

AGENDA

CITY OF HOUSTON ■ CITY COUNCIL

May 3 & 4, 2022

MAYOR
SYLVESTER TURNER

CONTROLLER
CHRIS B. BROWN

DISTRICT COUNCIL MEMBERS

Amy Peck
District A

Tiffany D. Thomas
District F

Tarsha Jackson
District B

Mary Nan Huffman
District G

Abbie Kamin
District C

Karla Cisneros
District H

Carolyn Evans-Shabazz
District D

Robert Gallegos
District I

Dave Martin
District E

Edward Pollard
District J

Martha Castex-Tatum
District K

AT-LARGE COUNCIL MEMBERS

Mike Knox
Position 1

Michael Kubosh
Position 3

David W. Robinson
Position 2

Letitia Plummer
Position 4

Sallie Alcorn
Position 5

Marta Crinejo, Agenda Director

Pat Jefferson Daniel, 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 email us at speakers@houstontx.gov or weather permitting you may come to the Office of the City Secretary, City Hall Annex, Public Level.

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

AGENDA - COUNCIL MEETING Tuesday, May 3, 2022 - 1:30 PM
Hybrid (Virtual and in Person) Public Session & In-person Council Session

PRESENTATIONS

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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Thomas

Due to health and safety concerns related to COVID-19, this meeting will offer the options to participate by videoconference or in-person. The meeting will be open to the public but restrictions regarding masks, allowable room capacity, and seating arrangements may be in place.

The public meeting location will be City Hall Council Chamber, 901 Bagby, 2nd Floor, Houston, Texas 77002. The Mayor, as presiding officer of City Council, and some Council Members will be physically present. Other Council Members may participate by videoconference in accordance with the provisions of Section 551.127 of the Texas Government Code applicable to a governmental body that extends into three or more counties. The meeting will also be streamed as usual on the City's website (<https://www.houstontx.gov/htv/index.html>), Facebook site (<https://www.facebook.com/pg/HoustonTelevision/videos/>) and the municipal channel on public television.

Members of the public may provide public comment during the Tuesday public session at (936) 755-1521; Conference ID# 897 342 660#. Details for signing up to speak in-person or virtually are posted at <https://www.houstontx.gov/council/meetingsinfo.html>.

ROLL CALL AND ADOPT THE MINUTES OF THE PREVIOUS MEETING

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

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

RECESS

RECONVENE

WEDNESDAY - MAY 4, 2022 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 27

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from Mayor for confirmation of the appointment or reappointment of the following individuals to the **WASHINGTON AVENUE CORRIDOR ADVISORY COMMITTEE**, for terms to expire in two years
Position One - **DAVID CHIN**, appointment
Position Two - **KEITH EDGAR**, reappointment
Position Three - **MARK S. FAIRCHILD**, reappointment
Position Four - **SHARON STEUART**, appointment
Position Five - **CAROLYN RUBENSTEIN**, appointment

PROPERTY - NUMBER 2

2. RECOMMENDATION from Director Houston Public Works, reviewed and approved by the Joint Referral Committee, on request from Kevin Davis, on behalf of Jesus and Alfonsa Gonzalez, Owners, declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J. L. Stanley Survey, A-789, Parcel SY22-038 - **DISTRICT B - JACKSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 and 4

3. **TEXAN WASTE EQUIPMENT dba HEIL OF TEXAS** for Heil Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options \$2,520,010.40 – Fleet Management Fund
4. **INDUSTRIAL DISPOSAL SUPPLY COMPANY LLC** - \$80,290.00 (Sourcewell) and \$70,681.00 (Buyboard), and **CENTRAL TEXAS HEAVY EQUIPMENT CO. dba CENTRAL TEXAS EQUIPMENT** - \$745,979.50 for purchase of various types of Trailer Mounted Equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell for the Fleet Management Department on behalf of Houston Public Works – \$896,950.50 - Enterprise Fund

RESOLUTION - NUMBER 5

5. RESOLUTION of the City Council adopting the Fiscal Year 2023 (July 1, 2022 through June 30, 2023) Budget Schedule for the City Budgets.

ORDINANCES - NUMBERS 6 through 27

6. ORDINANCE amending and ratifying Ordinance Nos. 2015-77, 2017-821, & 2013-89, relating to the Series G, H-2 and J Commercial Paper Programs

pertaining to the authorized purposes of such Commercial Paper Programs; and making findings relating thereto and declaring an emergency

7. **ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 30 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Noise and Sound Level Regulation and establishing a Commercial Establishment Permit and a fee therefor; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for an effective date
8. ORDINANCE repealing the review period for Chapter 46 of the Houston Building code, the Houston Sign Code
9. **ORDINANCE AMENDING CHAPTER 7, ARTICLE III AND ARTICLE VI OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Metal Recyclers and Secondhand Resellers; declaring certain conduct to be unlawful and providing a penalty therefor
10. ORDINANCE approving and authorizing first amendment to Subrecipient Grant Agreement between City of Houston and **THE VILLAGE LEARNING CENTER** to provide additional Hurricane Harvey Community Development Block Grant–Disaster Recovery 2017 (CDBG-DR17) Funds to continue providing services to low-to-moderate income Houston residents with Intellectual and/or Developmental Disabilities (I/DD) - \$400,000.00 - Grant Fund
11. ORDINANCE approving and authorizing first amendment to Subrecipient Grant Agreement between City of Houston and **HOUSTON'S CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC** to provide additional Hurricane Harvey Community Development Block Grant–Disaster Recovery Funds for the continuing administration and operation of Hurricane Harvey Public Services Activities providing Career Navigation Case Management, Career Placement, and Tutoring Services to low-and moderate-income persons who reside in Houston - \$253,236.00 - Grant Fund - **DISTRICT D - EVANS-SHABAZZ**
12. ORDINANCE approving and authorizing second amendment to Grant Agreement between City of Houston and **HOUSTON SHIFA SERVICES FOUNDATION, INC** to extend the restricted use period for a family support center, located at 8620 Westplace Drive, Houston, Texas, which serves low-and moderate-income female and child victims of domestic violence and abuse - **DISTRICT K - CASTEX-TATUM**
13. ORDINANCE approving and authorizing first amendment to contract between City of Houston and **ALL PUMP AND EQUIPMENT COMPANY** for Non-Submersible Pump Repair and Replacement Services for Various Water and Wastewater Facilities (as approved by Ordinance No. 2017-0708)
14. ORDINANCE awarding contract to **JSUPER INVESTMENTS LLC** for Exhaust Muffler Repair and Replacement Services for Fleet Management Department; providing a maximum contract amount – 3 Years with 2 one-year options - \$617,450.00 - Fleet Management Fund
15. ORDINANCE approving and authorizing contract between City and **MUNISERVICES, LLC** for Sales/Use Tax Audit and Sales/Use Tax Analysis and Reporting Services; providing a maximum contract amount - 3

Years with 2 one-year options - \$4,075,000.00 - General Fund

16. ORDINANCE authorizing and approving a form of Mutual Aid Agreement between City of Houston and each of the following Cities: **CITY OF DALLAS, TEXAS, CITY OF EL PASO, TEXAS, CITY OF FORT WORTH, TEXAS** and **CITY OF SAN ANTONIO, TEXAS**; authorizing the Mayor to execute the Form Mutual Aid Agreement for the provision of Mutual Aid with each City
17. ORDINANCE amending Ordinance No. 2021-30 (Passed on January 13, 2021) to increase the maximum contract amount for contract between City of Houston and **INTERISE, INC** for purchase of Licenses for Curriculum and Supporting Materials for the Office of Business Opportunity in connection with its Build-Up Houston Capacity Building Program - \$76,000.00 - Enterprise Fund
18. ORDINANCE approving and authorizing Interlocal Agreement between City of Houston and **HARRIS COUNTY** for Harris County District Attorney's Office funded by a Grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Gun Crime Intelligence Center Integration Program
19. ORDINANCE consenting to the addition of 0.8592 acres of land to **GRANT ROAD PUBLIC UTILITY DISTRICT**, for inclusion in its district
20. ORDINANCE consenting to the addition of 44.272 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 558**, for inclusion in the district
21. ORDINANCE consenting to the addition of 453.327 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12**, for inclusion in its district
22. ORDINANCE consenting to the addition of 67.081 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 572**, for inclusion in the district
23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Lilac Street, from Goldenrod Street south to its terminus; abandoning such street to Zachary T. Haines, Emily Haines, Terrence E. Hill, and Kimberly E. Meyer, the abutting property owners, in consideration of their cash payment to the City in the amount of \$70,095, and a conveyance to the City of a 1,159 square-foot storm sewer easement, and \$78,090.00, and a 1,216 square-foot storm sewer easement, all easements being located in the Glen Park Subdivision, situated in the John Austin Survey, Abstract No. 1, Harris County, Texas, and other good and valuable consideration; waiving certain prohibitions in Chapter 15 of the Code of Ordinances - **DISTRICT H - CISNEROS**
24. ORDINANCE appropriating \$70,000.00 out of Dedicated Drainage and Street Renewal Capital Fund - Drainage; approving and authorizing Reimbursement Agreement between City of Houston and **UNION PACIFIC RAILROAD COMPANY** to reimburse Union Pacific Railroad for Kress Street Area Drainage and Paving Improvements from Larimer Street to Clinton Drive; providing funding for CIP Cost Recovery - **DISTRICT H - CISNEROS**

25. ORDINANCE appropriating \$3,820,577.25 out of Dedicated Drainage and Street Renewal Capital Fund - Ad Valorem Tax as an additional appropriation; approving and authorizing first amendment to Professional Services Contract between City of Houston and **DATA TRANSFER SOLUTIONS, LLC** for Street Data Collection and Pavement Management Update Program (as approved by Ordinance No. 2017-0564); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax
26. ORDINANCE appropriating of \$2,978,026.00 out of Metro Projects Construction DDSRF, awarding contract to **JFT CONSTRUCTION, INC** for Citywide Work Orders for Council District Service Fund Project #8; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF, contingency, and testing services
27. ORDINANCE appropriating \$23,068,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP** for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, contingencies, and testing services - **DISTRICT E - MARTIN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

NON-CONSENT - MISCELLANEOUS

28. **SET A PUBLIC HEARING DATE** for Chapter 42 Technical Amendments
HEARING DATE - WEDNESDAY - 9:00 A.M. - May 11, 2022

MATTERS HELD - NUMBER 29

29. ORDINANCE **AMENDING AND READOPTING ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to guidelines and criteria for Tax Abatements; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability; containing a savings clause
TAGGED BY COUNCIL MEMBER JACKSON
This was Item 16 on Agenda of April 27, 2022

MATTERS TO BE PRESENTED BY COUNCIL - Council Member Cisneros 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: 5/3/2022

Item Creation Date: 4/14/2022

MYR ~ 2022 Washington Avenue Corridor Advisory
Committee Appts. ltr. 4-14-2022

Agenda Item#: 1.

