from flooding or flood damage. On rare occasions floods can and will occur and cause damage that may be present due to position accuracy of the boundary survey. This flood statement shall not create liability on the part of the surveyor.
6. Fences shown hereon are graphic only, with dimensional ties shown at specified locations where they were physically measured. The fence line may meander between said measured locations. The dimensions showing the distance between the fence and the property line also indicates which side of the property line the fence is on.
7. The square footage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the area of that may be present due to position accuracy of the boundary survey monuments shown hereon. The square footage shown hereon has an accuracy of ± 11.7 square feet. This is based on the calculations of area standards and the Manual of Practice for Land Surveying in the State of Texas as published by the Texas Society of Professional Land Surveyors for a 2,690 acre tract of land.
8. The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
9. This survey has been prepared for the sole purpose of the transaction described in the above referenced Title Commitment and the parties listed thereon. This survey is not to be used for any other type of transaction.
10. Visible improvements/Utilities were located with this survey; no subsurface probing, excavation or exploration was performed for this survey.
11. According to Item No. 10E of Schedule B of said Commitment for Title Insurance the tract is subject to the terms, conditions and stipulations of that certain Affidavit of Title and said survey as recorded in the Public Records of Harris County, Texas in the Harris County Official Public Records of Real Property.
12. The tract is subject to a 10-foot wide easement, together with an unobstructed aerial easement 10-feet wide beginning at a plane 20-feet above the ground upwards, located adjacent thereto as granted to Houston Lighting and Power Company recorded under Volume 3704, Page 731 of the Harris County Deed Records and recorded under Instrument No. A-9-9039-R attached to said instrument, and as further referred and disclosed by instrument filed under Clerk's File No. 20080559726 of the Harris County Official Public Records of Real Property. The location of said easement is reflected on this survey based solely on the direct measurements taken from the ground surface. The location of the easement was observed in the field. The sketch referred to as Sketch No. A-C-9039-R and recorded under Volume 3704, Page 731 of the Harris County Deed Records is illegible and as such the surveyor does not accept liability as to the accuracy of the location of said easement.

LEGEND	
AC	AIR CONDITIONING UNIT
BW	BARBED WIRE FENCE
OF No.	CLERK'S FILE NUMBER
ED	ELECTRIC CONDUIT
FND	FOUND
FC No.	FLY CODE NUMBER
GA	GRAY ANCHOR
HWF	HOG WIRE FENCE
HCCPRSP	HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
	HARRIS COUNTY DEED RECORDS
HCDR	HARRIS COUNTY DEED RECORDS
HMWR	HOG WIRE FENCE
IR	IRON ROD
LP	IRON PIPE
POB	POINT OF BEGINNING
PG	PAGE
PP	POWER POLE
"S"	SE
	SE 3/4--INCH IRON ROD (WITH 1/2 INCH IRON ROD)
SP	STAMPED "JONES/CARTER PROPERTY"
SV	SERVICE POLE
VOL	VOLUME
WS	WATER SPIGOT



VICINITY MAP

STATE OF TEXAS §
COUNTY OF HARRIS §

A METES AND BOUNDS description of a 2.690 acre tract of land situated in the Levitt Gosling Survey, Abstract Number 280, Harris County, Texas; being out of and a part of a called 4.0817 acre tract conveyed to Judy A. Chambers by Special Warranty Deed dated May 4, 1987 and filed for record under Clerk's File No. L101989 of the Harris County Official Public Records of Real Property; said 2.690 acres being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a found 5/8-inch iron rod (with cap stamped "Hovis"), for the north corner of Unrestricted Reserve "A" of Berry Commercial Plaza as shown on a plat filed for record under Film Code No. 677441 of the Harris County Map Records, an angle corner in the west line of Unrestricted Reserve "A" of Berry Commercial Plaza Addition as shown on a plat filed for record under Film Code No. 679499 of the Harris County Map Records and the southeast corner of said 4.0817 acres, same being the southeast corner of the herein described tract;

THENCE, South 8815'47" West, 309.97 feet, departing the west line of Unrestricted Reserve "A" of said Berry Commercial Plaza Addition, along the north line of Unrestricted Reserve "A" of said Berry Commercial Plaza and the south line of said A.0817 acres to a found 1-inch iron pipe in the east line of a called 20.38 acre tract conveyed to Makela-Jones, LP by General Warranty Deed dated January 5, 2009 and filed for record under Clerk's File No. 200900046535 of the High Court of the Official Public Records of the State of Texas, to the southeast corner of Unrestricted Reserve "A" of said Berry Commercial Plaza and the southwest corner of said A.0817 acres, some being the southwest corner of the herein described tract;

THENCE, North 01°51'14" West, 377.28 feet along the east line of said 20.38 acres and the west line of said 4.0817 acres to a set 3/4-inch iron rod (with cap stamped "Jones/Carter Property Corner"), for the northwest corner of the herein described tract from which a found 1/2-inch iron rod bears North 01°51'14" West, 194.87 feet;

THENCE, North 88°54'17" East, 310.83 feet, departing the east line of said 20.38 acres at the North 1/4 corner of 0.0819 acres over and across said 4.0817 acres to a set point on the east line of said 20.38 acres, then North 1/4 corner of said 20.38 acres to a 1/4-inch iron rod (with cap stamped "Jones-Carter Property Corner") in the west line of a 1/2-acre tract conveyed to Doris A. Dodd Living Trust by General Warranty Deed dated April 2, 2008 and filed for record under Clerk's File No. 20080176142 of the Harris County Official Public Records of Real Property and the east line of said 4.0817 acres, for the northeast corner of the herein described tract, from which a found 1/2-inch iron rod bears North 01°50'45" West, 194.66 feet,

THENCE, South 01°50'45" East, 171.35 feet along the west line of said 2.02 acres and the east line of said 4.0817 acres to a found 1-inch iron pipe (threaded), for the southwest corner of said 2.02 acres and the northwest corner of Unrestricted Reserve "A" of said Berry Commercial Plaza Addition;

THENCE, South 01°37'17" East, 205.94 feet along the west line of Unrestricted Reserve "A" of said Berry Commercial Plaza Addition and continuing along the east line of said 4.0817 acres to the POINT OF BEGINNING, CONTAINING 2.690 acres of land in Harris County, Texas.

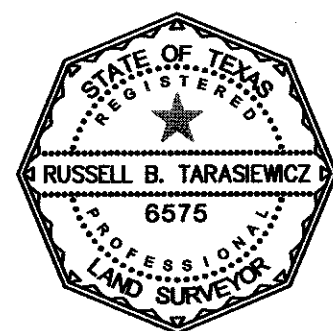
Subject to the General Notes shown:

To: Aventura Developments, LLC a Texas limited liability company, Judy A. Chambers
Stewart Title Guaranty Company and Stewart Title of Montgomery County, Inc.

We, Jones/Carter, acting by and through Russell B. Tarasiewicz, a Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

Surveyed: February 13, 2017

R.B. Tarasiewicz
Russell B. Tarasiewicz
Registered Professional L
No. 6575



**LAND TITLE SURVEY
OF
2.690 ACRES
OUT OF THE
LEVI GOSLING SURVEY, A-280
HARRIS COUNTY, TEXAS
FEBRUARY 2017**



COTTON SURVEYING DIVISION
Texas Board of Professional Land Surveying Registration No. 10046106
8701 New Trails Drive, Suite 200 • The Woodlands, Texas 77381
281.363.4039



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ETJ

Item Creation Date: 2/27/2018

20WR51 - Petition Addit (2.2) West Harris County Municipal
Utility District No. 21

Agenda Item#: 21.

Summary:

ORDINANCE consenting to the addition of 2.20 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 2.2 acres to West Harris County Municipal Utility District No. 21 (Key Map No. 370 U).

RECOMMENDATION: Petition for the City's consent to the addition of 2.2 acres to West Harris County Municipal Utility District No. 21 be approved.

SPECIFIC EXPLANATION: West Harris County Municipal Utility District No. 21 was created through the Texas Water Rights Commission, predecessor to the Texas Commission on Environmental Quality in 1990, and currently consists of 813.24 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 2.2 acres of developed land, an office/warehouse facility and parking lot, to the district. The proposed annexation tract is located in the vicinity of Fallbrook Drive, Fairbanks North Houston Road, North Sam Houston Parkway West, and SH 249 (Tomball Parkway). The addition of land to the district will not release it from the City's extraterritorial jurisdiction.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the West Harris County Municipal Utility District No. 21. Potable water is provided by the district.

The nearest major drainage facility for West Harris County Municipal Utility District No. 21 is White Oak Bayou, which flows to Buffalo Bayou, and finally into the Houston Ship Channel. The proposed annexation tract is not within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the

construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

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

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 2/27/2018

20WR51 - Petition Addit (2.2) West Harris County Municipal Utility District No. 21

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 2.2 acres to West Harris County Municipal Utility District No. 21 (Key Map No. 370 U).

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The Utility District Review Committee recommends that the subject petition be approved.


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

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description

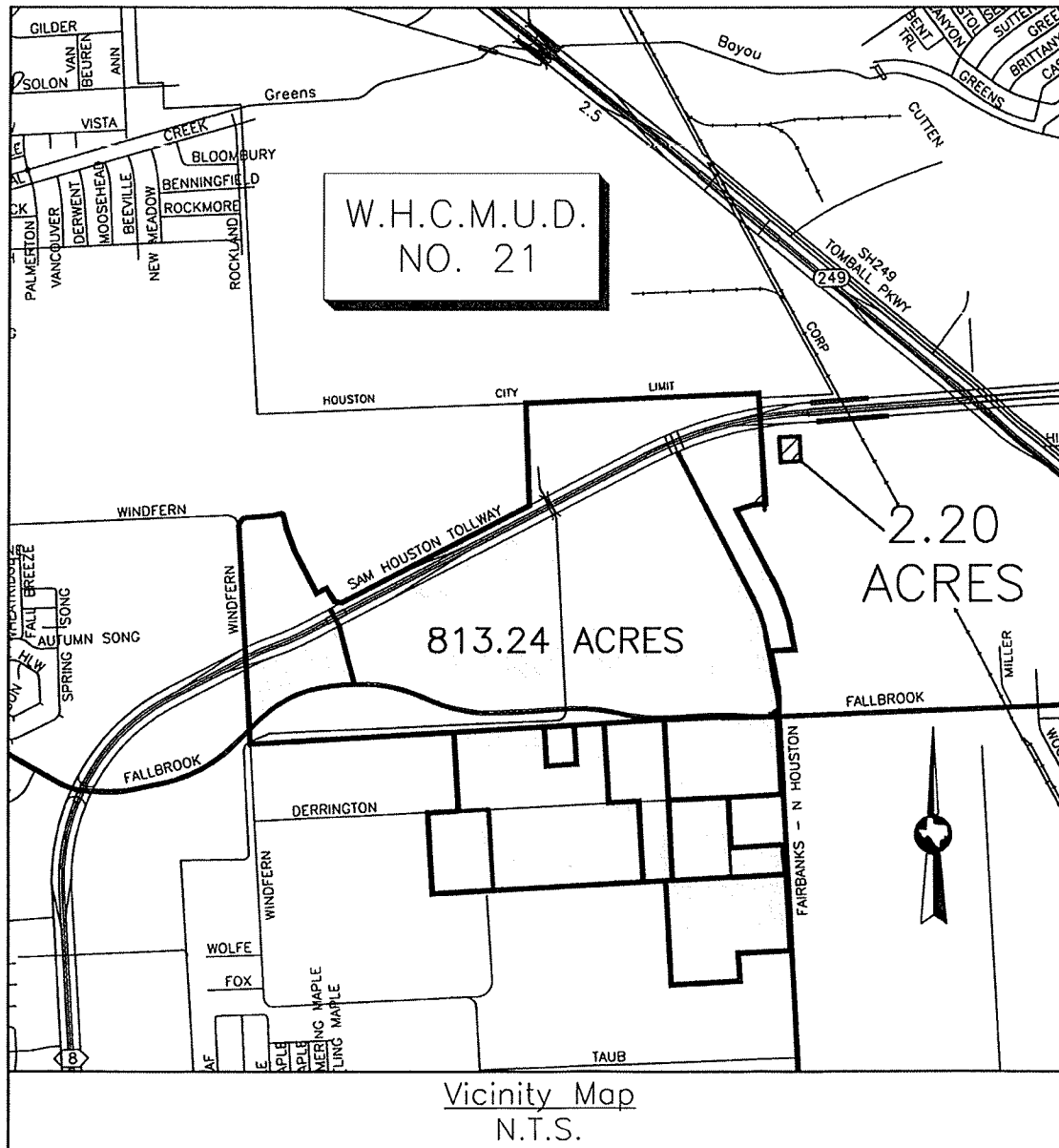
Maps
Application
Petition
Backup Material
Fact Sheet