Summary:

RECOMMENDATION from Mayor for confirmation of the appointment or reappointment of the following individuals to the **WASHINGTON AVENUE CORRIDOR ADVISORY COMMITTEE**, for terms to expire in two years

Position One - **DAVID CHIN**, appointment

Position Two - **KEITH EDGAR**, reappointment

Position Three - **MARK S. FAIRCHILD**, reappointment

Position Four - **SHARON STEUART**, appointment

Position Five - **CAROLYN RUBENSTEIN**, appointment

Background:

April 8, 2022

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Division 4 of Article XI of Chapter 26, of the City of Houston Code of Ordinances, I appoint or reappoint the following individuals to the Washington Avenue Corridor Advisory Committee for a term to expire two years from the date of appointment, subject to City Council confirmation:

David Chin, appointment to Position One;
Keith Edgar, reappointment to Position Two;
Mark S. Fairchild, reappointment to Position Three;
Sharon Steuart, appointment to Position Four; and
Carolyn Rubenstein, appointment to Position Five.

The résumés of the appointees are attached for your review.

Sincerely,

Sylvester Turner
Mayor

ATTACHMENTS:

Description	Type
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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District B

Item Creation Date: 4/7/2022

HPW 20AB10070/Non-acceptance of Balfour Street/Parcel
SY22-038

Agenda Item#: 2.

Summary:

RECOMMENDATION from Director Houston Public Works, reviewed and approved by the Joint Referral Committee, on request from Kevin Davis, on behalf of Jesus and Alfonsa Gonzalez, Owners, declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J. L. Stanley Survey, A-789, Parcel SY22-038 - **DISTRICT B - JACKSON**

Background:

SUBJECT: Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789. **Parcel SY22-038**

RECOMMENDATION: It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789. **Parcel SY22-038**

SPECIFIC EXPLANATION: Kevin Davis, 7702 Harpers Glen Lane, Houston, Texas, 77072, on behalf of Jesus and Alfonsa Gonzalez requested the non-acceptance of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789. The applicant plans to use the non-accepted right-of-way to replat the abutting blocks into one reserve. The street has never been paved or used for utility purposes, and the City has identified no future need for it. The Joint Referral Committee reviewed and approved the request.

Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789.

FISCAL NOTE: There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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

Contact Information:

Marjorie L. Cox
Assistant Director-Real Estate
(832) 395-3130

ATTACHMENTS:

Description

Signed Coversheet
AERIAL MAP
PARCEL MAP
COUNCIL DISTRACT MAP

Type

Signed Cover sheet
Backup Material
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date: 4/7/2022

HPW 20AB10070/Non-acceptance of Balfour Street/Parcel SY22-038

Agenda Item#:

Background:

SUBJECT: Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789. **Parcel SY22-038**

RECOMMENDATION: It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J.L. Stanley Survey, A-789. **Parcel SY22-038**

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FISCAL NOTE: There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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Carol Ellinger Haddock
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4/13/2022

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

Contact Information:

Marjorie L. Cox
Assistant Director-Real Estate
(832) 395-3130

ATTACHMENTS:

Description

AERIAL MAP
PARCEL MAP
COUNCIL DISTRICT MAP

Type

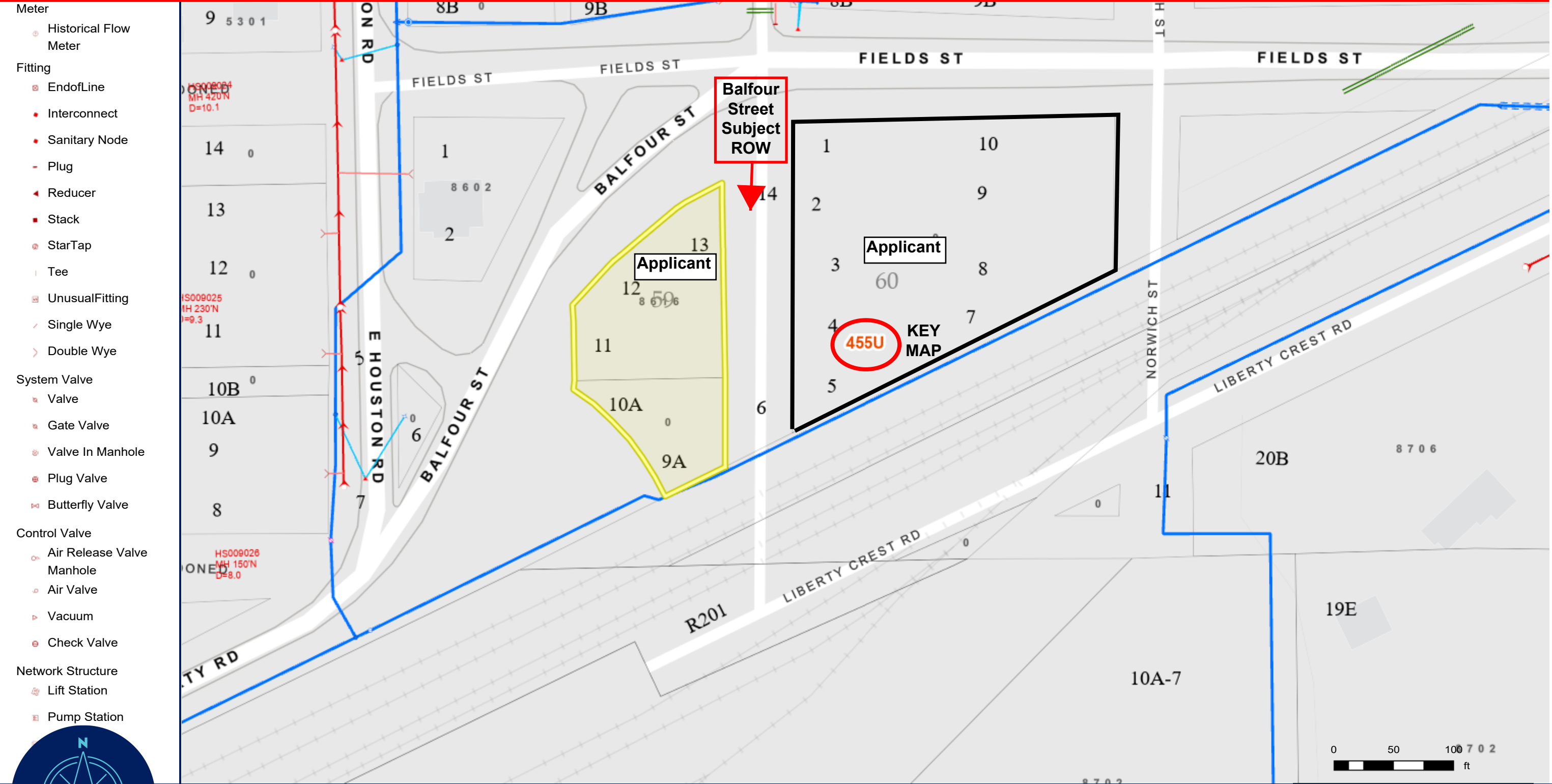
Backup Material
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Non-acceptance of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J. L. Stanley Survey, A-789. (Kevin Davis on behalf of Jesus and Alfonsa Gonzalez, owners)



Non-acceptance of 60 foot-wide ROW

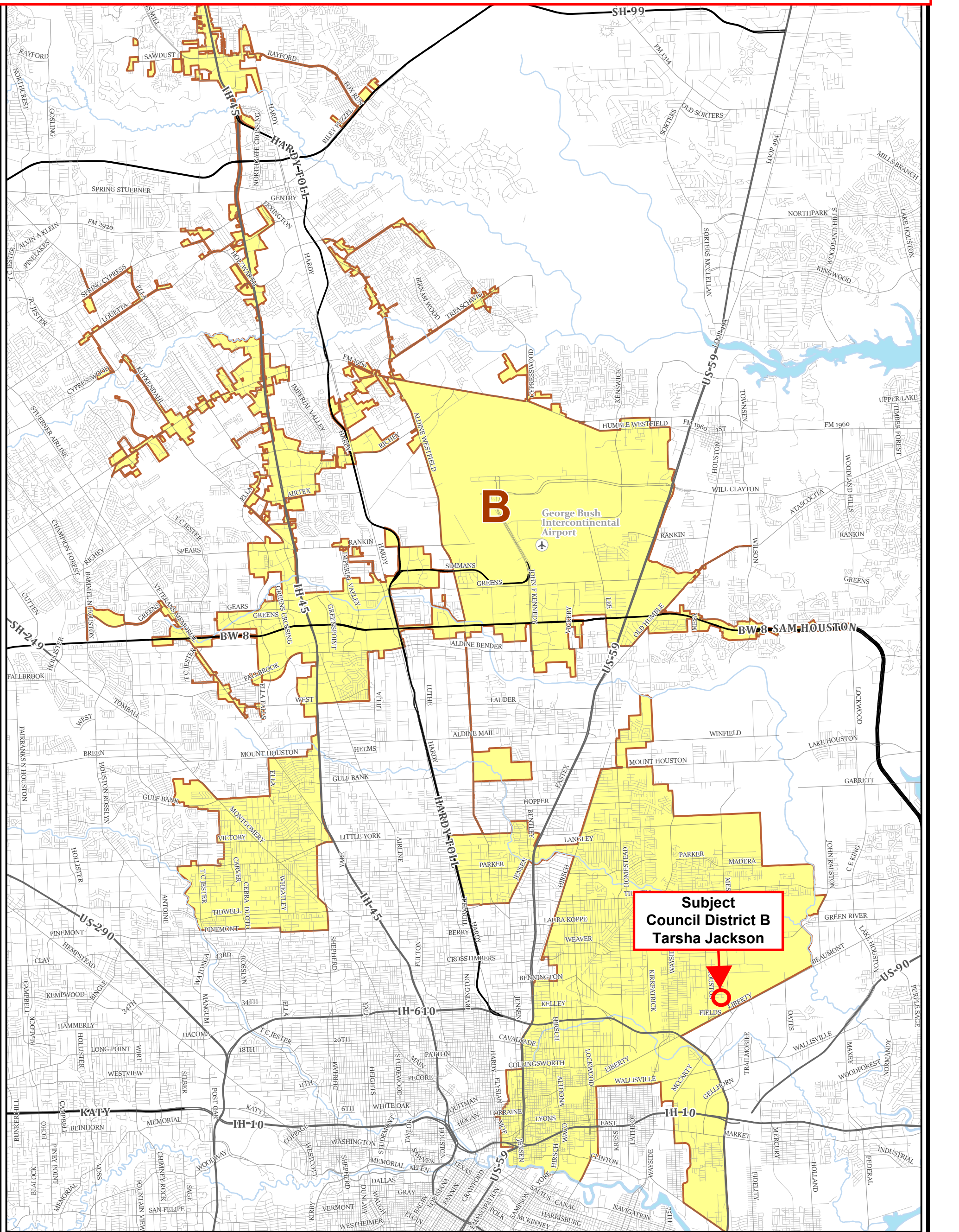
Non-acceptance of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J. L. Stanley Survey, A-789. (Kevin Davis on behalf of Jesus and Alfonso Gonzalez, owners)



The following data sets were generated by and for the Houston Public Works Department. The asset information within this map are continually being updated, refined and are being provided to your organization for official use only and remains the property of the Houston Public Works Department. Providing this document to you does not constitute a release under the Freedom of Information Act (5 U.S.C. (section) 552), and due to the sensitivity of the information, this document must be appropriately safeguarded. PLEASE NOTE that these data sets are NOT intended to be used as an authoritative public record for any geographic location or as a legal document and have no legal force or effect. Users are responsible for checking the accuracy, completeness, currency and/or suitability of these datasets themselves. The Department makes no representation, guarantee or warranty as to the accuracy, completeness, currency, or suitability of these datasets, which are provided "AS IS".