Type

Backup Material
Backup Material
Backup Material
Backup Material
Backup Material

WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21

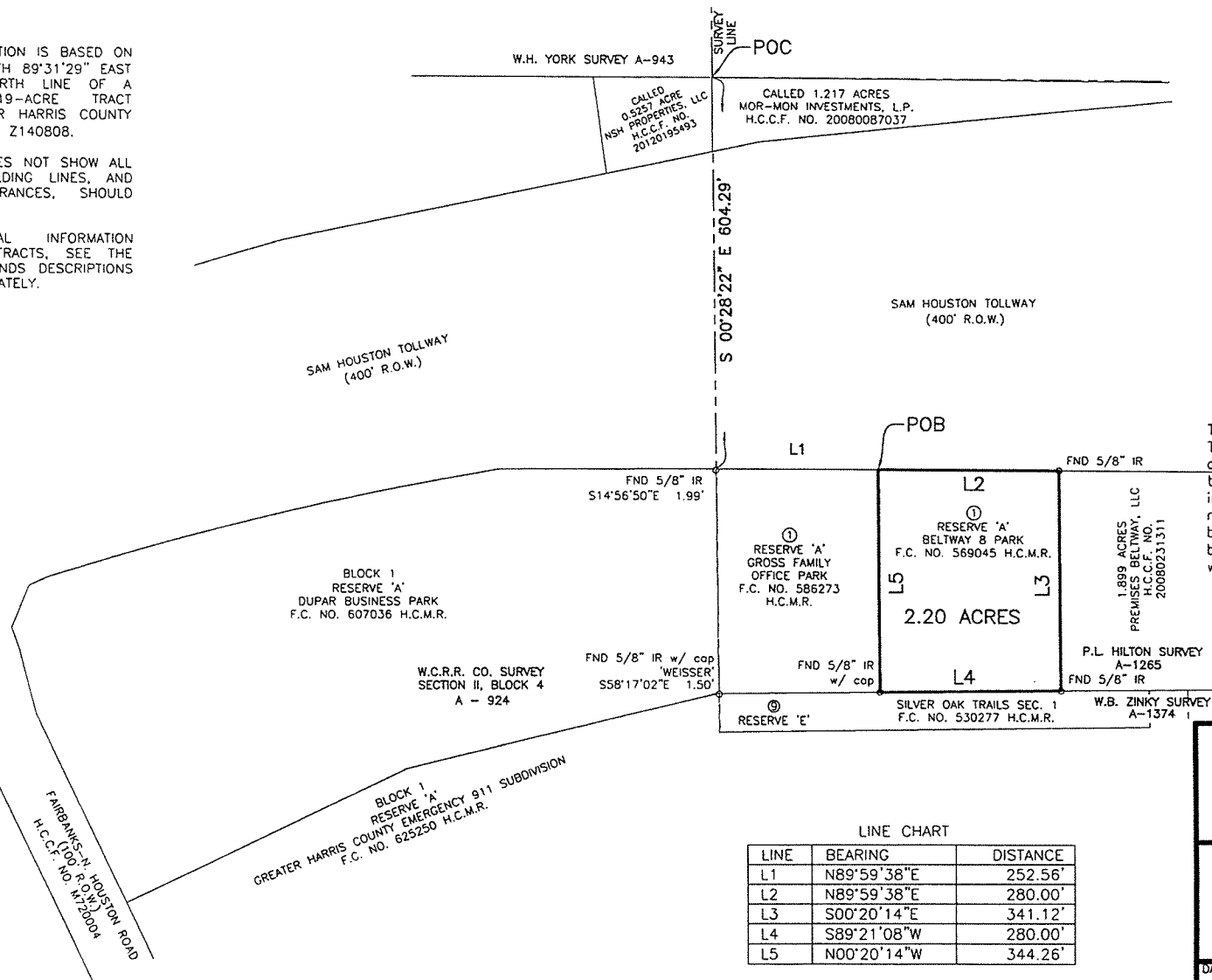
Proposed Addition of 2.20 Acres of Land
(Key Map Page No. 370 S, T, U, W, X & Y)



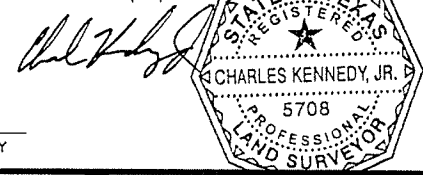
NOTES:
BEARING ORIENTATION IS BASED ON
A CAL. OF NORTH 89°31'29" EAST
ALONG THE NORTH LINE OF A
CALLED 20.2219-ACRE TRACT
RECORDED UNDER HARRIS COUNTY
CLERK'S FILE NO. Z140808.

THIS EXHIBIT DOES NOT SHOW ALL
EASEMENTS, BUILDING LINES, AND
OTHER ENCUMBRANCES, SHOULD
ANY EXIST.

FOR ADDITIONAL INFORMATION
ABOUT THESE TRACTS, SEE THE
METES AND BOUNDS DESCRIPTIONS
PREPARED SEPARATELY.



This document was prepared under 22
TAC 663.21, does not reflect the results
of an on the ground survey, and is not
to be used to convey or establish
interests in real property except those
rights and interests implied or established
by the creation or reconfiguration of the
boundary of the political subdivision for
which it was prepared.



EHRA 10555 Westoffice Drive
Houston, Texas 77042
713.784.4500
EHRAinc.com
TBPE No. F-726
TBPLS No. 10092300

EXHIBIT OF
A 2.20 ACRE TRACT IN THE
P.L. HILTON SURVEY, A-1265
HARRIS COUNTY, TEXAS

DATE: JULY 19, 2017 SCALE: 1" = 200' JOB NO.: 89008-50
DWG. NAME: 8900850V-EH MUD 2 AC at NE.dwg



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ETJ

Item Creation Date: 4/6/2018

20WR53 – Petition Addit (1.0) Malcomson Road Utility
District

Agenda Item#: 22.

Summary:

ORDINANCE consenting to the addition of 1.0 acre of land to **MALCOMSON ROAD UTILITY DISTRICT**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 1.0 acres to Malcomson Road Utility District (Key Map No. 329 S).

RECOMMENDATION: Petition for the City's consent to the addition of 1.0 acres to Malcomson Road Utility District be approved.

SPECIFIC EXPLANATION: Malcomson Road Utility District was created through an act of the Texas Legislature in 1971, and currently consists of 896.1754 acres within Harris County. The district is within the extraterritorial jurisdiction of the City and has petitioned the City for consent to add 1.0 acres of vacant land, proposed be a commercial development for an office and retail space, to the district. The proposed annexation tract is located in the vicinity of Louetta Road, N. Eldridge Parkway, Spring Cypress Road, and Jones Road. The addition of land to the district will not release it from the City's extraterritorial jurisdiction.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Faulkey Gully Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Cypress Creek Utility District, Faulkey Gully Municipal Utility District, Harris County Municipal Utility District No. 18, and the Lake Forest Plant Advisory Council. Potable water is provided by the district.

The nearest major drainage facility for Malcomson Road Utility District is Faulkey Gully, which flows to Cypress Creek, then to Spring Creek, then to the San Jacinto River, and finally into Lake Houston. The proposed annexation tract is not within the 100 or 500 year floodplain.

By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

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

Contact Information:

Point of Contact:

Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 4/6/2018

20WR53 – Petition Addit (1.0) Malcomson Road Utility District

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 1.0 acres to Malcomson Road Utility District (Key Map No. 329 S).

RECOMMENDATION: Petition for the City's consent to the addition of 1.0 acres to Malcomson Road Utility District be approved.

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The Utility District Review Committee recommends that the subject petition be approved.

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

Contact Information:

Point of Contact:

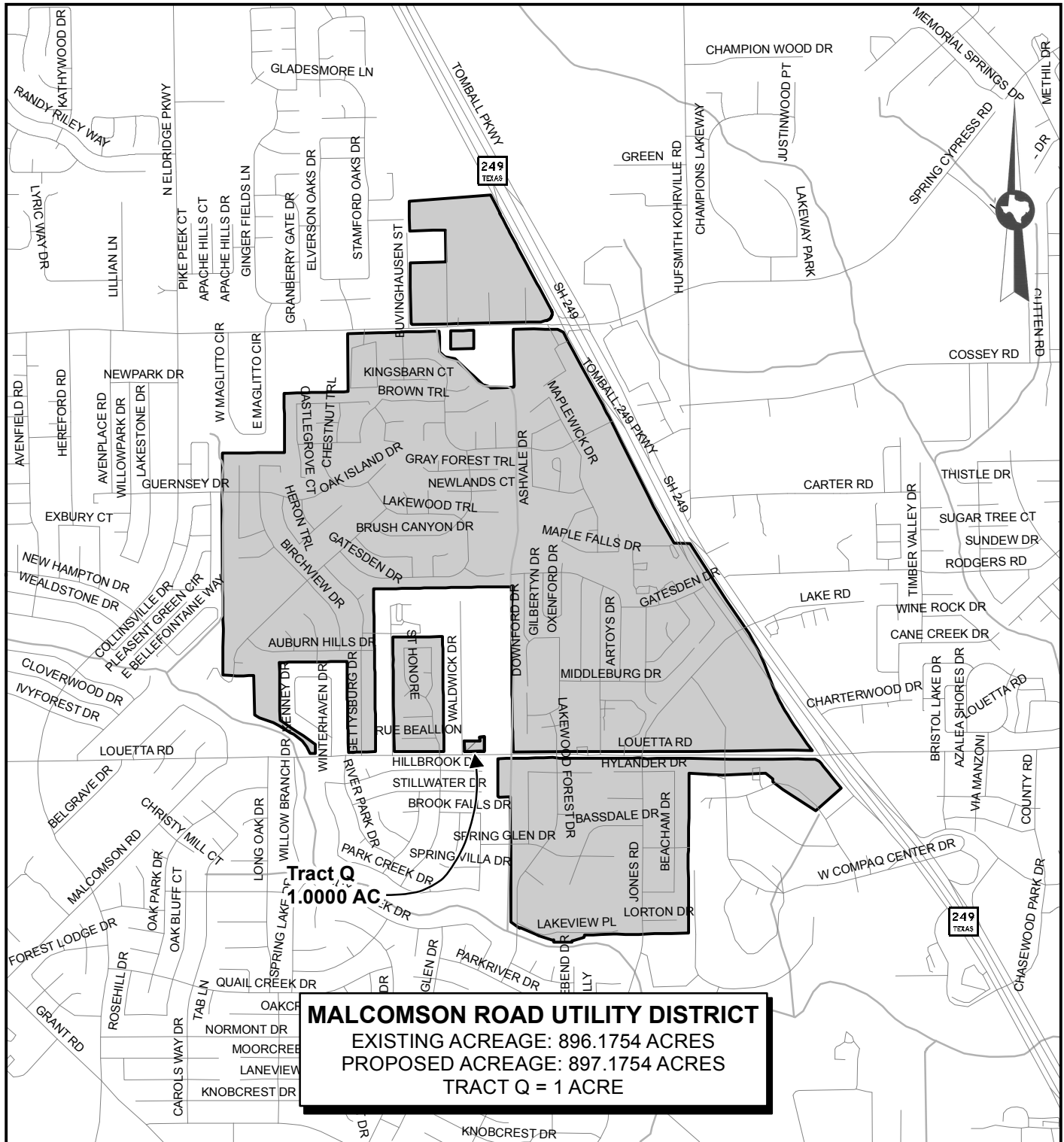
Yvonne Forrest
Deputy Director
Phone: (832) 395-2847

ATTACHMENTS:

Description	Type
Maps	Backup Material
Application	Backup Material
Petition	Backup Material
Backup Material	Backup Material
Fact Sheet	Backup Material