Non-acceptance of Balfour Street, from Fields Street south to its terminus, out of the East Houston Addition, out of the J. L. Stanley Survey, A-789. (Kevin Davis on behalf of Jesus and Alfonsa Gonzalez, owners)



City of Houston

Council District B - Tarsha Jackson



Source: COHGIS Database
Date: January 2020
Reference: PJ20952_B



0 1 2 4 Miles

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



PLANNING & DEVELOPMENT DEPARTMENT



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 2/8/2022

S31209 - Heil Replacement Parts and Services - MOTION
(Texan Waste Equipment DBA Heil of Texas)

Agenda Item#: 3.

Summary:

TEXAN WASTE EQUIPMENT dba HEIL OF TEXAS for Heil Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options \$2,520,010.40 – Fleet Management Fund

Background:

Sole Source for S87-S31209 - Approve the sole source purchase from Texan Waste Equipment DBA Heil of Texas in an amount not to exceed \$2,520,010.40 for Heil replacement parts and repair services for the Fleet Management Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the sole source purchase from **Texan Waste Equipment DBA Heil of Texas** in an amount not to exceed **\$2,520,010.40** for Heil replacement parts and repair services for the Fleet Management Department (FMD). It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month term with two (2) one-year options**. The award consists of a price list for various Heil replacement parts which include, but are not limited to, springs, regen valves, cylinders, pin bushings, filters, belts, rollers, proxy switches, and idler gears. These materials will be used by the FMD to repair Heil equipment citywide. This award also includes a **\$680,000.00** labor component for the repair of equipment that cannot be performed by City maintenance personnel.

Texan Waste Equipment DBA Heil of Texas is the sole distributor and service provider for the entire State of Texas for Heil parts.

This recommendation is made pursuant to subsection 252.022(a)(7) of the Texas Local Government Code, which provides that "a procurement of items that are available from only one source" is exempt from the competitive requirements for purchases.

M/WBE Subcontracting:

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

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were

not solicited because the department is utilizing a sole source for this purchase.

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance, Strategic Procurement Division

Departmental Approval Authority

Estimated Spending Authority

Department	FY22	Out Years	Total
Fleet Management	\$630,002.60	\$1,890,007.80	\$2,520,010.40

Amount and Source of Funding:

\$2,520,010.40

Fleet Management Fund

Fund No.: 1005

Contact Information:

Lena Farris SPD 832-393-8729

Coryie Gilmore SPD 832-393-8743

Keysha Grayson FMD 832-393-6902

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

ALL

Item Creation Date: 2/8/2022

S31209 - Heil Replacement Parts and Services - MOTION (Texan Waste Equipment DBA Heil of Texas)

Agenda Item#: 5.

Background:

Sole Source for S87-S31209 - Approve the sole source purchase from Texan Waste Equipment DBA Heil of Texas in an amount not to exceed \$2,520,010.40 for Heil replacement parts and repair services for the Fleet Management Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the sole source purchase from **Texan Waste Equipment DBA Heil of Texas** in an amount not to exceed **\$2,520,010.40** for Heil replacement parts and repair services for the Fleet Management Department (FMD). It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month term with two (2) one-year options**. The award consists of a price list for various Heil replacement parts which include, but are not limited to, springs, regen valves, cylinders, pin bushings, filters, belts, rollers, proxy switches, and idler gears. These materials will be used by the FMD to repair Heil equipment citywide. This award also includes a **\$680,000.00** labor component for the repair of equipment that cannot be performed by City maintenance personnel.

Texan Waste Equipment DBA Heil of Texas is the sole distributor and service provider for the entire State of Texas for Heil parts.

This recommendation is made pursuant to subsection 252.022(a)(7) of the Texas Local Government Code, which provides that "a procurement of items that are available from only one source" is exempt from the competitive requirements for purchases.

M/WBE Subcontracting:

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

Hire Houston First:

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

Fiscal Note:

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

4/22/2022

DocuSigned by:
Jerry Adams
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Jerry Adams, Chief Procurement Officer

Finance, Strategic Procurement Division

DocuSigned by:
Gary Glasscock
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Departmental Approval Authority

4/26/2022

Estimated Spending Authority

Department	FY22	Out Years	Total
Fleet Management	\$630,002.60	\$1,890,007.80	\$2,520,010.40

Amount and Source of Funding:

\$2,520,010.40

Fleet Management Fund

Fund No.: 1005

Contact Information:

Lena Farris SPD 832-393-8729

Coryie Gilmore SPD 832-393-8743

Keysha Grayson FMD 832-393-6902

ATTACHMENTS:

Description

Total

Description	Type
S31209 - MWBE 0% Goal Document	Backup Material
S31209 - Bid Tabulation	Backup Material
S31209 - Ownership Forms	Backup Material
S31209 - Conflict of Interest	Backup Material
S31209 - Form B	Backup Material
S31209 - Delinquent Tax Report	Backup Material
S31209 - Fiscal Form A	Financial Information
S31209 - Certification of Funds	Financial Information
S31209 - Sole Source Justification Form	Backup Material
S31209 - Sole Source Letter	Backup Material
S31209 - Sole Source Approval	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 3/17/2022

E32295 -Trailer Mounted Equipment - MOTION - (Industrial Disposal Supply Company LLC, Central Texas Equipment Company DBA Central Texas Equipment)

Agenda Item#: 4.

Summary:

INDUSTRIAL DISPOSAL SUPPLY COMPANY LLC - \$80,290.00 (Sourcewell) and \$70,681.00 (Buyboard), and **CENTRAL TEXAS HEAVY EQUIPMENT CO. dba CENTRAL TEXAS EQUIPMENT** - \$745,979.50 for purchase of various types of Trailer Mounted Equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell for the Fleet Management Department on behalf of Houston Public Works – \$896,950.50 - Enterprise Fund

Background:

S87 - E32295.S.B - Approve the purchase of various types of trailer mounted equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell in the total amount of \$896,950.50 for the Fleet Management Department for Houston Public Works.

Specific Explanation:

The Director of Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the purchase of seven (7) various types of trailer mounted equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell in the total amount of **\$896,950.50** for Houston Public Works and that authorization be given to issue purchase orders to the contractors shown below. The department's personnel will utilize the trailer mounted equipment daily to complete various projects throughout the city. Funding for this purchase is included in the adopted FY2022 Capital Improvement Plan.

Fleet Management Department has evaluated this proposed trailer mounted equipment package and determined there are no opportunities to efficiently and effectively employ alternate propulsion technologies.

Sourcewell Contractors:

Industrial Disposal Supply Company LLC: Approve the purchase of one (1) trailer mounted sectional rodder in the total amount of **\$80,290.00**

Buyboard Contractors:

Industrial Disposal Supply Company LLC: Approve the purchase of one (1) trailer mounted

easement machine in the total amount of **\$70,681.00**

Central Texas Heavy Equipment Co. DBA Central Texas Equipment: Approve the purchase of five (5) trailer mounted generators in the total amount of **\$745,979.50**.

This trailer mounted equipment will come with warranties that range from a one (1) year, limited hours full coverage warranty to a two (2) year, 3,000 hours full warranty. These pieces of equipment will replace existing units that have reached their useful life expectancy, and will be sent to auction for disposal.

This recommendation is made pursuant to subsection 271.102(c) of the Texas Local Government Code, which provides that "a local government that purchases goods or services [from a cooperative purchasing program or organization] satisfies any state law requiring the local government to seek competitive bids for the purchase of the goods or services."

M/WBE Subcontracting:

M/WBE Zero Percentage Goal Document approved by the Office of Business Opportunity.

Hire Houston First:

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

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority Signature

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$896,950.50	\$0	\$896,950.50

Amount and Source of Funding:

\$896,950.50

Combined Utility System General Purpose Fund
Fund No.: 8305

Contact Information:

Coryie Gilmore 832-393-8743
Lena Farris 832-393-8729

Keysha Grayson 832-393-6902

ATTACHMENTS:

Description

signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

ALL

Item Creation Date: 3/17/2022

E32295 -Trailer Mounted Equipment - MOTION - (Industrial Disposal Supply Company LLC, Central Texas Equipment Company DBA Central Texas Equipment)

Agenda Item#: 8.

Summary:

NOT A REAL CAPTION

INDUSTRIAL DISPOSAL SUPPLY COMPANY LLC . - \$80,290.00 and \$70,681.00, respectively and **CENTRAL TEXAS HEAVY EQUIPMENT CO. DBA CENTRAL TEXAS EQUIPMENT** - \$745,979.50 for purchase of a Trailer Mounted Rodder, Trailer Mounted Easement Machine and Trailer Mounted Generators for Fleet Management Department on behalf of Houston Public Works - Enterprise Fund

Background:

S87 - E32295.S.B - Approve the purchase of various types of trailer mounted equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell in the total amount of \$896,950.50 for the Fleet Management Department for Houston Public Works.

Specific Explanation:

The Director of Fleet Management Department and the Chief Procurement Officer recommend that City Council approve the purchase of seven (7) various types of trailer mounted equipment through the Interlocal Agreements for Cooperative Purchasing with the Texas Local Cooperative (Buyboard) and Sourcewell in the total amount of **\$896,950.50** for Houston Public Works and that authorization be given to issue purchase orders to the contractors shown below. The department's personnel will utilize the trailer mounted equipment daily to complete various projects throughout the city. Funding for this purchase is included in the adopted FY2022 Capital Improvement Plan.

Fleet Management Department has evaluated this proposed trailer mounted equipment package and determined there are no opportunities to efficiently and effectively employ alternate propulsion technologies.

Sourcewell Contractors:

Industrial Disposal Supply Company LLC: Approve the purchase of one (1) trailer mounted sectional rodder in the total amount of **\$80,290.00**

Buyboard Contractors:

Industrial Disposal Supply Company LLC: Approve the purchase of one (1) trailer mounted easement machine in the total amount of **\$70,681.00**

Central Texas Heavy Equipment Co. DBA Central Texas Equipment: Approve the purchase of five (5) trailer mounted generators in the total amount of **\$745,979.50**.

This trailer mounted equipment will come with warranties that range from a one (1) year, limited hours full coverage warranty to a two (2) year, 3,000 hours full warranty. These pieces of equipment will replace existing units that have reached their useful life expectancy, and will be sent to auction for disposal.