MALCOMSON ROAD UTILITY DISTRICT

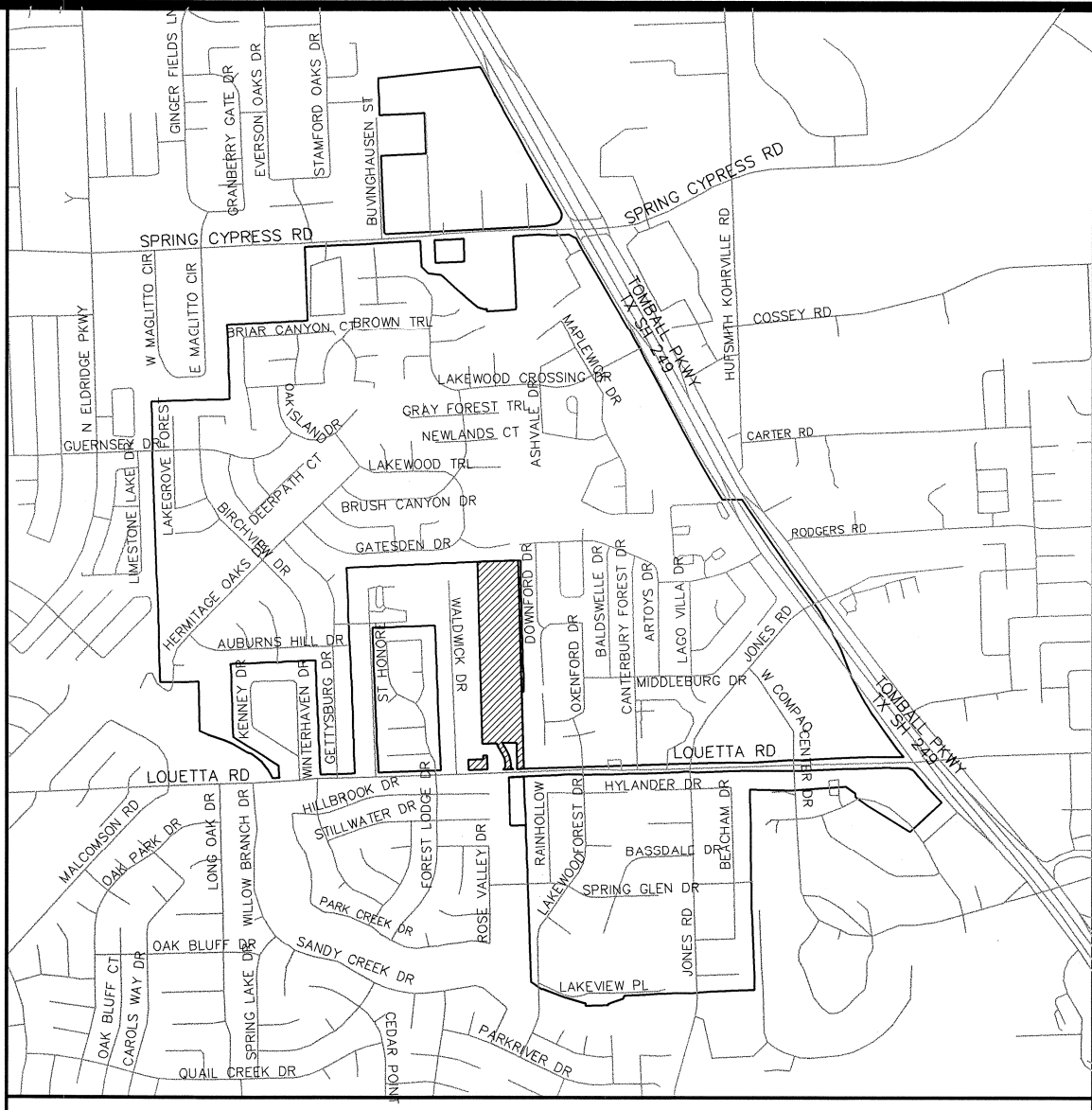
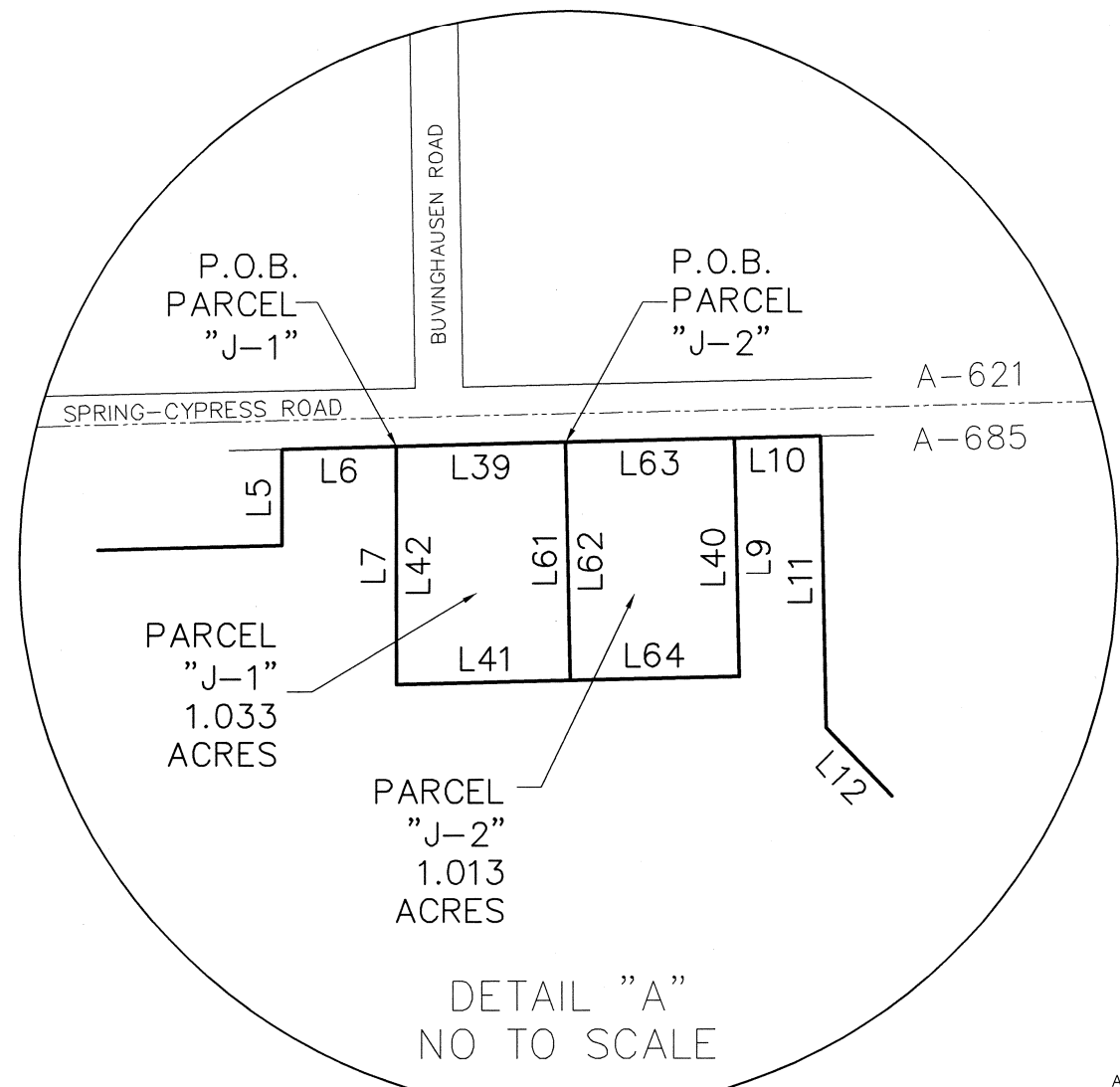
TRACT Q - 1.0000 ACRE - KEYMAP LOCATION - 329S
LOCATED IN THE A. SCHOUTEN SURVEY, ABSTRACT NO.70,
HARRIS COUNTY, TEXAS



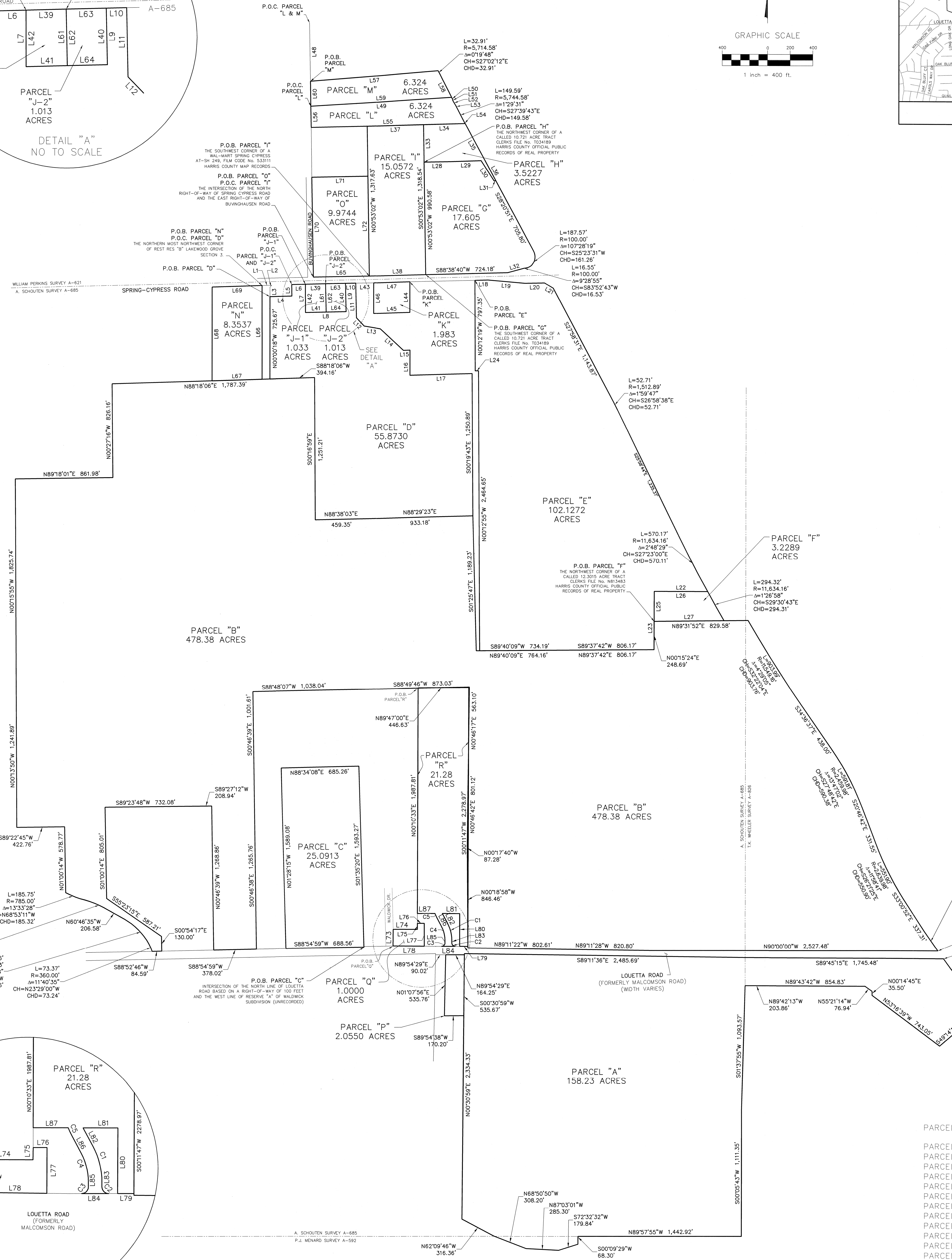
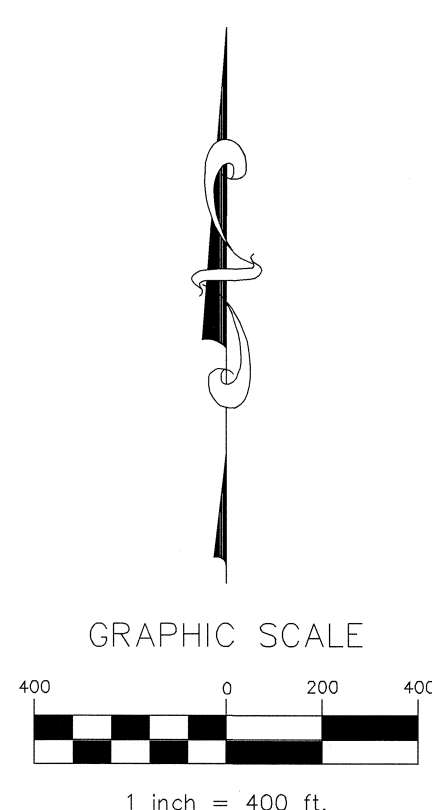
1 inch equals 2,000 feet

0 1,000 2,000 4,000
Feet

VICINITY MAP



VICINITY MAP: N.T.S.



Line Table			Line Table		
No.	Bearing	Length	No.	Bearing	Length
L1	N88°39'38"E	84.85'	L45	S88°39'28"W	320.00'
L2	S43°53'25"W	21.40'	L46	N00°05'32"W	270.00'
L3	S00°00'18"E	84.95'	L47	N88°39'28"E	320.00'
L4	N88°38'41"E	192.88'	L48	S00°57'08"E	516.28'
L5	N00°04'23"W	101.05'	L49	S86°18'24"W	1,244.99'
L6	N88°39'38"E	120.00'	L50	S26°52'38"E	29.06'
L7	S00°04'23"E	250.00'	L51	S87°51'26"W	3.79'
L8	N88°40'13"E	359.01'	L52	S30°34'10"E	54.42'
L9	N011°4'01"W	250.00'	L53	S26°54'57"E	18.81'
L10	N88°39'38"E	90.00'	L54	S28°24'28"E	11.14'
L11	S01°14'01"E	305.67'	L55	S88°32'23"W	1,360.03'
L12	S43°51'44"E	93.08'	L56	N00°57'08"W	186.46'
L13	S80°27'31"E	144.76'	L57	N85°16'49"E	1,131.00'
L14	S46°55'32"E	280.28'	L58	S26°52'38"E	229.96'
L15	N88°39'38"E	57.09'	L59	S86°18'24"W	1,244.99'
L16	S00°05'35"E	220.35'	L60	N00°57'08"W	221.61'
L17	N88°32'59"E	548.70'	L61	N011°4'01"W	249.97'
L18	N88°38'40"E	116.07'	L62	N011°4'01"W	249.97'
L19	S84°50'03"E	324.92'	L63	N88°39'38"E	176.51'
L20	N88°58'55"E	175.12'	L64	S88°40'13"W	176.51'
L21	S59°29'48"E	88.88'	L65	S88°45'40"W	495.04'
L22	N89°58'16"W	470.51'	L66	S00°00'18"E	826.14'
L23	S00°15'24"W	510.10'	L67	S88°18'06"W	440.80'
L24	S89°38'54"W	29.92'	L68	N00°01'06"W	825.24'
L25	N00°15'24"E	261.41'	L69	N88°11'09"E	441.02'
L26	S89°58'16"E	470.51'	L70	N00°54'06"W	877.46'
L27	S89°31'52"W	616.68'	L71	N88°45'11"E	495.31'
L28	N89°02'05"E	230.30'	L72	S00°53'02"E	877.46'
L29	N88°16'52"E	273.13'	L73	N00°03'33"E	144.93'
L30	S32°51'29"E	211.77'	L74	S89°49'27"E	214.16'
L31	N88°36'51"E	15.56'	L75	N00°03'33"E	53.20'
L32	S74°44'34"W	149.27'	L76	S89°49'27"E	61.37'
L33	N00°53'02"W	327.96'	L77	S00°03'33"W	200.77'
L34	N88°32'23"E	367.40'	L78	N89°16'29"W	275.54'
L35	S28°22'33"E	368.46'	L79	N89°54'34"W	72.21'
L36	S28°21'55"E	202.90'	L80	N00°19'39"E	288.21'
L37	N88°32'23"E	497.63'	L81	N89°49'27"W	154.04'
L38	S88°38'40"W	497.63'	L82	S28°12'26"E	93.55'
L39	N88°39'38"E	177.44'	L83	S00°05'30"W	19.62'
L40	N011°4'01"W	250.00'	L84	N89°54'34"W	120.00'
L41	N88°40'13"E	359.01'	L85	N00°05'30"E	19.63'
L42	S00°04'23"E	250.00'	L86	N28°12'26"W	84.85'
L43	N88°39'28"E	156.93'	L87	N89°49'27"W	154.86'
L44	S00°05'32"E	270.00'			

Curve Table				
NO.	Length	Radius	Delta	Chord Length
C1	162.99'	330.00'	281°7'57"	S14°03'28"E 161.34'
C2	47.12'	30.00'	90°00'05"	S4°54'33"E 42.43'
C3	47.12'	30.00'	89°59'55"	N45°05'28"E 42.43'
C4	133.36'	270.00'	281°7'57"	N14°03'28"W 132.01'
C5	39.91'	330.00'	6°55'48"	N24°44'33"W 39.89'

PARCEL TABLE:		
PARCEL	"A"	158.23 ACRES
PARCEL	"B"	478.38 ACRES
PARCEL	"C"	25.0913 ACRES
PARCEL	"D"	55.8730 ACRES
PARCEL	"E"	102.1272 ACRES
PARCEL	"F"	3.2289 ACRES
PARCEL	"G"	17.605 ACRES
PARCEL	"H"	3.5227 ACRES
PARCEL	"I"	15.0572 ACRES
PARCEL	"J-1"	1.033 ACRES
PARCEL	"J-2"	1.013 ACRES
PARCEL	"K"	1.983 ACRES
PARCEL	"L"	6.324 ACRES
PARCEL	"M"	6.324 ACRES
PARCEL	"N"	8.3537 ACRES
PARCEL	"O"	9.9744 ACRES
PARCEL	"P"	2.0550 ACRES
PARCEL	"Q"	1.0000 ACRES
PARCEL	"R"	21.28 ACRES

TOTAL AREA = 918.4554 ACRES

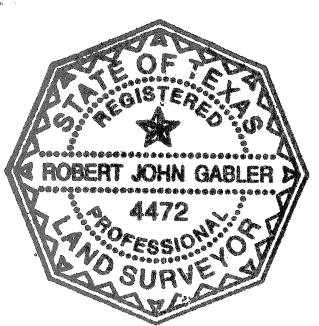
BOUNDARY MAP OF
MALCOMSON ROAD UTILITY DISTRICT
BEING 918.4554 ACRES OF LAND OUT OF THE
T. K. WHEELER SURVEY, ABSTRACT NUMBER 826
A. SCHOUTEN SURVEY, ABSTRACT NUMBER 685
P. J. MENARD SURVEY, ABSTRACT NUMBER 592
WILLIAM PERKINS SURVEY, ABSTRACT NUMBER 621
HARRIS COUNTY, TEXAS

DISTRICT BOUNDARY MAP
OF
MALCOMSON ROAD UTILITY DISTRICT

**Lockwood, Andrews
& Newnam, Inc.**
A SUBSIDIARY OF LEO A DALY

2925 Briarpark Drive
Houston, Tx. 77042

NOTE:
1. SHADED TRACT SHOWN HEREON IS BEING ANNEXED WITH THIS MAP.
2. A SECOND PART TO THIS MAP EXISTS, BEING A METES AND BOUNDS DESCRIPTION OF TRACTS "A" THROUGH "R" UNDER TSC PROJECT 1636-1601-S.
7-26-2017
ROBERT JOHN GARLER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4472



TERRA SURVEYING COMPANY, INC.
3000 WILCREST DR., SUITE 210, HOUSTON, TX. 77042
TEL. 713-993-0327 FAX 713-993-9231
HTTP://WWW.TERRASURVEYING.COM
T.B.P.L.S. FIRM NO. 10043600



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District D

Item Creation Date: 4/2/2018

20PKC23 Advance Funding Agreement / TxDOT - Botany
Street Bridge

Agenda Item#: 23.

Summary:

ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation Off the State System, Botany Street Bridge at HCFCD Ditch (Approved by Resolutions 2017-0016, 2016-0012, 2015-0045) - **DISTRICT D - BOYKINS**

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for Bridge Replacement or Rehabilitation Off the State System, Botany Street Bridge at HCFCD Ditch.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

PROJECT NOTICE/JUSTIFICATION: The Federal Off-System Bridge Program is administered by TxDOT to replace or rehabilitate structurally deficient and functionally obsolete bridges located on public roads and streets not located in the designated state highway system.

DESCRIPTION: This project consists of rehabilitating or replacing the Botany Street Bridge at HCFCD Ditch.

LOCATION: This project is located in Key Map Grid 573L.

SCOPE OF THE AGREEMENT AND FEE: The Texas Administrative Code, Title 43, Section 15.55 provides that under specified conditions, the 10 percent local government match requirement may be waived if the local government performs an equivalent dollar amount of structural improvement work on another deficient bridge within its jurisdiction (Equivalent-Match Projects). The Texas Transportation Commission approved Minute Order Number 114264, dated May 28, 2015, for the reconstruction of the Botany Street Bridge under the Federal Off-System Bridge Program, hereinafter, referred to as "Participation Waived" Project. City Council, under Resolution No. 2015-0045 dated December 9, 2015, approved the request of a waiver of local match requirements. City Council, under Resolution No. 2016-0012 dated April 13, 2016, amended the resolution to correct the candidate location to the 9600 block of Longbranch Lane. City Council, under Resolution No. 2017-0016 dated April 19, 2017, amended the original

resolution to correct the Minute Order No. as authorized by the Texas Transportation Commission to Minute Order No. 114670 dated August 25, 2016. TxDOT has agreed to waive the local match and is prepared to begin design on this project.

Bridge	Key Map No.	NBI Structure No.	Control Section Job No.	Council District
Botany Street at HCFC Ditch	573L	12102B08961039	0912-72-353	D

Based on field investigations, the following bridge was identified as the appropriate candidate for replacement under this program.

Location	Key Map No.	Council District
9600 Block of Longbranch Lane	450X	A

The City proposes to replace an existing deficient wood bridge with a concrete culvert bridge. The new bridge will cost a total of approximately \$216,000.00. The local match participation required for the reconstruction of the Participation-Waived bridge is \$42,955.00.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

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

WBS No. N-240004-0001-7

Prior Council Action:

Resolution No. 2017-0016, Dated: April 19, 2017

Resolution No. 2016-0012, Dated: April 13, 2016

Resolution No. 2015-0045, Dated: December 9, 2015

Amount of Funding:

Contact Information:

Thomas A. Artz, P.E.

Acting Assistant Director, Capital Projects

Phone: (832) 395-2222

ATTACHMENTS:

Description	Type
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Signed Coversheet
Maps

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District D

Item Creation Date: 4/2/2018

20PKC23 Advance Funding Agreement / TxDOT

Agenda Item#:

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for Bridge Replacement or Rehabilitation Off the State System, Botany Street Bridge at HCFCD Ditch.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

PROJECT NOTICE/JUSTIFICATION: The Federal Off-System Bridge Program is administered by TxDOT to replace or rehabilitate structurally deficient and functionally obsolete bridges located on public roads and streets not located in the designated state highway system.

DESCRIPTION: This project consists of rehabilitating or replacing the Botany Street Bridge at HCFCD Ditch.

LOCATION: This project is located in Key Map Grid 573L.

SCOPE OF THE AGREEMENT AND FEE: The Texas Administrative Code, Title 43, Section 15.55 provides that under specified conditions, the 10 percent local government match requirement may be waived if the local government performs an equivalent dollar amount of structural improvement work on another deficient bridge within its jurisdiction (Equivalent-Match Projects). The Texas Transportation Commission approved Minute Order Number 114264, dated May 28, 2015, for the reconstruction of the Botany Street Bridge under the Federal Off-System Bridge Program, hereinafter, referred to as "Participation Waived" Project. City Council, under Resolution No. 2015-0045 dated December 9, 2015, approved the request of a waiver of local match requirements. City Council, under Resolution No. 2016-0012 dated April 13, 2016, amended the resolution to correct the candidate location to the 9600 block of Longbranch Lane. City Council, under Resolution No. 2017-0016 dated April 19, 2017, amended the original resolution to correct the Minute Order No. as authorized by the Texas Transportation Commission to Minute Order No. 114670 dated August 25, 2016. TxDOT has agreed to waive the local match and is prepared to begin design on this project.

Bridge	Key Map No.	NBI Structure No.	Control Section Job No.	Council District
Botany Street at HCFCD Ditch	573L	12102B08961039	0912-72-353	D

Based on field investigations, the following bridge was identified as the appropriate candidate for replacement under this program.

Location	Key Map No.	Council District
9600 Block of Longbranch Lane	450X	A

The City proposes to replace an existing deficient wood bridge with a concrete culvert bridge. The new bridge will cost a total of approximately \$216,000.00. The local match participation required for the reconstruction of the Participation-Waived bridge is \$42,955.00.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

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

WBS No. N-240004-0001-7

Prior Council Action:

Resolution No. 2017-0016, Dated: April 19, 2017
Resolution No. 2016-0012, Dated: April 13, 2016
Resolution No. 2015-0045, Dated: December 9, 2015

Amount of Funding:

No funding required.

Contact Information:

Thomas A. Artz, P.E.
Acting Assistant Director, Capital Projects
Phone: (832) 395-2222

ATTACHMENTS:

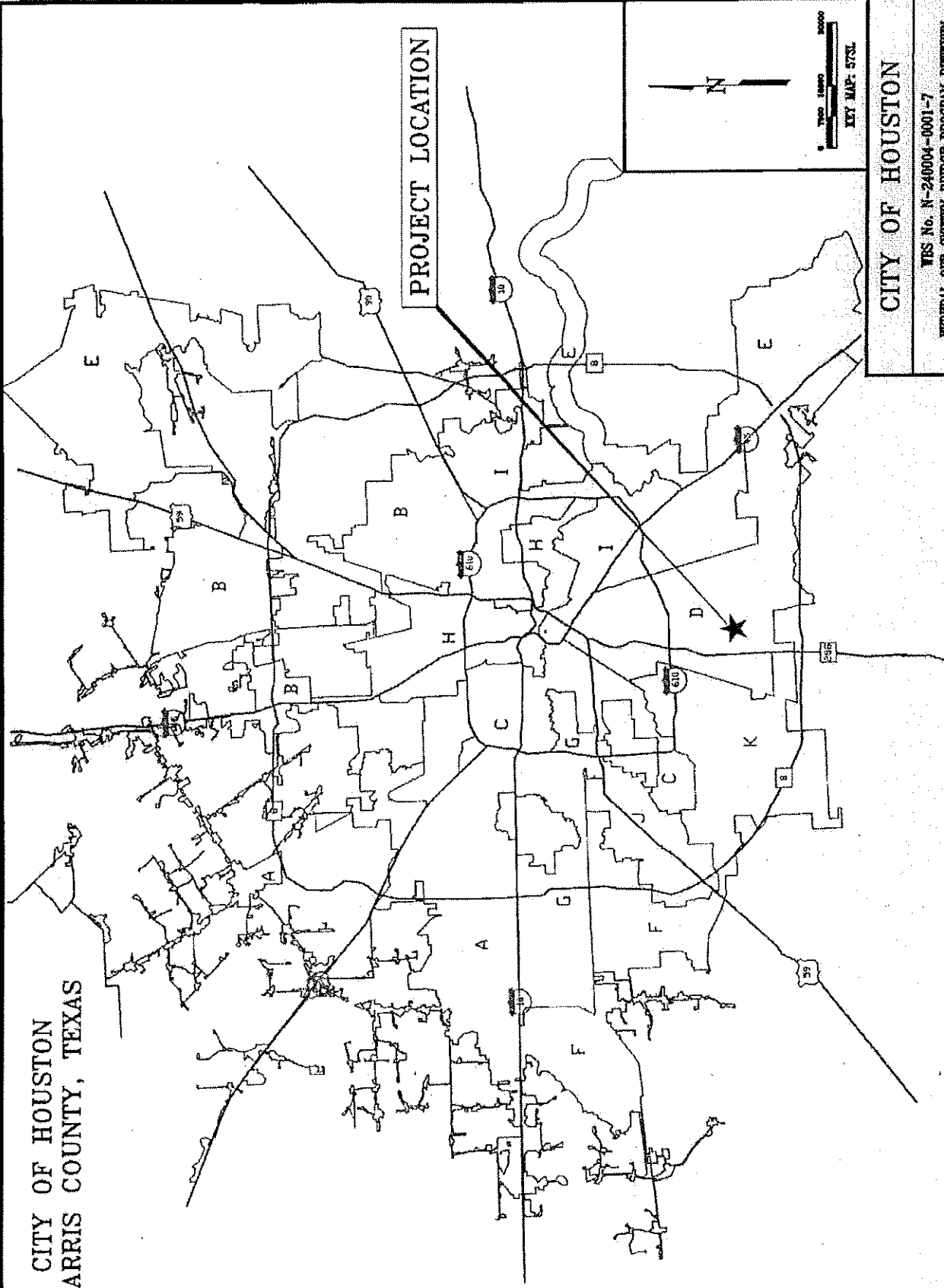
Description

Maps
Agreement
Prior Council Action

Type

Backup Material
Backup Material
Backup Material

CITY OF HOUSTON
HARRIS COUNTY, TEXAS

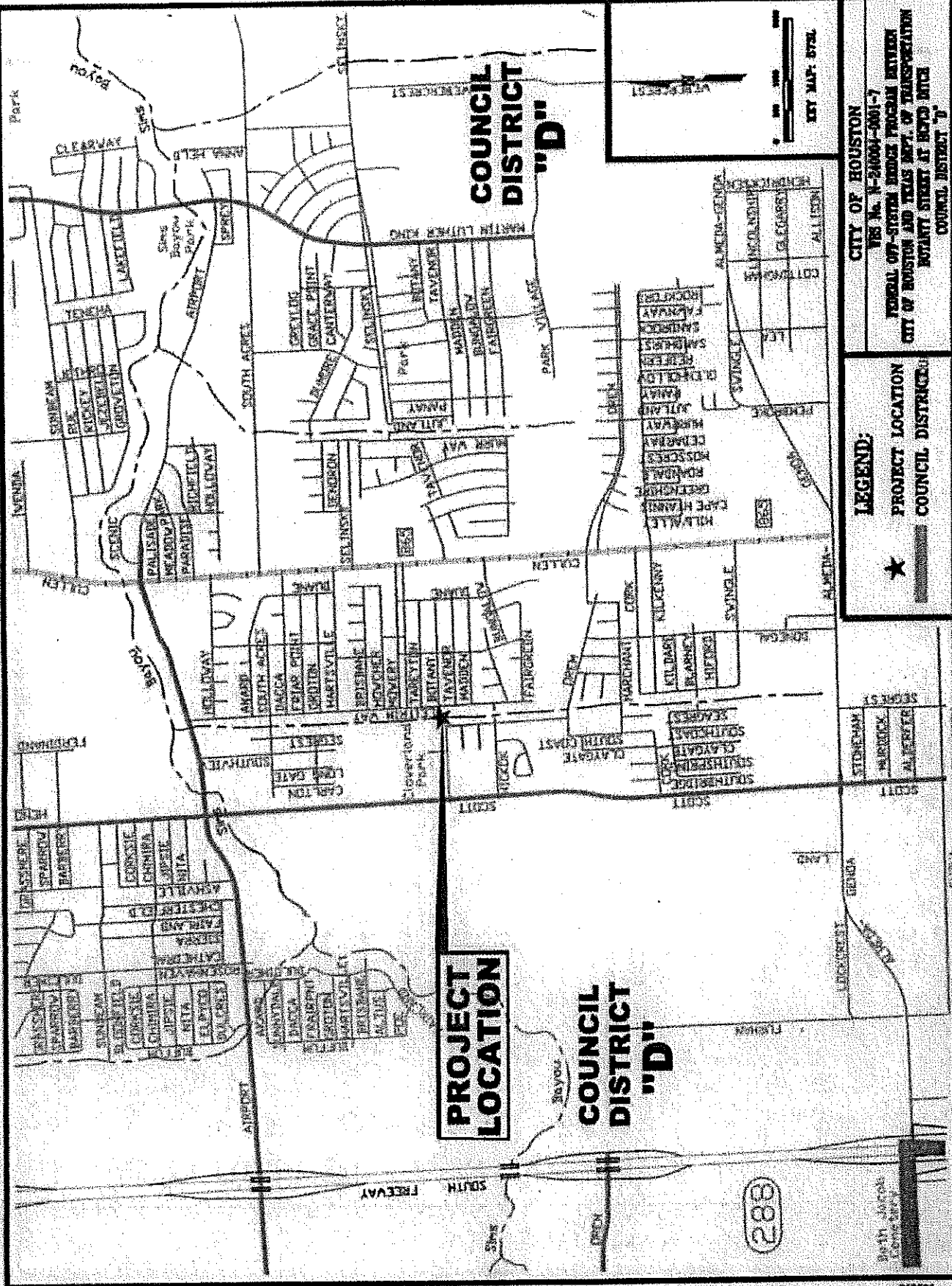


PROJECT LOCATION

CITY OF HOUSTON

YES No. N-240004-0001-7
FEDERAL OFF-SYSTEM BRIDGE PROGRAM BETWEEN
CITY OF HOUSTON AND TEXAS DEPT. OF TRANSPORTATION
BOTANY STREET AT BELCO DITCH
COUNCIL DISTRICT "D"

N-240004-0001-7A.DWG



DRAWN BY: A. Watts

H:\DESIGN\ACAD\AUTOCAD\WORK\HCA\N-240004-0001-7A.DWG



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B

Item Creation Date: 3/14/2018

20PKC21 Advance Funding Agreement / TxDOT - Lee
Road Bridge

Agenda Item#: 24.

Summary:

ORDINANCE approving and authorizing Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Bridge Replacement or Rehabilitation Off the State System, Lee Road Bridge at HCFCD Ditch (Approved by Resolutions 2017-0015, 2016-0011, 2015-0043) - **DISTRICT B - DAVIS**

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for Bridge Replacement or Rehabilitation Off the State System, Lee Road Bridge at HCFCD Ditch.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

PROJECT NOTICE/JUSTIFICATION: The Federal Off-System Bridge Program is administered by TxDOT to replace or rehabilitate structurally deficient and functionally obsolete bridges located on public roads and streets not located in the designated state highway system.

DESCRIPTION: This project consists of rehabilitating or replacing the Lee Road Bridge at HCFCD Ditch.

LOCATION: This project is located in Key Map Grid 374R.

SCOPE OF THE AGREEMENT AND FEE: The Texas Administrative Code, Title 43, Section 15.55 provides that under specified conditions, the 10 percent local government match requirement may be waived if the local government performs an equivalent dollar amount of structural improvement work on another deficient bridge within its jurisdiction (Equivalent-Match Projects). The Texas Transportation Commission approved Minute Order Number 114264, dated May 28, 2015 for the reconstruction of the Lee Road Bridge under the Federal Off-System Bridge Program, hereinafter, referred to as "Participation Waived" Project. City Council under Resolution No. 2015-0043, dated December 2, 2015, approved the request for a waiver. Resolution No. 2016-0011 was approved by City Council on April 13, 2016 to correct the candidate location previously listed to the 5000 block of Selinsky Street. Under Resolution No. 2017-0015 dated April 19, 2017, City Council amended the resolution to correct the Minute Order No. as authorized by the Texas Transportation Commission to Minute Order No. 114670 dated August 25, 2016. TxDOT has agreed to waive the local match and is prepared to begin design on this project.

Bridge	Key Map No.	NBI Structure No.	Control Section Job No.	Council District
Lee Road at	374R	12102B38857153	0912-72-352	B

HCFCD Ditch				
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Based on field investigations, the City of Houston has identified the following bridge as an appropriate candidate for replacement under this program to receive the credit.

Location	Key Map No.	Council District
5000 Block of Selinsky Street	573H	D

The City proposes to replace the existing deficient wood bridge with a concrete culvert bridge. The new bridge will cost a total of approximately \$40,000.00. The local match participation required for the reconstruction of the Participation-Waive bridge is \$35,937.00.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

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

WBS No. N-140008-0001-7

Prior Council Action:

Resolution No. 2017-0015, Dated: April 19, 2017

Resolution No. 2016-0011, Dated: April 13, 2016

Resolution No. 2015-0043, Dated: December 2, 2015

Amount of Funding:

No funding required.

Contact Information:

Thomas A. Artz, P.E.

Acting Assistant Director, Capital Projects

Phone: (832) 395-2222

ATTACHMENTS:

Description

Signed Coversheet

Maps

Type

Signed Cover sheet

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 3/14/2018

20PKC21 Advance Funding Agreement / TxDOT

Agenda Item#:

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for Bridge Replacement or Rehabilitation Off the State System, Lee Road Bridge at HCFCD Ditch.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

PROJECT NOTICE/JUSTIFICATION: The Federal Off-System Bridge Program is administered by TxDOT to replace or rehabilitate structurally deficient and functionally obsolete bridges located on public roads and streets not located in the designated state highway system.

DESCRIPTION: This project consists of rehabilitating or replacing the Lee Road Bridge at HCFCD Ditch.

LOCATION: This project is located in Key Map Grid 374R.

SCOPE OF THE AGREEMENT AND FEE: The Texas Administrative Code, Title 43, Section 15.55 provides that under specified conditions, the 10 percent local government match requirement may be waived if the local government performs an equivalent dollar amount of structural improvement work on another deficient bridge within its jurisdiction (Equivalent-Match Projects). The Texas Transportation Commission approved Minute Order Number 114264, dated May 28, 2015 for the reconstruction of the Lee Road Bridge under the Federal Off-System Bridge Program, hereinafter, referred to as "Participation Waived" Project. City Council under Resolution No. 2015-0043, dated December 2, 2015, approved the request for a waiver. Resolution No. 2016-0011 was approved by City Council on April 13, 2016 to correct the candidate location previously listed to the 5000 block of Selinsky Street. Under Resolution No. 2017-0015 dated April 19, 2017, City Council amended the resolution to correct the Minute Order No. as authorized by the Texas Transportation Commission to Minute Order No. 114670 dated August 25, 2016. TxDOT has agreed to waive the local match and is prepared to begin design on this project.

Bridge	Key Map No.	NBI Structure No.	Control Section Job No.	Council District
Lee Road at HCFCD Ditch	374R	12102B38857153	0912-72-352	B

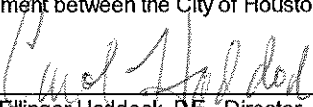
Based on field investigations, the City of Houston has identified the following bridge as an appropriate candidate for replacement under this program to receive the credit.

Location	Key Map No.	Council District
5000 Block of Selinsky Street	573H	D

The City proposes to replace the existing deficient wood bridge with a concrete culvert bridge. The new bridge will cost a total of approximately \$40,000.00. The local match participation required for the reconstruction of the Participation-Waive bridge is \$35,937.00.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.


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

WBS No. N-140008-0001-7

Prior Council Action:

Resolution No. 2017-0015, Dated: April 19, 2017
Resolution No. 2016-0011, Dated: April 13, 2016
Resolution No. 2015-0043, Dated: December 2, 2015

Amount of Funding:

No funding required.

Contact Information:

Thomas A. Artz, P.E.
Acting Assistant Director, Capital Projects
Phone: (832) 395-2222

ATTACHMENTS:**Description**

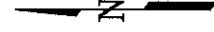
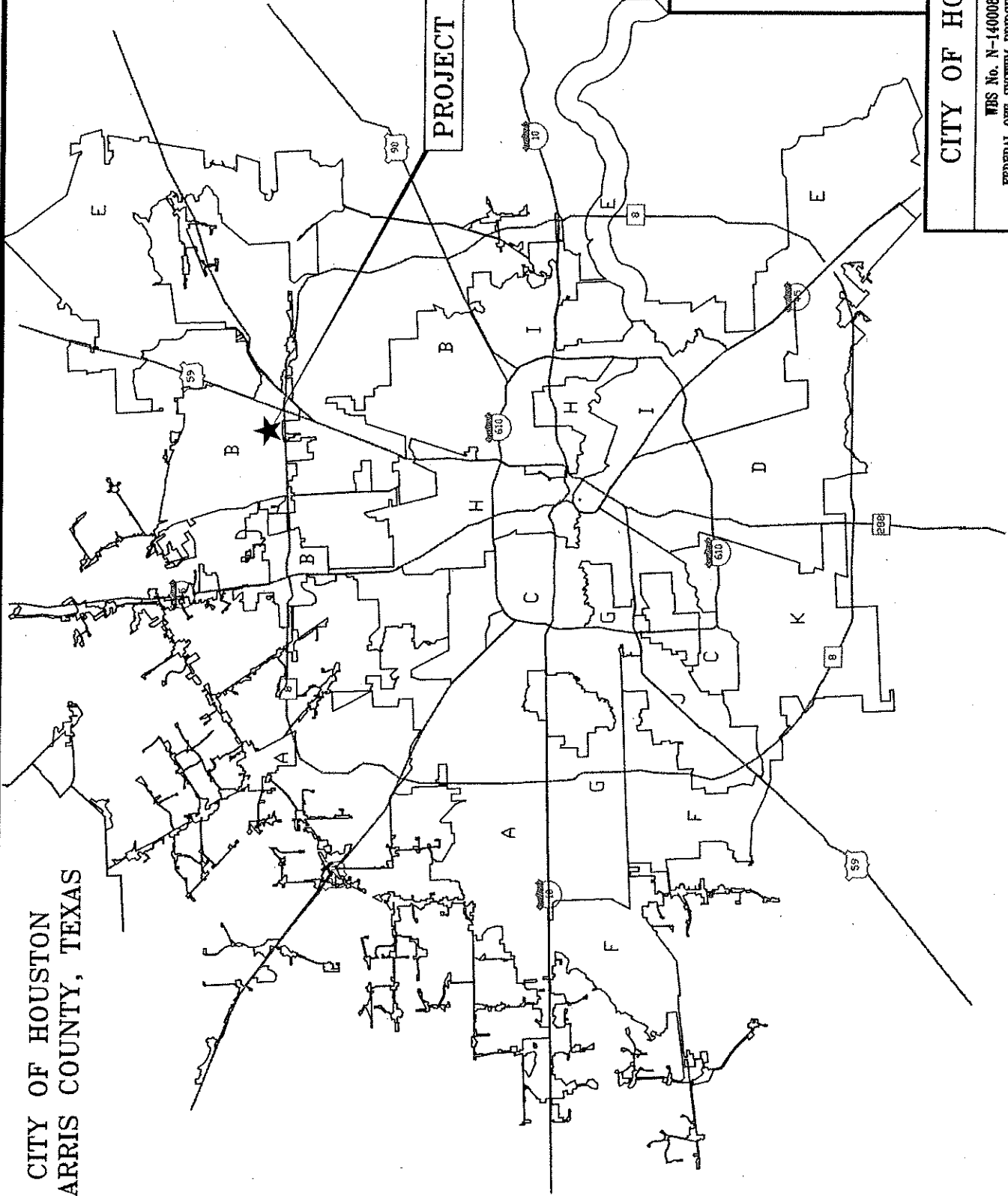
Maps
Prior Council Action
Agreement