This recommendation is made pursuant to subsection 271.102(c) of the Texas Local Government Code, which provides that "a local government that purchases goods or services [from a cooperative purchasing program or organization] satisfies any state law requiring the local government to seek competitive bids for the purchase of the goods or services."

M/WBE Subcontracting:


M/WBE Zero Percentage Goal Document approved by the Office of Business Opportunity.

Hire Houston First:

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

Fiscal Note:

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

DocuSigned by:

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4/27/2022

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority Signature

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$896,950.50	\$0	\$896,950.50

Amount and Source of Funding:

\$896,950.50

Combined Utility System General Purpose Fund
 Fund No.: 8305

Contact Information:

Coryie Gilmore 832-393-8743
 Lena Farris 832-393-8729
 Keysha Grayson 832-393-6902

ATTACHMENTS:

Description	Type
E32295-S-B - Fiscal Form A's	Financial Information
E32295-S-B - OBO Waiver	Backup Material
E32295-S-B - Form B	Backup Material
E32295-S-B - Delinquent Tax Report - Central Texas Equipment	Backup Material
E32295-S-B - Delinquent Tax Report - Industrial Disposal Supply Co	Backup Material
E32295-S-B - Ownership Forms - Central Texas Equipment	Backup Material
E32295-S-B - Ownership Forms - Industrial Disposal Supply	Backup Material
E32295-S-B - Conflict of Interest - Central Texas Equipment	Backup Material
E32295-S-B - Conflict of Interest - Industrial Disposal Supply	Backup Material
E32295-S-B - Sourcewell Quote #1	Backup Material
E32295-S-B - Buyboard - Quote #2	Backup Material
E32295-S-B - Buyboard - Quote #4	Backup Material
E32295-S-B - Buyboard Quote #5	Backup Material
E32295-S-B - Buyboard - Quote #6	Backup Material
E32295-S-B - Buyboard Quote #7	Backup Material
E32295-S-B - Buyboard Quote #8	Backup Material
E32295-S-B - Buyboard Contract	Backup Material
E32295-S-B - Sourcewell Contract	Backup Material
E32295-S-B - Interlocal - CoOp Approvals	Backup Material
E32295-S-B - Funding Summary	Financial Information
Budget vs Actual E32295	Financial Information
Funding Verification	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 4/15/2022

FIN - FY2023 BUDGET SCHEDULE

Agenda Item#: 5.

Summary:

RESOLUTION of the City Council adopting the Fiscal Year 2023 (July 1, 2022 through June 30, 2023) Budget Schedule for the City Budgets.

Background:

The City's Business Officer/Finance Department Director recommends City Council adopt the budget schedule for the Fiscal Year 2023 City Budgets.

The budget schedule will provide City Council, Departments, and the community with advance notice of dates for budget workshops and the deadline for submitting budget amendments. To ensure City Council has all of the information needed prior to adopting the FY2023 Budget, Mayor Turner will present the FY2023 Proposed Budget Summary to City Council on May 10, 2022. This summary will outline the plan to balance the City's FY2023 Budget, despite a shortfall. Council budget workshops with the departments will be held between May 11th through May 19th. Under the budget schedule, City Council will commit to submitting budget amendments between May 11th through May 24th. Adhering to these deadlines ensures the Mayor and Council will have sufficient time to review the amendments, make necessary budgetary revisions, and collaborate in order to hold a public hearing and adopt a balanced FY2023 Budget on June 1st.

The City's Business Officer/Finance Department Director recommends City Council adopt the FY2023 Budget schedule because this budget process promotes transparency and creates an efficient and expedited process leading to the adoption of a balanced budget.

Tantri Emo
Director of Finance

Contact Information:

William Jones, Deputy Director
Phone: 832-393-9080

ATTACHMENTS:

Description

Type

COVERSHEET - FY2023 Budget Schedule
(revised)
Budget Schedule

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

ALL

Item Creation Date: 4/15/2022

FIN - FY2023 BUDGET SCHEDULE

Agenda Item#: 10.

Summary:

RESOLUTION of the City Council adopting the Fiscal Year 2023 (July 1, 2022 through June 30, 2023) Budget Schedule for the City Budgets.

Background:

The City's Business Officer/Finance Department Director recommends City Council adopt the budget schedule for the Fiscal Year 2023 City Budgets.

The budget schedule will provide City Council, Departments, and the community with advance notice of dates for budget workshops and the deadline for submitting budget amendments. To ensure City Council has all of the information needed prior to adopting the FY2023 Budget, Mayor Turner will present the FY2023 Proposed Budget Summary to City Council on May 10, 2022. This summary will outline the plan to balance the City's FY2023 Budget, despite a shortfall. Council budget workshops with the departments will be held between May 11th through May 19th. Under the budget schedule, City Council will commit to submitting budget amendments between May 11th through May 24th. Adhering to these deadlines ensures the Mayor and Council will have sufficient time to review the amendments, make necessary budgetary revisions, and collaborate in order to hold a public hearing and adopt a balanced FY2023 Budget on June 1st.

The City's Business Officer/Finance Department Director recommends City Council adopt the FY2023 Budget schedule because this budget process promotes transparency and creates an efficient and expedited process leading to the adoption of a balanced budget.

DocuSigned by:

A handwritten signature in black ink, appearing to read "Tantri Emo", is written over a blue DocuSign signature line.

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Tantri Emo

Director of Finance

Contact Information:

William Jones, Deputy Director

Phone: 832-393-9080

DS
A handwritten signature in black ink, appearing to read "WJ", is written over a blue DocuSign signature line.

ATTACHMENTS:

Description

Signed coversheet

Resolution

Caption

FY2023 Budget Schedule

Type

Signed Cover sheet

Ordinance/Resolution/Motion

Other

Backup Material

City of Houston – FY 2023 Operating Budget Schedule

Date	Activity
April 27	<ul style="list-style-type: none">• FY2022 General Appropriations Ordinance
May 4	<ul style="list-style-type: none">• Vote on Resolution to adopt FY2023 Operating Budget schedule
May 9	<ul style="list-style-type: none">• FY2023 Proposed Operating Budget filed with City Secretary
May 10	<ul style="list-style-type: none">• Release proposed FY2023 Operating Budget/Press Conference
May 11	<ul style="list-style-type: none">• Vote on the Resolution to set public hearing date• Begin accepting requests for FY2023 budget amendments
May 11 - 19 ¹	<ul style="list-style-type: none">• FY2023 Budget Overview - Finance Presentation• Department FY2023 Operating Budget presentations
May 24	<ul style="list-style-type: none">• Last day for FY2023 Operating Budget amendments
May 25	<ul style="list-style-type: none">• Public Hearing on FY2023 Proposed Operating Budget
May 27	<ul style="list-style-type: none">• FY2023 Operating Budget amendments distributed to City Council
June 1	<ul style="list-style-type: none">• Consideration to adopt the FY2023 Proposed Operating Budget

Footnote:

1. Departments to provide presentations to Council Members at a minimum of 48 hours prior to their scheduled budget workshop.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

Item Creation Date: 4/13/2022

FIN - Commercial Paper FY2022

Agenda Item#: 6.

Summary:

ORDINANCE amending and ratifying Ordinance Nos. 2015-77, 2017-821, & 2013-89, relating to the Series G, H-2 and J Commercial Paper Programs pertaining to the authorized purposes of such Commercial Paper Programs; and making findings relating thereto and declaring an emergency

Background:

RECOMMENDATION: APPROVE AN ORDINANCE AMENDING AND RATIFYING ORDINANCE NOS. 2015-77, 2017-821, & 2013-89 RELATING TO THE SERIES G, H-2, & J COMMERCIAL PAPER PROGRAMS PERTAINING TO THE AUTHORIZED PURPOSES OF SUCH COMMERCIAL PAPER PROGRAMS; AND MAKING FINDINGS RELATING THERETO AND DECLARING AN EMERGENCY.

SPECIFIC EXPLANATION:

In 1993, City Council authorized commercial paper programs to provide appropriation capacity and on-time funding for capital projects. The commercial paper notes are later refinanced to long-term fixed rate public improvement bonds with amortizations that match the useful life of the projects being financed.

City Council has previously authorized commercial paper issuance in support of the voter authorized public improvement bonds (2012 and 2017 Bond Elections). There is capacity under the General Obligation Commercial Paper Notes, Series G, H-2, & J, to continue to support the 2012 and 2017 Bond Elections. By authorizing an additional allocation, and approving the amending ordinance, Council will allow the commercial paper program to meet anticipated appropriation needs of the Capital Improvement Plan (CIP).

The recommended allocation is based on the FY2022 Capital Improvement Plan as follows:

Program and Department	Election Authorization	Approved by City Council for CP Issuance	Requested Additional CP Capacity Allocation	New CP Allocation	Remaining Balance
2012 Bond Election (in thousands)					
Public Safety	144,000	144,000	0	144,000	0
Parks and Recreation	166,000	166,000	0	166,000	0
Permanent and General Improvements	57,000	57,000	0	57,000	0
Public Libraries	28,000	28,000	0	28,000	0
Low Income Housing	15,000	7,068	3,120	10,188	4,812
Total	410,000	402,068	3,120	405,188	4,812
2017 Bond Election (in thousands)					
Public Safety	159,000	108,299	50,701	159,000	0
Parks and Recreation	104,000	47,457	6,461	53,918	50,082

Permanent and General Improvements	109,000	79,021	13,613	92,634	16,366
Public Libraries	123,000	48,082	4,717	52,799	70,201
Total	495,000	282,859	75,492	358,351	136,649
Total Request			78,612		

DIRECTOR SIGNATURE

Tantri Emo, Chief Business Officer and Director of Finance
Finance Department

Prior Council Action:

10/24/2006 2006-1074; 7/18/2007 2007-0846; 2/27/2008 2008-0130; 7/30/2008 2008-0670; 12/10/2008 2008-1147; 6/16/2009 2009-0527; 12/15/2010 2010-1034 04/28/2010 2010-327; 09/19/2012 2012-0833 07/23/2013 2013-0666; 09/03/2014 2014-0803; 08/15/2015 2015-765; 08/03/2016 2016-578; 07/26/2017 2017-544 & 04/11/2018 2018-0287; 07/17/2018 2018-0558; 07/10/2019 2019-0522; 07/22/2020 2020-0632

Contact Information:

Melissa Dubowski – **Phone:** 832-393-9101
Christopher Gonzales – **Phone:** 832-393-9072

ATTACHMENTS:

Description

Signed Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

Item Creation Date: 4/13/2022

FIN - Commercial Paper FY2022

Agenda Item#: 8.

Summary:

ORDINANCE AMENDING AND RATIFYING ORDINANCE NOS. 2015-77, 2017-821, & 2013-89, RELATING TO THE SERIES G, H-2 AND J COMMERCIAL PAPER PROGRAMS PERTAINING TO THE AUTHORIZED PURPOSES OF SUCH COMMERCIAL PAPER PROGRAMS; AND MAKING FINDINGS RELATING THERETO AND DECLARING AN EMERGENCY.