Type

Backup Material
Backup Material
Backup Material

CITY OF HOUSTON
HARRIS COUNTY, TEXAS

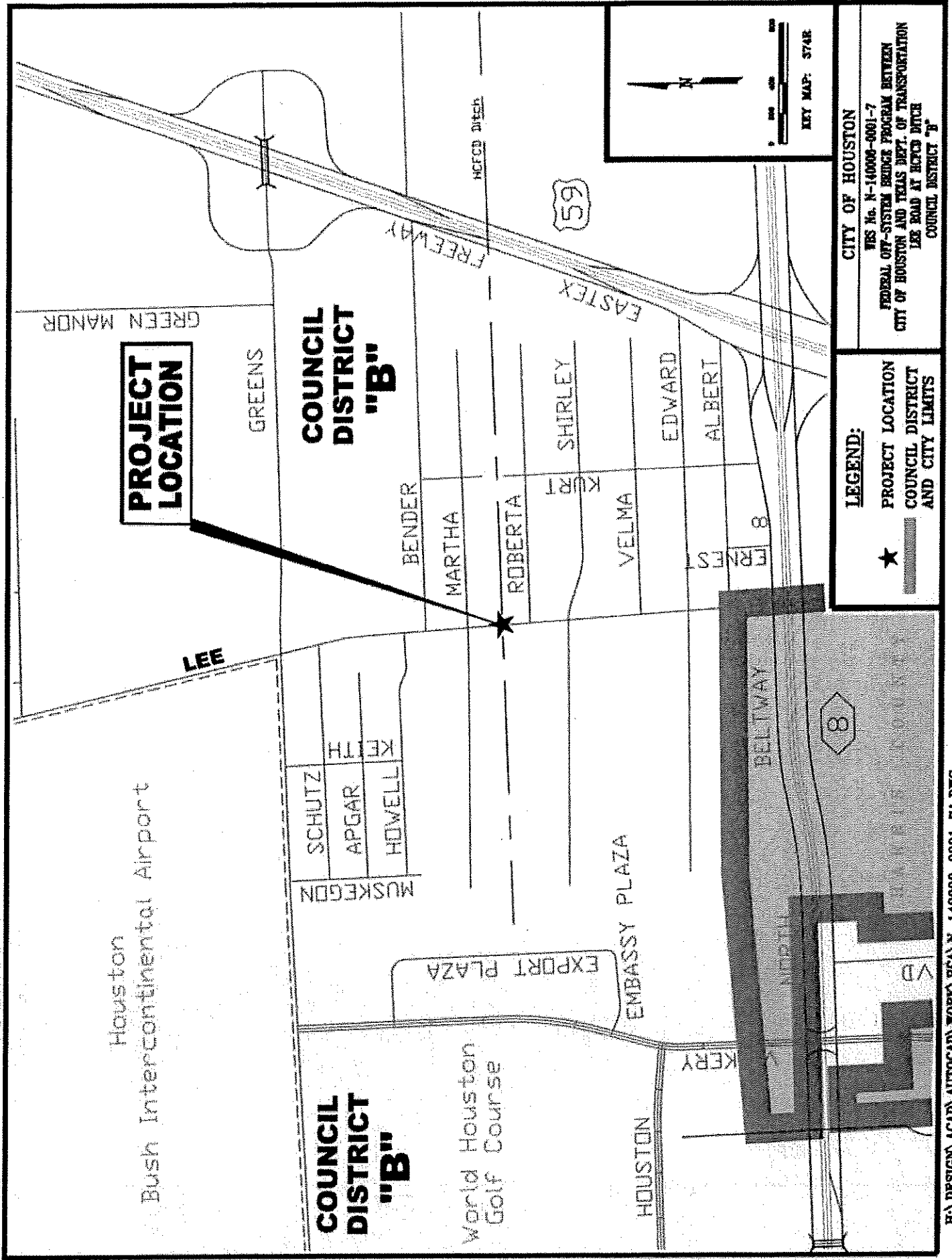
PROJECT LOCATION



0 7500 15000 30000
KEY MAP: 374R

CITY OF HOUSTON

WBS No. N-140008-0001-7
FEDERAL OFF-SYSTEM BRIDGE PROGRAM BETWEEN
CITY OF HOUSTON AND TEXAS DEPT. OF TRANSPORTATION
LEE ROAD AT HCFCD DITCH
COUNCIL DISTRICT "B"



LEGEND:

★ PROJECT LOCATION

— COUNCIL DISTRICT AND CITY LIMITS

CITY OF HOUSTON

FBS No. N-140008-0001-7

FEDERAL OFF-SYSTEM BRIDGE PROGRAM BETWEEN CITY OF HOUSTON AND TEXAS DEPT. OF TRANSPORTATION

LEE ROAD AT HEPD DITCH

COUNCIL DISTRICT "B"



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District G, District J

Item Creation Date: 4/3/2018

20PKC16 Agreement / Texas Department of Transportation
(TxDOT)

Agenda Item#: 25.

Summary:

ORDINANCE appropriating \$3,066,666.67 out of Street and Traffic Control and Storm Drainage DDSRF; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Drainage Project Local Government Contribution On-System, IH 610/ IH 69 Interchange; providing funding for construction and CIP Cost Recovery relating to construction of facilities financed by the Street and Traffic Control and Storm Drainage DDSRF - **DISTRICTS G - TRAVIS and J - LASTER**

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and TxDOT for a Drainage Project Local Government Contribution On-System, IH 610 / IH 69 Interchange.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: The Texas Transportation Commission passed Minute Order No. 114491 authorizing the State to undertake and complete a highway improvement generally described as IH 610 northbound at IH 69 southbound.

DESCRIPTION: This project consists of the design and construction of a direct connector at IH 610/ IH 69 Interchange.

LOCATION: The project area is generally bound by Richmond on the north, Westpark on the south, Fountainview on the east and Newcastle on the west. The project is located in Key Map Grid Nos. 491X, Y, & Z.

SCOPE OF THE AGREEMENT AND FEE: The City of Houston has agreed to participate in the project for the mutual drainage benefits. TxDOT will design and construct the drainage improvements at the proposed interchange. The City is responsible for the first \$8,000,000.00. Any cost exceeding this amount will be the responsibility of TxDOT. The City will appropriate these funds in three equal payments. This appropriation of \$2,666,666.67 will cover the initial payment. The remaining two payments will be due by September 30, 2018 and September 30, 2019.

The total requested amount of \$3,066,666.67 is to be appropriated as follows: \$2,666,666.67 for

the project cost and \$400,000.00 for CIP Cost Recovery.

FISCAL NOTE:

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate funds.

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

WBS Nos.: N-TX0069-0001-7, M-410521-0204-7

Amount of Funding:

\$3,066,666.67 – from Fund No. 4042-Street & Traffic Control and Storm Drainage DDSRF
(\$3,066,666.67 supported by Drainage fees)

Contact Information:

Thomas A. Artz, P.E.
Acting Assistant Director, Capital Projects
Phone: (832) 395-2222

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District G, District J
Item Creation Date: 4/3/2018

20PKC16 Agreement / Texas Department of Transportation (TxDOT)

Agenda Item#:

Background:

SUBJECT: Advance Funding Agreement between the City of Houston and TxDOT for a Drainage Project Local Government Contribution On-System, IH 610 / IH 69 Interchange.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: The Texas Transportation Commission passed Minute Order No. 114491 authorizing the State to undertake and complete a highway improvement generally described as IH 610 northbound at IH 69 southbound.

DESCRIPTION: This project consists of the design and construction of a direct connector at IH 610/ IH 69 Interchange.

LOCATION: The project area is generally bound by Richmond on the north, Westpark on the south, Fountainview on the east and Newcastle on the west. The project is located in Key Map Grid Nos. 491X, Y, & Z.

SCOPE OF THE AGREEMENT AND FEE: The City of Houston has agreed to participate in the project for the mutual drainage benefits. TxDOT will design and construct the drainage improvements at the proposed interchange. The City is responsible for the first \$8,000,000.00. Any cost exceeding this amount will be the responsibility of TxDOT. The City will appropriate these funds in three equal payments. This appropriation of \$2,666,666.67 will cover the initial payment. The remaining two payments will be due by September 30, 2018 and September 30, 2019.

The total requested amount of \$3,066,666.67 is to be appropriated as follows: \$2,666,666.67 for the project cost and \$400,000.00 for CIP Cost Recovery.

FISCAL NOTE:

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate funds.

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

Carol Ellinger Haddock, P.E.

Director

Houston Public Works

WBS Nos.: N-TX0069-0001-7, M-410521-0204-7

Amount of Funding:

\$3,066,666.67– from Fund No. 4042-Street & Traffic Control and Storm Drainage DDSRF
(\$3,066,666.67 supported by Drainage fees)

Contact Information:

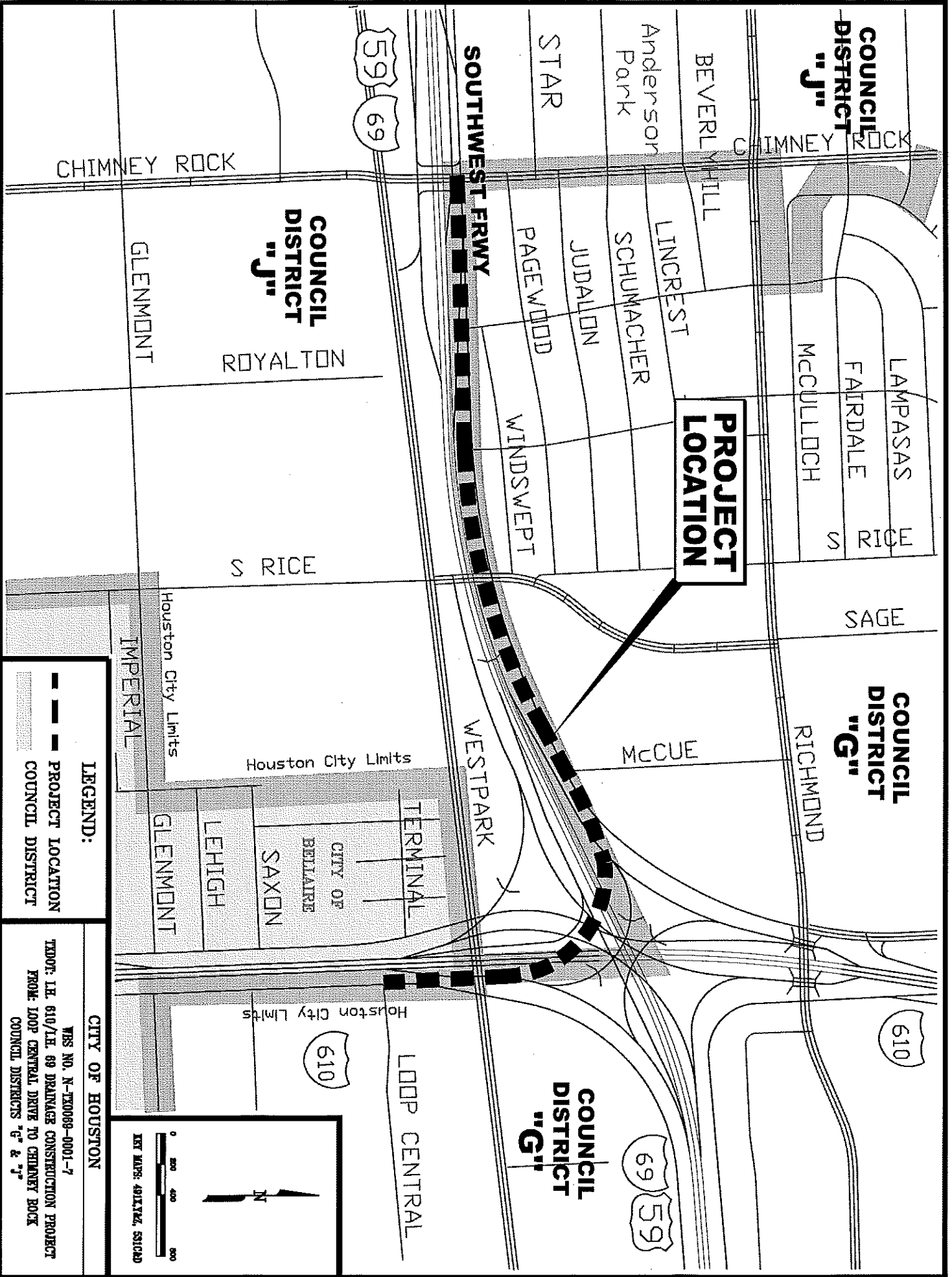
Thomas A. Artz, P.E.
Acting Assistant Director, Capital Projects
Phone: (832) 395-2222

ATTACHMENTS:**Description**

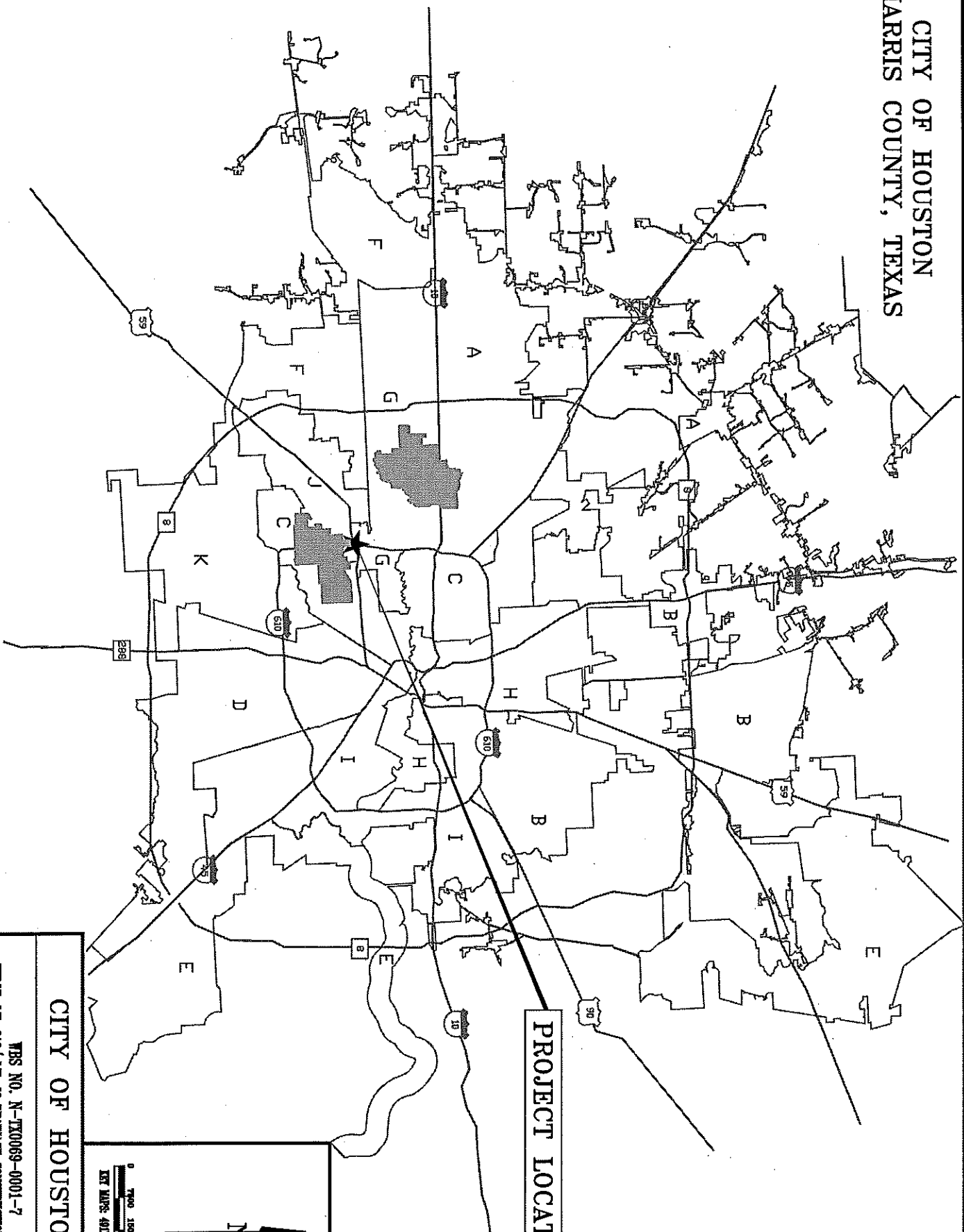
Maps
Copy of Agreement
SAP Documents

Type

Backup Material
Backup Material
Financial Information



CITY OF HOUSTON HARRIS COUNTY, TEXAS



PROJECT LOCATION

CITY OF HOUSTON

0 1000 2000
FEET
0 1000 2000
METERS

N

WBS NO. N-170069-0001-7
TIDOT: I.E. 610/ I.E. 69 DRAINAGE CONSTRUCTION PROJECT
FROM: LOOP CENTRAL DRIVE TO CHANNERY ROCK
COUNCIL DISTRICTS "G" & "J"



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

District B, District H

Item Creation Date: 3/8/2018

20MR99-R Addnt'l Approp / Houston Belt and Terminal
Railway Company

Agenda Item#: 26.

Summary:

ORDINANCE appropriating an additional \$3,604.00 from Metro Projects Construction DDSRF for Public Highway At-Grade Crossing Agreement between the City of Houston and **HOUSTON BELT AND TERMINAL RAILWAY COMPANY** for the Market Street Paving and Drainage Improvements Project - **DISTRICTS B - DAVIS and H - CISNEROS**

Background:

SUBJECT: Additional Appropriation to the Public Highway At-Grade Crossing Agreement between the City of Houston and Houston Belt and Terminal Railway Company for Market Street Paving and Drainage Improvements from McCarty Road to the North Wayside Drive.

RECOMMENDATION: Approve an Ordinance appropriating additional funds to the Public Highway At-Grade Crossing Agreement with Houston Belt and Terminal Railway Company.

PROJECT NOTICE/JUSTIFICATION: The Railroad Crossing agreement is needed to facilitate the construction of the Market Street Project. The Market Street Paving and Drainage Improvements project ("the Project") is part of the Street & Traffic Capital Improvement program (CIP) and is necessary to meet City of Houston standards, improve traffic mobility and provide direct connectivity across railroad tracks.

DESCRIPTION: This project consists of the design of a street Railroad crossing which will install concrete crossing panels and all rail ties and ballast to support such crossing panel installation (the "Surface Improvements") and will replace the existing railroad warning devices with new railroad warning devices, which includes the installation of flashing light crossing signals with gates and cantilevers within the Crossing Area (the "Signal Improvement") and together with the Surface Improvements (collectively, the "Railroad Facilities"). The Railroad's initial installation of the Surface Improvements shall be at the Railroad's sole cost and expense, and the Railroad's installation of the Signal Improvements shall be at the Political Body's (City of Houston) sole cost and expense.

LOCATION: The project area is generally bound by IH-10 on the north, Clinton on the south, McCarty on the east and North Wayside on the west. The project is located in Key Map Grids 495 E and F.

PREVIOUS HISTORY AND SCOPE OF THIS AGREEMENT: City Council approved the original Agreement on October 4, 2017 by Ordinance No. 2017-0772, granting the Railroad an easement over, under and across a portion of the Crossing Area. In exchange, the Houston Belt and Terminal Railway Company agrees to perform and abide by the terms of the Public Highway At-Grade Crossing Agreement, and grants the City of Houston the right to construct, reconstruct, maintain, repair and use the Roadway located over and across a portion of the Crossing Area.

The Agreement contained a provision that allowed HBTR to recalculate and update the Agreement's Exhibit C-1, "Estimate of Material and Force Account Work", after six months if the City did not commence work within six months after signing the Agreement. The City has not commenced work due to unexpected delays related to Harvey, and the previous estimates have expired. HBTR has recalculated and updated the amounts to reflect the current estimates in total of \$1,074,680.00, a difference of \$3,134.00 from the original estimate of \$1,071,546.00.

The total requested amount of \$3,604.00 is to be appropriated as follows: \$3,134.00 for cost of the project and \$470.00 for CIP Cost Recovery.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving an additional appropriation of \$3,604.00 for the Public Highway At-Grade Crossing Agreement with Houston Belt and Terminal Railway Company.

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

WBS No. N-000797-0001-7

Prior Council Action:

Ordinance 2017-0772, dated 10-04-2017

Amount of Funding:

\$3,604.00 - Fund No. 4040 - METRO Projects Construction DDSRF
(\$3,604.00 Supported by Metro funds)

Contact Information:

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

ATTACHMENTS:

Description	Type
Revised Signed Coversheet	Signed Cover sheet
Maps	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District B, District H
Item Creation Date: 3/8/2018

20MR99-R Addnt'l Approp / Houston Belt and Terminal Railway Company

Agenda Item#:

Background:

SUBJECT: Additional Appropriation to the Public Highway At-Grade Crossing Agreement between the City of Houston and Houston Belt and Terminal Railway Company for Market Street Paving and Drainage Improvements from McCarty Road to the North Wayside Drive.

RECOMMENDATION: Approve an Ordinance appropriating additional funds to the Public Highway At-Grade Crossing Agreement with Houston Belt and Terminal Railway Company.

PROJECT NOTICE/JUSTIFICATION: The Railroad Crossing agreement is needed to facilitate the construction of the Market Street Project. The Market Street Paving and Drainage Improvements project ("the Project") is part of the Street & Traffic Capital Improvement program (CIP) and is necessary to meet City of Houston standards, improve traffic mobility and provide direct connectivity across railroad tracks.

DESCRIPTION: This project consists of the design of a street Railroad crossing which will install concrete crossing panels and all rail ties and ballast to support such crossing panel installation (the "Surface Improvements") and will replace the existing railroad warning devices with new railroad warning devices, which includes the installation of flashing light crossing signals with gates and cantilevers within the Crossing Area (the "Signal Improvement") and together with the Surface Improvements (collectively, the "Railroad Facilities"). The Railroad's initial installation of the Surface Improvements shall be at the Railroad's sole cost and expense, and the Railroad's installation of the Signal Improvements shall be at the Political Body's (City of Houston) sole cost and expense.

LOCATION: The project area is generally bound by IH-10 on the north, Clinton on the south, McCarty on the east and North Wayside on the west. The project is located in Key Map Grids 495 E and F.


PREVIOUS HISTORY AND SCOPE OF THIS AGREEMENT: City Council approved the original Agreement on October 4, 2017 by Ordinance No. 2017-0772, granting the Railroad an easement over, under and across a portion of the Crossing Area. In exchange, the Houston Belt and Terminal Railway Company agrees to perform and abide by the terms of the Public Highway At-Grade Crossing Agreement, and grants the City of Houston the right to construct, reconstruct, maintain, repair and use the Roadway located over and across a portion of the Crossing Area.

The Agreement contained a provision that allowed HBTR to recalculate and update the Agreement's Exhibit C-1, "Estimate of Material and Force Account Work", after six months if the City did not commence work within six months after signing the Agreement. The City has not commenced work due to unexpected delays related to Harvey, and the previous estimates have expired. HBTR has recalculated and updated the amounts to reflect the current estimates in total of \$1,074,680.00, a difference of \$3,134.00 from the original estimate of \$1,071,546.00.

The total requested amount of \$3,604.00 is to be appropriated as follows: \$3,134.00 for cost of the project and \$470.00 for CIP Cost Recovery.

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

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving an additional appropriation of \$3,604.00 for the Public Highway At-Grade Crossing Agreement with Houston Belt and Terminal Railway Company.


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

WBS No. N-000797-0001-7

Prior Council Action:

Ordinance 2017-0772, dated 10-04-2017

Amount of Funding:

\$3,604.00 - Fund No. 4040 - METRO Projects Construction DDSRF
(\$3,604.00 Supported by Metro funds)

Contact Information:

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

ATTACHMENTS:

Description

Maps
Prior Council Action

Type

Backup Material
Backup Material



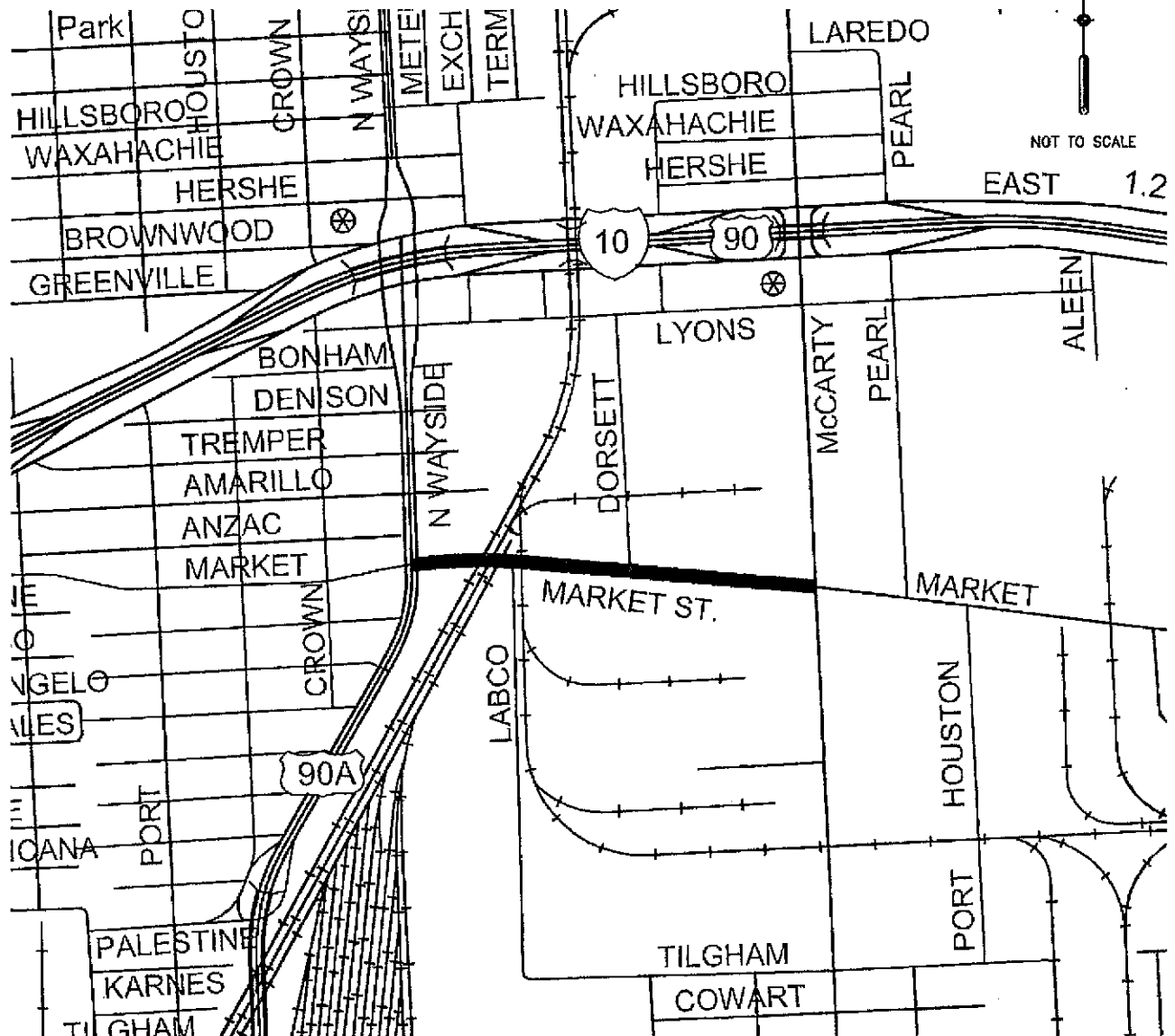
LOCATION MAP

KEY MAP 495E & F

PHONE: 713.630.7300 FAX: 713.630.7396



City of Houston



MARKET STREET PAVING AND DRAINAGE
N. WAYSIDE DR. TO McCARTY RD.