Background:

RECOMMENDATION: APPROVE AN ORDINANCE AMENDING AND RATIFYING ORDINANCE NOS. 2015-77, 2017-821, & 2013-89 RELATING TO THE SERIES G, H-2, & J COMMERCIAL PAPER PROGRAMS PERTAINING TO THE AUTHORIZED PURPOSES OF SUCH COMMERCIAL PAPER PROGRAMS; AND MAKING FINDINGS RELATING THERETO AND DECLARING AN EMERGENCY.

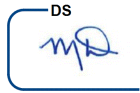
SPECIFIC EXPLANATION:

In 1993, City Council authorized commercial paper programs to provide appropriation capacity and on-time funding for capital projects. The commercial paper notes are later refinanced to long-term fixed rate public improvement bonds with amortizations that match the useful life of the projects being financed.

City Council has previously authorized commercial paper issuance in support of the voter authorized public improvement bonds (2012 and 2017 Bond Elections). There is capacity under the General Obligation Commercial Paper Notes, Series G, H-2, & J, to continue to support the 2012 and 2017 Bond Elections. By authorizing an additional allocation, and approving the amending ordinance, Council will allow the commercial paper program to meet anticipated appropriation needs of the Capital Improvement Plan (CIP).


The recommended allocation is based on the FY2022 Capital Improvement Plan as follows:

Program and Department	Election Authorization	Approved by City Council for CP Issuance	Requested Additional CP Capacity Allocation	New CP Allocation	Remaining Balance
2012 Bond Election (in thousands)					
Public Safety	144,000	144,000	0	144,000	0
Parks and Recreation	166,000	166,000	0	166,000	0
Permanent and General Improvements	57,000	57,000	0	57,000	0
Public Libraries	28,000	28,000	0	28,000	0
Low Income Housing	15,000	7,068	3,120	10,188	4,812
Total	410,000	402,068	3,120	405,188	4,812
2017 Bond Election (in thousands)					
Public Safety	159,000	108,299	50,701	159,000	0
Parks and Recreation	104,000	47,457	6,461	53,918	50,082
Permanent and General Improvements	109,000	79,021	13,613	92,634	16,366
Public Libraries	123,000	48,082	4,717	52,799	70,201
Total	495,000	282,859	75,492	358,351	136,649
Total Request			78,612		



Melissa Dubowski

DIRECTOR SIGNATURE

DocuSigned by:


Tamm Eno, Chief Business Officer and Director of Finance
Finance Department

Prior Council Action:

10/24/2006 2006-1074; 7/18/2007 2007-0846; 2/27/2008 2008-0130; 7/30/2008 2008-0670; 12/10/2008 2008-1147; 6/16/2009 2009-0527; 12/15/2010 2010-1034 04/28/2010 2010-327; 09/19/2012 2012-0833 07/23/2013 2013-0666; 09/03/2014 2014-0803; 08/15/2015 2015-765; 08/03/2016 2016-578; 07/26/2017 2017-544 & 04/11/2018 2018-0287; 07/17/2018 2018-0558; 07/10/2019 2019-0522; 07/22/2020 2020-0632

Amount and Source of Funding:

N/A

Contact Information:

Melissa Dubowski – **Phone:** 832-393-910

Christopher Gonzales – **Phone:** 832-393-9072



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 3/30/2022

ARA – Proposed Chapter 30 Amendments

Agenda Item#: 7.

Summary:

ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 30 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Noise and Sound Level Regulation and establishing a Commercial Establishment Permit and a fee therefor; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for an effective date

Background:

The Administrations and Regulatory Affairs Department (ARA) requests the approval of various changes to Chapter 30 of the City of Houston Code of Ordinances related to Noise and Sound Level Regulation.

At numerous community meetings, Houston residents have complained of various neighborhood nuisances, but noise issues have become among the most prominent complaint. ARA, HPD, and the City Attorney's Office have extensively reviewed the City's sound regulations in Chapter 30, and after considering comments and suggestions from residents, bar owners, the Greater Houston Restaurant Association, and other commercial entities, the following amendments to Chapter 30 of the Houston Code of Ordinances are recommended:

- Increase the maximum fine from \$1,000 to \$2,000.
- Revise the requirement that a permit is issued to an establishment rather than an individual.
- Codify and refine the administrative hearing process for revocation of a permit.
- Codify regulations related to the issuance of a permit for a protest at a residential location.
- Create a commercial establishment sound permit.
- Various non-substantive housekeeping amendments.

The proposed commercial establishment permit will be required for establishments within 300 feet of a residence if playing outdoor amplified sound or sound that can be appreciated outside the identified period. The permit allows the establishment to play amplified music to 75 d(B)A during the following time periods:

- Sunday – Thursday, 8:00 a.m. – 10:00 p.m.
- Friday – Saturday, 8:00 a.m. – 11:00 p.m.

The proposed permit allows a commercial establishment to play amplified sound outdoors to the decibel reading cited in 30-5 as measured from the receiving property (68 d(B)A for commercial and 58 d(B)A for

residential). The valid time periods are:

- Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
- Friday – Saturday, 11:00 p.m. – 2:00 a.m.

Permitted commercial establishments will no longer be allowed to play amplified sound from 2 a.m. to 8 a.m.

These proposed amendments to Chapter 30 were presented by ARA and the Legal Department to the Regulatory and Neighborhood Affairs committee on April 12, 2022.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Kathryn Bruning Phone: (832) 394-9414
Naelah Yahya Phone: (832) 393-8530

ATTACHMENTS:

Description	Type
4.15.2022 Proposed Chapter 30 Amendments Cover Sheet	Signed Cover sheet
FAQ document	Backup Material
ORDINANCE Redline	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/27/2022

ALL

Item Creation Date: 3/30/2022

ARA – Proposed Chapter 30 Amendments

Agenda Item#: 10.

Background:

The Administrations and Regulatory Affairs Department (ARA) requests the approval of various changes to Chapter 30 of the City of Houston Code of Ordinances related to Noise and Sound Level Regulation.

At numerous community meetings, Houston residents have complained of various neighborhood nuisances, but noise issues have become among the most prominent complaint. ARA, HPD, and the City Attorney's Office have extensively reviewed the City's sound regulations in Chapter 30, and after considering comments and suggestions from residents, bar owners, the Greater Houston Restaurant Association, and other commercial entities, the following amendments to Chapter 30 of the Houston Code of Ordinances are recommended:

- Increase the maximum fine from \$1,000 to \$2,000.
- Revise the requirement that a permit is issued to an establishment rather than an individual.
- Codify and refine the administrative hearing process for revocation of a permit.
- Codify regulations related to the issuance of a permit for a protest at a residential location.
- Create a commercial establishment sound permit.
- Various non-substantive housekeeping amendments.

The proposed commercial establishment permit will be required for establishments within 300 feet of a residence if playing outdoor amplified sound or sound that can be appreciated outside the identified period. The permit allows the establishment to play amplified music to 75 d(B)A during the following time periods:

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- Friday – Saturday, 8:00 a.m. – 11:00 p.m.

The proposed permit allows a commercial establishment to play amplified sound outdoors to the decibel reading cited in 30-5 as measured from the receiving property (68 d(B)A for commercial and 58 d(B)A for residential). The valid time periods are:

- Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
- Friday – Saturday, 11:00 p.m. – 2:00 a.m.

Permitted commercial establishments will no longer be allowed to play amplified sound from 2 a.m. to 8 a.m.

These proposed amendments to Chapter 30 were presented by ARA and the Legal Department to the Regulatory and Neighborhood Affairs committee on April 12, 2022.

Fiscal Note:

Revenue for this item will be included in the FY23 Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

Departmental Approval Authority:

DocuSigned by:

Tina Paez

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Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Kathryn Bruning Phone: (832) 394-9414
Naelah Yahya Phone: (832) 393-8530



Frequently Asked Questions (FAQs)

Revisions to Chapter 30, Noise and Sound Regulation



1. What are the proposed amendments to the Noise and Sound Regulations in Chapter 30?

- Create a commercial establishment sound permit.
- Increase the maximum citation fine from \$1,000 to \$2,000.
- Require that a permit be issued to an establishment rather than an individual.
- Refine the administrative hearing process for revocation of a permit.
- Codify regulations related to the issuance of a permit for a protest at a residential location.
- Establish a definition for "Commercial Establishment"
- Establish a definition for "Outdoors"
- Various non-substantive housekeeping amendments.

2. What is a Commercial Establishment?

A commercial establishment is any business entity that offers for sale or allows its patrons the ability to consume food or beverages or any combination thereof on its premises.

3. What is a Commercial Establishment Permit?

The new Commercial Establishment Permit will be required for any Commercial Establishment that wishes to play amplified sound outdoors or amplified sound appreciated outdoors within 300 feet of a residence. The permit will:

- Allow the establishment to play amplified sound to 75 d(B)A. Valid Time period:
 - Sunday – Thursday, 8:00 a.m. – 10:00 p.m.
 - Friday – Saturday, 8:00 a.m. – 11:00 p.m.
- Allow commercial establishment to play amplified sound outdoors to the decibel reading cited in §30-5 of the Code as measured from the receiving property (68 d(B)A for commercial properties and 58 d(B)A for residential properties). Valid for time periods:
 - Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
 - Friday – Saturday, 11:00 p.m. – 2:00 a.m.
- Be required for commercial establishments within 300 feet of a residence if playing outdoor amplified sound or sound that can be appreciated outside during:
 - Sunday – Thursday, 10:00 p.m. – 2:00 a.m.
 - Thursday and Friday, 11:00 p.m. – 2:00 a.m.

Note: Commercial Establishments are not allowed to play *any* outdoor amplified sound between 2:00 a.m. and 8:00 a.m.

4. When will the proposed amendments be effective?

120 days from the date City Council approves the ordinance revisions.

5. Why are the amendments effective after 120 days instead of immediately?

During the 120-day implementation period, ARA will provide education about the new noise revisions to impacted commercial establishments, which gives the establishments time to come into compliance with the new regulations.

6. When will a commercial establishment need to obtain a commercial establishment permit?

A commercial establishment will have 120 days from the date of City Council approval to obtain the commercial establishment permit if playing amplified sound outside or amplified sound can be appreciated outside.

7. If a restaurant or bar already has an Annual Permit, will it be required to immediately apply for the new Commercial Establishment Permit?

No. If an Annual Permit is active, ARA will automatically convert the Annual Permit into a Commercial Establishment Permit when the ordinance becomes effective. No immediate action by the Permittee is necessary, nor an additional fee. The expiration date of the active permit will not change. Upon expiration of the permit, the Permittee will simply apply for renewal of the Commercial Establishment Permit, paying the same fee that was applicable for the Annual Permit.

8. If the permit will now be issued to an establishment and not to a person, how do I know who to contact?

As part of the application submission, the applicant will be required to provide the establishment's name and contact information for the owner/manager of the establishment.

9. How can a Commercial Establishment Permit be suspended or revoked?

ARA will recommend suspension or revocation of a permit if the Permittee:

- Fails to comply with any applicable provisions of Chapter 30; or
- Receives two (2) or more convictions for violation of any of the provisions of Chapter 30 within a 36-month period (this applies to the Permittee or any employee/agent of the Permittee).

10. How will the administrative hearing be initiated and how will the permittee find out about it?

When the Director (or designee) finds grounds for suspension or revocation of a permit, the Director (or designee) shall provide written notice to the Permittee which will include date, time, and location of the hearing.

Written complaints received by the Director from surrounding property owners may be taken into consideration in a final decision, **but complaints shall not be the sole basis for suspension/revocation of a permit.**

11. Will residents have the opportunity to participate in the administrative hearing process?

Residents may be called as witnesses during the hearing.

12. Can evidence about the permittee acquired before the establishment obtains a commercial establishment permit be used as a basis to revoke a commercial establishment permit?

No.

13. Can residents' comment on the sound impact plan that can be submitted as part of the Administrative Hearing process?

No, the Hearing Official is responsible for asking questions and approving or denying the sound impact plan.

14. When HPD responds to a noise complaint, where will the measurement for decibel readings be taken.

The measurement will be taken from the complainant's receiving property line towards the source of the sound. The measurement needs to be taken at the complaints receiving property line because that is where the complainant's comfort, rest and repose is being disrupted.

15. Will pedal parties be impacted with the ordinance revisions?

No, the City of Houston does not currently regulate pedal parties.

16. How can residents file noise/sound complaints?

Avenues to file a Noise/Sound complaint with Houston Police Department:

- **Phone:** 713-884-3131 (non-emergency line)
- **Online:** Attend a community meeting hosted by your local police station. (*map and listing can be found at https://www.houstontx.gov/police/pdfs/hpd_beat_map.pdf ;calling the station to obtain schedule will be required*)
- **Mail:** Via postal service to the Office of the Chief of Police, 1200 Travis Street – 16th floor, Houston, Texas, 77002

Chapter 30

NOISE AND SOUND LEVEL REGULATION

Sec. 30-1. Definitions.

The following words shall have the meanings provided below:

Annual permit means a current and valid permit authorizing the use of sound amplification equipment at a specific location or upon a specific route for a one-year period from the date of permit issuance.

Applicant means the person applying for a permit under this chapter.

Commercial establishment means any business entity that offers for sale, or allows its patrons the ability to consume, food or beverages or any combination thereof on its premises.

Commercial establishment permit means a current and valid permit authorizing a commercial establishment to use sound amplification equipment at a specific location for a one-year period from the date of permit issuance.

Daily permit means a current and valid permit authorizing the use of sound amplification equipment at a specific location or upon a specific route on a designated day.

Daytime hours means the hours between 8 a.m. on one day and 10 p.m. the same day.

dB(A) means the intensity of a sound expressed in decibels.

Director means the director of the administration and regulatory affairs department or his designee.

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss that demands immediate action.

Emergency work means any work performed for the purpose of (i) preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, (ii) restoring property to a safe condition following a fire, accident, or natural disaster, (iii) protecting persons or property from exposure to danger, or (iv) restoring public utilities.

Extended daily permit means a current and valid permit authorizing the use of sound amplification equipment at a specific location or upon a specific route at designated times for a period not to exceed five consecutive days.

Nighttime hours means the hours between 10:01 p.m. on one day and 7:59 a.m. the following day.

Nonresidential property means any real property not included in the definition of residential property as defined in this section. Without limitation, the term includes properties developed other than as residential properties, undeveloped properties, and properties devoted to public purposes, such as public streets and parks.

Operator means the manager or other individual principally in charge of a commercial establishment.

Outdoor area means any portion of a commercial establishment that is not fully enclosed by permanent, solid walls and a roof, including but not limited to patios, terraces, courtyards, verandas, plazas, and other similar portions of a commercial establishment where sound amplification equipment will be utilized for the enjoyment of its patrons. *Outdoor area* shall also include fixed, non-portable structures used in conjunction with sound amplification equipment, including but not limited to stages, decks, risers, and lighting support structures.

Owner or owners means the proprietor if a sole proprietorship, all general partners if a partnership, or the corporation and all officers, directors, and persons holding 50 percent or more of the outstanding shares if a corporation.

Permit means an annual permit, daily permit, ~~or~~ extended-daily permit, or commercial establishment permit.

Permittee means any person, partnership, corporation, firm, joint venture, limited liability company, association, organization or any other entity holding a permit issued pursuant to this chapter.

Plainly audible when describing a sound or noise means any amplified sound or noise that can be clearly heard by a person with normal hearing faculties such that a reasonable person would believe such sound or noise unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others in violation of this chapter. The term does not require the clear appreciation of specific words of speech or specific words of a song.

Property line means, with respect to single occupancy properties on the same side of a street, the line along the ground surface and its vertical extension that separates the real property occupied by one person from that occupied by another person. With respect to single occupancy properties on opposing sides of a street, the term means the curb line or line that separates the real property

and the adjacent street. With respect to shared occupancy properties the term means the imaginary line that represents the legal limits of occupancy of any person who occupies an duplex, triplex, quadraplex, town home, nursing home, boarding home, apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.

Residential property means any permanent building or structure containing habitable rooms for nontransient occupancy that is designed and used primarily for living, sleeping, cooking and eating and intended to be used as occupancy as a dwelling place for residential purposes, whether or not attached, including homes, town homes, patio homes, duplexes, triplexes, quadraplexes, nursing homes, boarding homes, condominiums and apartments. Hotels and motels shall not be considered residential property real property developed and used for human habitation that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, unless such premises are actually occupied and used primarily for purposes other than human habitation.

Sound amplification equipment means loudspeaker, loudspeaker system, sound amplifier, or any other machine or device that produces, reproduces, or amplifies sound.

Sound nuisance means any sound that either exceeds the maximum permitted sound levels specified in section 30-5 of this Code, or for purposes of sections 30-3, 30-4, and 30-7 of this Code, otherwise unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others.

Sec. 30-2. General prohibitions.

- (a) It is unlawful for any person to make, assist in making, permit, continue, cause to be made or continued, or permit the continuance of any loud, unnecessary, or unusual sound or noise that disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In determining whether a sound or noise is loud, unnecessary, or unusual, the following factors shall be considered:
- (1) The time of day;
 - (2) The proximity of the source of the sound or noise to residential structures;
 - (3) Whether the sound or noise is recurrent, intermittent, or constant;
 - (4) The volume and intensity of the sound or noise;
 - (5) Whether the sound or noise has been enhanced in volume or range by any type of electronic or mechanical means; and
 - (6) Whether the sound or noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

- (b) The acts enumerated in the following sections of this chapter, among others, are declared to be sound nuisances in violation of this chapter, but such enumeration shall not be deemed to be exclusive.

Sec. 30-3. Noisy animals and birds.

The keeping of any animal or bird that causes or makes frequent or long and continued sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of ordinary, reasonable persons of normal sensibilities and ordinary tastes, habits, and modes of living who reside in the vicinity thereof is hereby prohibited and declared to be unlawful regardless of whether the sound so created by said animal or bird is within the permissible levels specified in section 30-5 of this Code.

Sec. 30-4. Noisy vehicles generally.

It is unlawful to operate or cause to be operated any motor vehicle so out of repair or so loaded that it creates any loud and unreasonable grating, grinding, rattling, or squeaking sound regardless of whether the sound so created by the motor vehicle is within the permissible levels specified in section 30-5 of this Code.

Sec. 30-5. Maximum permissible sound levels.

- (a) In addition to the violations established by the preceding in other sections of this chapter, it is unlawful for any person to make, assist in making, permit, continue, cause to be made or continued, or permit the continuance of any sound at any location beyond the property lines of the property on which the sound is being generated that exceeds the applicable dB(A) level listed below for the property on which the sound is received when measured from the property line of the residential or nonresidential property receiving the sound towards the source of the sound as provided in section 30-6 of this Code exceeds the applicable dB(A) level listed below for the property on which the sound is received:

- (1) *Residential property:*
 - a. 65 dB(A) during daytime hours.
 - b. 58 dB(A) during nighttime hours.
- (2) *Nonresidential property:* 68 dB(A) at all times.

Except as otherwise permitted by this chapter or other applicable law, Any sound that exceeds the dB(A) levels set forth in this section under the conditions and measurement criteria set forth in this chapter is a violation of this chapter. Evidence that an activity or sound source produces a sound that exceeds the dB(A) levels specified in this section shall be prima facie evidence of a sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others in violation of this chapter.

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- (b) Regardless of the measurable dB(A) level established in this chapter and measured in a manner provided in subsection (a) of this section~~30-6~~, the creation of any sound causing persons occupying or using any property other than the property upon which the sound is being generated to be aware of vibrations or resonance caused by the sound shall be prima facie evidence of a sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others in violation of this chapter.

Sec. 30-6. Method of sSound measurement device.

Whenever portions of this chapter prohibit sound over a certain decibel limit, measurement shall be made with a Type 1 or Type 2 calibrated sound level meter utilizing the A-weighting scale and the slow meter response as specified by the American National Standards Institute (A.N.S.I. S1.4-1984/85A). Measurements recorded shall be taken so as to provide a proper representation of the sound being measured. The microphone of the meter shall be shielded by use of a windscreen and positioned so as not to create any unnatural enhancement or diminution of the measured sound. ~~A windscreen for the microphone shall be used. Measurements of sound generated shall be taken from the property line of the nonresidential property or residential property where the sound is received towards the source of the sound.~~

Sec. 30-7. Amplified sound in vehicles.

- (a) It is unlawful for any person to make, assist in making, permit, continue, cause to be made or continued, or permit the continuance of any sound using any sound amplifier that is part of or connected to any speaker system, radio, stereo receiver, compact disc player, cassette tape player, microphone, computer or other sound source in a vehicle that, when operated disturbs the peace, quiet, and comfort of the neighboring inhabitants, or is plainly audible at a distance of 50 feet from the vehicle from which the sound is emanating.
- (b) It is an affirmative defense to prosecution under this section that the sound source is a vehicle or trailer that is:
- (1) A mobile sound stage or studio used on a stationary basis at a location not situated upon any street for the purpose of providing sound during daytime hours for an event; and
 - (2) In compliance with all other provisions of this chapter, including but not limited to sections 30-8 and 30-9 of this Code, if applicable.

Sec. 30-8. Permit for sound amplification equipment.

- (a) It is unlawful for a person to use, or cause to be used, or permit the use of any sound amplification equipment~~loudspeaker, loudspeaker system, sound amplifier, or any other machine or device that produces, reproduces, or amplifies sound~~ outside of a building or enclosed structure or that causes sounds

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produced, reproduced, or amplified within a building or enclosed structure to exceed the levels specified in section 30-5 of this Code, when measured as provided in section 30-5 of this Code ~~from the property line of the property where the sound is being received~~, without first obtaining a permit to do so.