VICINITY MAP

COUNCIL DISTRICT H
KEY MAP 495E & F

WALTER P MOORE

WALTER P. MOORE AND ASSOCIATES, INC.
1301 MCKINNEY, SUITE 1100
HOUSTON, TEXAS 77010

PHONE: 713.630.7300 FAX: 713.630.7896



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/24/2018

ARA-Clear Perfection Inc. SWF

Agenda Item#: 27.

Summary:

ORDINANCE granting to **CLEAR PERFECTION, INC, 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 - **FIRST READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Clear Perfection Inc. 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 258 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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**

4.24.2018 Clear Perfection Inc. SWF RCA.pdf

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/24/2018

ARA-Clear Perfection Inc. SWF


Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Clear Perfection Inc. 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 258 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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: 5/8/2018

ALL

Item Creation Date: 4/24/2018

ARA-Newhouse Services Inc. SWF

Agenda Item#: 28.

Summary:

ORDINANCE granting to **NEWHOUSE SERVICES, INC, 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 - **FIRST READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Newhouse Services Inc. 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 258 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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**4.24.2018 Newhouse Services Inc. SWF
RCA.pdf**Type**

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ALL

Item Creation Date: 4/24/2018

ARA- Newhouse Services Inc. SWF

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Newhouse Services Inc. 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 258 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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 read "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: 5/8/2018

ALL

Item Creation Date: 4/9/2018

ARA- Fleet Clean, Inc. SWF

Agenda Item#: 29.

Summary:

ORDINANCE No. 2018-0341, passed second reading May 2, 2018

ORDINANCE granting to **FLEET CLEAN, INC, 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 - **THIRD AND FINAL READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Fleet Clean, Inc. 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 246 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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**

ARA- Fleet Clean, Inc. SWF

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/10/2018

ALL

Item Creation Date: 3/22/2018

ARA- Fleetwash Inc

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Fleetwash Inc. 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 238 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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: 5/8/2018

ALL

Item Creation Date: 4/9/2018

ARA- LRG Power Washing LLC SWF

Agenda Item#: 30.

Summary:

ORDINANCE No. 2018-342, passed second reading May 2, 2018

ORDINANCE granting to **LRG POWER WASHING, LLC, a Texas 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 - **THIRD AND FINAL READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to LRG Power Washing 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 246 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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
ARA- LRG Power Washing LLC SWF	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/24/2018

ALL

Item Creation Date: 4/9/2018

ARA- LRG Power Washing LLC

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to LRG Power Washing 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 246 solid waste operator franchises. For FY 2018, the total solid waste franchise revenue to the City is projected to be \$7,664,100.

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 blue ink signature, likely of Tina Paez, written over a horizontal line.

**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: 5/8/2018

ETJ

Item Creation Date: 4/19/2018

HCD18-44 Crosby Plaza Motion to Set Date of Public Hearing

Agenda Item#: 31.

Summary:

SET A PUBLIC HEARING DATE to provide a Resolution of No Objection to the 4% Tax Credit application of **CROSBY PLAZA 34 LLC, 6616 FM 2100**
HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 16, 2018

Background:

The Housing and Community Development Department (HCDD) recommends approval of a motion establishing a date for a public hearing to provide a Resolution of No Objection for the 4% tax credit application of Crosby Plaza 34 LLC for a development located in the City's extraterritorial jurisdiction.

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 governing body of the jurisdiction where a project is to be located (including the City's extraterritorial jurisdiction) must "hold a hearing ...to solicit public input concerning the Application or Development" before a developer can submit an application for noncompetitive 4% tax credits.

Crosby Plaza 34 LLC intends to submit an application to the TDHCA requesting an award of 4% tax credits for the acquisition and rehabilitation of Crosby Plaza Apartments, an 86-unit affordable housing community located at 6616 FM 2100. HCDD is not being asked to fund this development.

Sources		Uses	
FHA 221(d)(4) Perm Loan	\$9,775,000	Acquisition	\$6,040,000
Tax Credit Investor Proceeds – Enterprise	3,591,838	Hard Costs	4,191,700
Net Operating Income	175,000	Soft Costs	2,027,326
Deferred Developer Fee	831,440	Developer Fee	1,609,802
Total	\$14,373,278	Reserves	504,450
		Total	\$14,373,278

HCDD requests a motion to hold a public hearing on May 16, 2018 regarding the 4% tax credit

resolution of no objection.

Tom McCasland, Director

Contact Information:

Roxanne Lawson:
(832) 394-6307

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

ETJ

Item Creation Date: 4/19/2018

HCD18-44 Crosby Plaza Motion to Set Date of Public Hearing

Agenda Item#:

Background:

The Housing and Community Development Department (HCDD) recommends approval of a motion establishing a date for a public hearing to provide a Resolution of No Objection for the 4% tax credit application of Crosby Plaza 34 LLC for a development located in the City's extraterritorial jurisdiction.

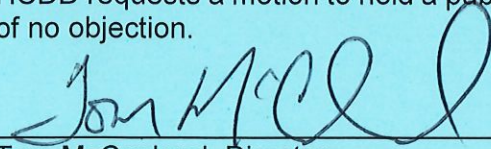
The Texas Department of Housing and Community Affairs (TDHCA) administers the state's housing tax credit program, which provides federal tax credits to spur the development of quality, affordable housing.

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Sources		Uses	
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Tax Credit Investor Proceeds – Enterprise	3,591,838	Hard Costs	4,191,700
Net Operating Income	175,000	Soft Costs	2,027,326
Deferred Developer Fee	831,440	Developer Fee	1,609,802
Total	\$14,373,278	Reserves	504,450
		Total	\$14,373,278

HCDD requests a motion to hold a public hearing on May 16, 2018 regarding the 4% tax credit resolution of no objection.


Tom McCasland, Director

Contact Information:

Roxanne Lawson:
(832) 394-6307



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/8/2018

Item Creation Date:

FIN - Houston First Lease amendment

Agenda Item#: 32.

Summary:

ORDINANCE amending Ordinance No. 2011-390 to add a maximum contract amount for the Lease Agreement between the City of Houston and **HOUSTON FIRST CORPORATION Formerly HOUSTON CONVENTION CENTER HOTEL CORPORATION**; approving and authorizing an amendment to the aforementioned Lease Agreement and a form of a Promissory Note in connection with the same for the repair of City-owned properties damaged by Hurricane Harvey; authorizing the Mayor to execute Promissory Note(s)

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 45 on Agenda of May 2, 2018

Background:

The City's Interim Director of the Finance Department recommends City Council adopt the proposed ordinance to amend the Lease Agreement with Houston First Corporation ("Houston First") formerly Houston Convention Center Hotel Corporation to include provisions regarding the distribution and repayment of insurance and other proceeds as formalized in one or more Promissory Notes, the City's oversight and responsibility as it relates to repairs necessitated by Hurricane Harvey or other federally-declared disasters in the future, and to include a supplemental allocation clause and maximum contract amount up to \$35M under which the Promissory Note(s) may be funded.

On June 1, 2011, City Council adopted an ordinance approving the existing Lease under which Houston First Corporation manages several City-owned properties, such as the Wortham Theater Center, Jones Hall, Jones Plaza, and the George R. Brown Convention Center ("Leased Premises"). Under the terms of the Lease, the City insures the Leased Premises and in the event of any damage to the Leased Premises, the City will make the insurance proceeds available to Houston First to repair the Leased Premises. Hurricane Harvey damaged several of the Leased Premises, such as the landmark, City-owned Wortham Theater Center which sustained substantial flood damage from Hurricane Harvey.

As indicated in the amended Lease, the City will make \$10M in insurance proceeds available to Houston First for the repair of City-owned facilities, such as the construction necessary to ensure the Wortham Theater Center re-opens in September 2018. The City continues to evaluate the insurance apportionment for all impacted City Departments. During the internal reconciliation process, if the City determines that Houston First's portion of the insurance proceeds are less than \$10M, Houston First will be required to repay the City the differential plus interest.

Although the full value of the damage to the Leased Premises continues to be assessed, Houston First estimates the repair costs for the Leased Premises will exceed \$100M. As the need arises, the City may also make available up to \$25M in additional funding pursuant to the amended Lease and a Promissory Note to continue the extensive repair and reconstruction of the damaged Leased Premises. Under the terms of the Promissory Note, Houston First will repay the City the amounts provided plus interest. In addition, the Lease includes a mechanism for the City to have oversight over the procurements related to repairs of the Leased Premises necessitated by Hurricane Harvey or in the event of other federally-declared disasters.

Fiscal Note: No fiscal note is required for grant-funded items

Tantri Emo, Interim Director

Prior Council Action:

Ordinance 2011-390 (June 1, 2011)

Amount of Funding:

\$10,000,000 – Disaster Recovery Fund (5303)

Contact Information:

Melissa Dubowski, Assistant Director 832.393.9101

Arif Rasheed, Deputy Director 832.393.9013

ATTACHMENTS:

Description	Type
Signed Coversheet	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/1/2018

Item Creation Date:

FIN - Houston First Lease amendment

Agenda Item#: 45.

Summary:

ORDINANCE amending Ordinance No. 2011-390 to add a maximum contract amount for the Lease Agreement between the City of Houston and **HOUSTON FIRST CORPORATION Formerly HOUSTON CONVENTION CENTER HOTEL CORPORATION**; approving and authorizing an amendment to the aforementioned Lease Agreement and a form of a Promissory Note in connection with the same for the repair of City-owned properties damaged by Hurricane Harvey; authorizing the Mayor to execute Promissory Note(s)

Background:

The City's Interim Director of the Finance Department recommends City Council adopt the proposed ordinance to amend the Lease Agreement with Houston First Corporation ("Houston First") formerly Houston Convention Center Hotel Corporation to include provisions regarding the distribution and repayment of insurance and other proceeds as formalized in one or more Promissory Notes, the City's oversight and responsibility as it relates to repairs necessitated by Hurricane Harvey or other federally-declared disasters in the future, and to include a supplemental allocation clause and maximum contract amount up to \$35M under which the Promissory Note(s) may be funded.

On June 1, 2011, City Council adopted an ordinance approving the existing Lease under which Houston First Corporation manages several City-owned properties, such as the Wortham Theater Center, Jones Hall, Jones Plaza, and the George R. Brown Convention Center ("Leased Premises"). Under the terms of the Lease, the City insures the Leased Premises and in the event of any damage to the Leased Premises, the City will make the insurance proceeds available to Houston First to repair the Leased Premises. Hurricane Harvey damaged several of the Leased Premises, such as the landmark, City-owned Wortham Theater Center which sustained substantial flood damage from Hurricane Harvey.

As indicated in the amended Lease, the City will make \$10M in insurance proceeds available to Houston First for the repair of City-owned facilities, such as the construction necessary to ensure the Wortham Theater Center re-opens in September 2018. The City continues to evaluate the insurance apportionment for all impacted City Departments. During the internal reconciliation process, if the City determines that Houston First's portion of the insurance proceeds are less than \$10M, Houston First will be required to repay the City the differential plus interest.

Although the full value of the damage to the Leased Premises continues to be assessed, Houston First estimates the repair costs for the Leased Premises will exceed \$100M. As the need arises, the City may also make available up to \$25M in additional funding pursuant to the amended Lease and a Promissory Note to continue the extensive repair and reconstruction of the damaged Leased Premises. Under the terms of the Promissory Note, Houston First will repay the City the amounts provided plus interest. In addition, the Lease includes a mechanism for the City to have oversight over the procurements related to repairs of the Leased Premises necessitated by Hurricane Harvey or in the event of other federally-declared disasters.

Fiscal Note: No fiscal note is required for grant-funded items

M. Dubowski
Tantrijemo, Interim Director

Prior Council Action:

Ordinance 2011-390 (June 1, 2011)

Amount of Funding:

\$10,000,000 – Disaster Recovery Fund (5303)

Contact Information:

Melissa Dubowski, Assistant Director 832.393.9101
Arif Rasheed, Deputy Director 832.393.9013

ATTACHMENTS:**Description**

Signed Supplemental Notice

Type

Backup Material