(b) Notwithstanding the provisions of subsection (a) of this section, it shall be unlawful for any commercial establishment located within 300 feet of a residential property, when measured in a direct line from the property line of the commercial establishment to the property line of the residential property, to use, cause to be used, or permit the use of any sound amplification equipment at any outdoor area on the commercial establishment's premises or use or cause sound produced, reproduced or amplified by sound amplification equipment within the commercial establishment to be heard or appreciated beyond the property lines of the commercial establishment after 10 p.m. Sunday through Thursday, and after 11 p.m. Friday and Saturday, without first obtaining a commercial establishment permit to do so.

(~~cb~~) ~~In no event shall the issuance of a permit authorize, allow, or otherwise permit the production, reproduction, or amplification of sound that exceeds 75 dB(A) when measured from the property line of the nearest receiving property. Permits shall be granted only for the amplification of music or human speech, or both; provided however, no permit shall be issued to an applicant who has:~~

- (1) Had a permit revoked within the twelve-month period prior to the date of application; or
- (2) Received two or more convictions or entered two or more pleas of guilty or nolo contendere, or any combination thereof, in return for a grant of deferred disposition for violations of this chapter within the 36 month period prior to the date of application.

(~~de~~) Each applicant desiring to obtain a daily, extended-daily, or annual permit shall apply on a form provided by the director and shall submit the following information:

- (1) The date of the application and the date and hours for which the permit is requested, including the permit classification being requested;
- (2) The name, street and address (and mailing address if different), and email address of the applicant;
- (3) The name, street and address (and mailing address if different), and email address of the person who will have charge of the sound amplification equipment;
- (4) The purpose for which the sound equipment will be used;

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- (5) The physical address and a description of the location or proposed route where the sound amplification equipment will be used;
 - (6) A description of the type of sound amplifying equipment to be used; and
 - (7) Any other information reasonably requested by the director for administration of this chapter.
- (e) Each commercial establishment required to obtain a permit shall apply on a form provided by the director and shall submit the following information:
- (1) a. The name, street address (and mailing address if different), and email address of the commercial establishment owner;
 - b. The name, street address (and mailing address if different), email address, and the Texas driver's license number of the commercial establishment operator;
 - (2) The name of the commercial establishment, telephone number, and address or legal description of the tract of land on which the commercial establishment is located;
 - (3) If the commercial establishment is in operation, the date on which the owner acquired the commercial establishment for which the permit is sought, and the date on which the commercial establishment began operations as a commercial establishment at the location for which the permit is sought; and
 - (4) If the commercial establishment is not in operation, the expected startup date;
 - (5) The purpose for which the sound equipment will be used;
 - (6) A description of the type of sound amplifying equipment to be used; and
 - (7) Any other information reasonably requested by the director for administration of this chapter.

Sec. 30-9. Permit issuance; classification and terms.

- (a) It shall be unlawful for any person operating sound amplification equipment under a permit issued pursuant to this section to make, assist in making, permit, continue, cause to be made or continued, or permit the continuation of any sound that when measured from the property line of the residential or nonresidential property receiving the sound towards the source of the sound, exceeds the maximum permissible sound level stated for the permit in this section. All permits issued pursuant to this chapter shall be issued according to the following permit classifications:

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(1) *Daily permits:*

- a. Valid for an authorized date and time between the hours of 8 a.m. and 10 p.m. as expressed on the face of the permit, for the production, reproduction or amplification of sound not to exceed 75 dB(A); and
- b. Requires payment of the fee stated for this provision in the city fee schedule for the administrative costs of issuing the permit.

(2) *Extended daily permits:*

- a. Valid for the authorized dates and times between the hours of 8 a.m. and 10 p.m. as expressed on the face of the permit, for the production, reproduction or amplification of sound not to exceed 75dB(A); and
- b. Requires payment of the fee stated for this provision in the city fee schedule for the administrative costs of issuing the permit.

(3) *Annual permits:*

- a. Valid for the 14-hour period between the hours of 8 a.m. and 10 p.m. Sunday through Thursday; and the 15-hour period between the hours of 8 a.m. and 11 p.m. Friday and Saturday, for the production, reproduction or amplification of sound not to exceed 75 dB(A); and
- b. Requires payment of the fee stated for this provision in the city fee schedule for the administrative costs of issuing the annual permit.

(4) Commercial establishments:

- a. Valid for the 14-hour period between the hours of 8 a.m. and 10 p.m. Sunday through Thursday; and the 15-hour period between the hours of 8 a.m. and 11 p.m. Friday and Saturday, for the production, reproduction or amplification of sound not to exceed 75 dB(A);
- b. Valid for the 4-hour period between the hours of 10 p.m. and 2 a.m. the following calendar day, Sunday through Thursday; and the 3-hour period between the hours of 11 p.m. and 2 a.m. the following calendar day, Friday and Saturday, for the production, reproduction or amplification of sound not to exceed the permissible decibel levels stated in section 30-5 of this Code. A commercial establishment required to obtain a commercial establishment permit shall not use, cause to be used, or permit the use of any sound amplification equipment at any outdoor area or use or cause sound

produced, reproduced or amplified by sound amplification equipment within the commercial establishment to be heard or appreciated beyond the property lines of the commercial establishment between the hours of 2 a.m. and 8 a.m. on any day; and

c. Requires payment of the fee stated for this provision in the city fee schedule for the administrative costs of issuing the commercial establishment permit.

(b) If at the time of submitting the permit application an applicant is unable to pay the full amount of the applicable permit application fee pursuant to subsection (a) of this section, the fee shall be reduced to that amount the applicant is able to pay, provided the applicant submits a sworn affidavit, on a form provided by the city attorney, containing the following information:

(1) A statement that the applicant is unable to pay the full amount of the fee for the permit; and

(2) A statement of the exact amount the applicant is able to pay for the permit fee at the time the application is delivered to the director.

(c) Notwithstanding the provisions of this section and section 30-8 of this Code, the director shall not issue a permit for picketing activity that takes place in front of a residential property. The provisions of this section shall not prohibit picketing activity in residential areas.

Sec. 30-10. Permit application review—Approval; denial and appeal.

(a) Following review of the application, the director shall provide the applicant with written notification of the approval or denial of the requested permit.

(b) In addition to the provisions of subsection (c**b**) of section 30-8 of this Code, the submission of any false information or a materially incomplete application, including but not limited to an applicant's failure to provide any information reasonably requested by the director, shall be grounds for denial of the requested permit. Additionally, the director shall consider whether an applicant has a prior business structure, ownership history, or affiliation with other persons including but not limited to owners, operators, agents, or employees when assessing whether the applicant is in good standing to receive a permit pursuant to this chapter or whether the applicant is in fact a former permittee whose permit has been revoked pursuant to section 30-11 of this Code and is subject to the waiting period established in section 30-12 of this Code. In the event of denial, the applicant shall be given written notice of the basis for such action. An applicant may file an appeal of the denial of a requested permit by filing such appeal in writing with the director not later than 15 days following the date of the director's decision.

- (c) If the reason for the denial of a requested permit is curable, the director shall allow the applicant, upon a written request, to submit an amended application to cure the defect in lieu of filing an appeal. If the requested permit is again denied, the applicant shall still be entitled to file an appeal not later than 15 days following the date the director's decision regarding the amended application. Notice of any denial shall comply with section 1-9 of this Code and applicable state laws.
- (d) An informal hearing shall be conducted by an impartial hearing officer appointed by the director who shall render a decision within 30 days from the date of the filing of the appeal. At the hearing, the burden shall be upon the applicant to demonstrate that he has satisfied all requisites of this chapter, including all rules and regulations promulgated by the director regarding sound amplification equipment permits, and is therefore in good standing to receive the requested permit.
- (e) The director shall promulgate regulations and procedures for any required hearings which shall be consistent with section 1-9 of this Code and applicable state laws.

Sec. 30-11. Permit suspension; revocation.

- (a) Whenever the director finds that there are grounds for the suspension or revocation of a permit, the director shall give written notice to the permittee by certified mail, return receipt requested, or by courier or commercial carrier that provides written confirmation of delivery. The notice shall be addressed to the permittee at the address provided on the permit application and shall include:
 - (1) The specific grounds upon which the permit in question may be suspended or revoked;
 - (2) That there will be a hearing conducted by an impartial hearing officer selected by the city at which the city will seek the suspension or revocation of the permit;
 - (3) The date, time and place of the hearing; and
 - (4) The fact that the permittee may participate in the hearing or be represented by an attorney.
- (b) A permit may be suspended or revoked if, following notice and a hearing conducted by the impartial hearing officer, it is determined:
 - (1) The permit was issued in error;
 - (2) The applicant provided materially false or incomplete information on the permit application;

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- (3) The permittee failed to comply with an~~any~~ applicable provisions of this chapter; or
 - (4) The permittee or any agent or employee of the permittee responsible for the oversight or operation of the sound amplification equipment received two or more convictions or entered two or more pleas of guilty or nolo contendere, or any combination thereof, in return for a grant of deferred disposition within a 36 month period for violations of any provision of this chapter.
- (c**b**) All hearings shall be conducted under rules consistent with the nature of the proceedings; provided however, the formal rules of evidence shall not apply at the hearing and any testimony or evidence may be considered if the hearing officer determines the testimony or evidence is relevant and reasonably reliable. The hearing officer may exclude irrelevant, cumulative, immaterial, or repetitious testimony or evidence. Additionally:
- (1) All parties shall have the right to representation by a licensed attorney, though an attorney is not required;
 - (2) Each party may present witnesses in its own behalf;
 - (3) Each party has the right to cross-examine all witnesses and to rebut evidence; and
 - (4) Only evidence presented before the hearing officer at the hearing may be considered in rendering the final order; provided however, t~~The~~ hearing officer may take into consideration in his decision any written complaints received by the director from surrounding property owners concerning a permittee's use of sound amplification equipment in violation of any provision of this chapter; provided however, such complaints shall not be the sole basis for the suspension or revocation of a permit.
- (d) If the permittee fails to appear at the hearing on the date and time specified, the city shall introduce evidence to establish a prima facie case on behalf of the city showing that grounds exist for suspension or revocation of the permit.
- (e) Not later than the tenth calendar day before a suspension or revocation hearing, the holder of an annual or commercial establishment permit whose sound amplification permit is subject to revocation or suspension pursuant to this section may submit to the director and the hearing officer a sound impact plan addressing the specific issues concerning its noncompliance with the provisions of this chapter. The sound impact plan shall contain, at minimum:
- (1) A site diagram, including location of any outdoor area where amplified sound is emitted, and location of sound amplification equipment;

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- (2) Technical specifications of sound amplification equipment used in the outdoor area;
- (3) A description of any sound barrier or sound mitigation device proposed to be installed in or around the outdoor area;
- (4) A method of monitoring of sound amplification equipment by the establishment owner, the operator of said equipment, or by an electronic device; and
- (5) A detailed plan and time schedule to perform all work necessary to complete and implement the proposed sound impact plan.

The administrative hearing officer shall consider the proposed sound impact plan submitted by permittee and any testimony offered by the city and the permittee concerning the proposed sound impact plan.

- (f) The hearing officer shall make a decision based upon a preponderance of the evidence presented at the hearing. After completion of the presentation of evidence by all parties appearing, the hearing officer shall make written findings and render a written order as to whether or not grounds exist for the suspension or revocation of the permit.
- (g) Notwithstanding the provisions of subsection (f) of this section, if the hearing officer determines the proposed sound impact plan may cure the specific issues concerning noncompliance with this chapter, the hearing officer shall neither suspend or revoke the permit and instead, shall order a period of time not to exceed 90 days during which the permittee shall perform all work necessary to complete and implement the proposed sound impact plan. The failure to comply by the terms of an approved sound impact plan or the continued failure to comply with any applicable provision of this chapter may result in the immediate suspension or revocation of the commercial establishment's sound amplification permit.
- (h) If the hearing official determines, based upon the nature of the violation, that the ends of justice would be served by a suspension in lieu of a revocation, the hearing officer may suspend the permit for a period of time to be stated in the order of suspension, not to exceed 180 days; however, a suspension may not be ordered if the grounds are based upon items (1), (2), or (4) of subsection (b) of this section.
- (i) In the event a permit is revoked or suspended, the city shall not be liable to any person for any refund of any part of any permit fees.
- (j) The hearing officer's decision shall be final and shall exhaust the permittee's administrative remedies.

- (k) The provisions of this section shall be cumulative of penalties stated in section 30-17 of this Code and any additional enforcement remedies allowed by law.

Sec. 30-12. Waiting period before becoming eligible to reapply for a sound amplification permit.

A permittee whose sound amplification permit has been revoked pursuant to items (24), (32), or (43) of subsection (ba) of section 30-11 of this Code shall be required to wait a period of one year from the date the revocation became final before becoming eligible to reapply for a sound amplification permit.

Sec. 30-13. Permit not transferable.

- (a) A permit is personal to the permittee to whom it is issued and may not be transferred or otherwise assigned. A permit shall constitute a privilege to which no property interests or property rights of any kind or character shall apply.

- (b) A permit is null and void if the permittee:

- (1) Changes the name of the person or business from the name designated on the permit or permit application;
- (2) Moves the location or proposed route where the sound amplification equipment will be used or moves the place of business from the location designated on the permit or permit application; or
- (3) Changes the structure of its business organization, including but not limited to any change to the type of business organization or its ownership or any operator stated in the permit application.

A permittee that desires to make changes to any of the items enumerated in this subsection shall be required to make application to the director for a new permit and pay the fee stated in the city fee schedule.

Sec. 30-14. Display of permit.

A permittee shall at all times have in his possession and conspicuously display the permit authorizing the use of sound amplification equipment upon a designated route or at a physical address in such a manner that the permit is easily visible by law enforcement officers and members of the public. Any failure to display a permit shall create the presumption that no permit for the use of sound amplification equipment has been issued.

Sec. 30-15. Change of information.

It shall be the duty of each permittee to submit to the director any change in information required to be submitted pursuant to this-article chapter. Any change in information shall

be submitted on the form prescribed by the director within ten calendar days of any change.

Sec. 30-16. Defenses.

The following defenses shall apply to any offense established in this chapter:

- (1) The emission of any sound was for the purpose of alerting persons to the existence of an emergency, danger, or attempted crime.
- (2) The sound was produced by an authorized emergency vehicle.
- (3) The sound was produced by emergency work.
- (4) The sound was generated:
 - a. At a lawfully scheduled stadium event;
 - b. By a parade and spectators and participants on the parade route during a lawful parade;
 - c. By spectators and participants at lawfully scheduled amphitheater event;
 - d. By patrons and participants using cannons and gunfire during historical battle re-enactments for which a pyrotechnic permit was obtained and the explosives were inspected by the fire marshal;
 - e. By a pyrotechnic display that was inspected and approved by the fire marshal; or
 - f. By spectators and participants of any outdoor event, fun run, race, festival, fiesta, or concert that was sponsored or cosponsored by the city and is in full compliance with a permit issued by the city.
- (5) The sound was produced by the erection, excavation, construction, or demolition of any building or structure, including the use of any necessary tools or equipment, conducted between the hours of 7 a.m. and 8 p.m., which activity did not produce a sound exceeding 85 dB(A) when measured from the property line of the residential property where the sound is being received.
- (6) The sound was produced by aircraft in flight or in operation at an airport, or railroad equipment in operation on railroad rights-of-way operated in compliance with all applicable federal laws.
- (7) The sound was produced by operating or permitting the operation of any mechanically powered saw, drill, sander, router, grinder, lawn or garden

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tool, lawnmower, or any other similar device used between the hours of 7:00 a.m. and 8:00 p.m., provided the device did not produce a sound exceeding 85 dB(A) when measured from the property line of the nearest residential property where the sound is being received and was used for the maintenance or upkeep of the property on which it was operated.

- (8) The sound was generated as authorized under the terms of a permit issued under sections 30-8 and 30-9 of this Code.
- (9) The sound was produced by the operation of any air conditioning unit that did not produce a sound exceeding 65 dB(A) on residential property or 75 dB(A) on nonresidential property, when measured from the property line of the non-residential or residential property where the sound is received to the source of the sound.
- (10) The sound was produced as part of a religious observance or service during daytime hours, provided the sound did not cumulatively exceed five minutes duration in any one hour period.
- (11) The sound was produced during daytime hours by activities conducted on public parks, public playgrounds, and public or private school grounds, including, but not limited to, school athletic and school entertainment events.

Sec. 30-17. Penalty.

- (a) Any person who violates any provision of this chapter, including but not limited to a violation of any provision or condition of a permit issued pursuant to this chapter, is guilty of an offense and, upon conviction thereof, shall be punished by a fine not to exceed \$24,000.00. Each hour or portion thereof in which any violation shall occur shall constitute a separate offense.
- (b) This remedy shall be cumulative of any other penalty or remedies available to the city.

Sec. 30-18. Regulations.

The director is authorized to adopt any regulations to implement this ~~article~~ chapter. A copy of the regulations shall be maintained in the director's office for inspection by the public, and copies shall be made available for purchase at the fees prescribed by law.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 4/25/2022

LGL-Repealing the Review Period for Chapter 46 of the
Building Code

Agenda Item#: 8.

Summary:

ORDINANCE repealing the review period for Chapter 46 of the Houston Building code, the Houston Sign Code

Background:

This ordinance repeals a previous ordinance establishing a 60-day review period upon publication of a Supreme Court opinion in *City of Austin, Texas v. Reagan National Advertising of Texas Inc.*, a lawsuit with potential to impact the City of Houston's Sign Code. The opinion has now been published and reviewed.

Arturo G. Michel, City Attorney

Prior Council Action:

Ord. No. 2022-33 established the Review Period.

Contact Information:

Rebekah Wendt, 832-393-6423

Joseph Hays, 832-393-6437

Ariel San Miguel, 832-393-6311

ATTACHMENTS:

Description	Type
Ch 46 Cover Sheet	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/25/2022

LGL-Repealing the Review Period for Chapter 46 of the Building Code

Agenda Item#:

Summary:

AN ORDINANCE REPEALING THE REVIEW PERIOD FOR CHAPTER 46 OF THE HOUSTON BUILDING CODE, THE HOUSTON SIGN CODE; AND DECLARING AN EMERGENCY.

Background:

This ordinance repeals a previous ordinance establishing a 60-day review period upon publication of a Supreme Court opinion in *City of Austin, Texas v. Reagan National Advertising of Texas Inc.*, a lawsuit with potential to impact the City of Houston's Sign Code. The opinion has now been published and reviewed.

DocuSigned by:

Arturo Michel

074157848964440

Arturo G. Michel, City Attorney

Prior Council Action:

Ord. No. 2022-33 established the Review Period.

Contact Information:

Rebekah Wendt, 832-393-6423

Joseph Hays, 832-393-6437

Ariel San Miguel, 832-393-6311



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

Item Creation Date:

HPD - Catalytic Converter Ordinance

Agenda Item#: 9.

Summary:

ORDINANCE AMENDING CHAPTER 7, ARTICLE III AND ARTICLE VI OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Metal Recyclers and Secondhand Resellers; declaring certain conduct to be unlawful and providing a penalty therefor

Background:

The City Attorney and Chief of Police for the Houston Police Department recommend that City Council approve an Ordinance amending Chapter 7 of the Code of Ordinances and adding Section 7-63 relating to metal recyclers and secondhand resellers. The proposed amendment to Chapter 7 would make it unlawful for any individual or entity other than a metal recycler to possess a used catalytic converter that was severed from its original vehicle unless the individual or entity provides the required information. Each catalytic converter in an individual or entity's possession shall constitute a separate offense. The proposed amendment would also close a reporting requirements gap in the current legal framework for sales involving secondhand resellers.

As background, the National Insurance Crime Bureau (NICB) has reported a nationwide crime trend of catalytic converter thefts. These thefts are attributed to the surging value of their precious metals. Additionally, the COVID-19 pandemic and resulting global supply chain issues have drastically increased the price of the precious metals in catalytic converters. In Houston, during the first three months of 2022, HPD recorded 3188 thefts of catalytic converters in the City of Houston, a 123% increase over the same period in previous year. Catalytic converter thefts can also be associated with violent crimes, with 34 aggravated assaults and aggravated robberies associated with catalytic converter theft in 2021 and 15 in the first three months of 2022.

As part of Mayor Sylvester Turner commitment to *One Safe Houston*, the Administration requested that the City's Legal Department, in consultation with HPD, craft an ordinance to outlaw the possession of severed catalytic converters without appropriate documentation and requiring documentation for all sales of catalytic converters to metal recyclers. *One Safe Houston* is a comprehensive violence reduction initiative focused on:

- (1) Violence Reduction and Crime Prevention
- (2) Crisis Intervention, Response and Recovery
- (3) Youth Outreach Opportunities, and
- (4) Key Community Partnerships; and,

Fiscal Note:

There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

Arturo G. Michel
City Attorney

Troy Finner
Chief of Police

Contact Information:

Joseph G. Hays Assistant City Attorney LGL 832.393.6437
Sonja O'Dat Council Liaison HPD 713.308.1728

ATTACHMENTS:**Description**

Coversheet (revised)
Ordinance redline

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

Item Creation Date:

HPD - Catalytic Converter Ordinance

Agenda Item#:

Background:

The City Attorney and Chief of Police for the Houston Police Department recommend that City Council approve an Ordinance amending Chapter 7 of the Code of Ordinances and adding Section 7-63 relating to metal recyclers and secondhand resellers. The proposed amendment to Chapter 7 would make it unlawful for any individual or entity other than a metal recycler to possess a used catalytic converter that was severed from its original vehicle unless the individual or entity provides the required information. Each catalytic converter in an individual or entity's possession shall constitute a separate offense. The proposed amendment would also close a reporting requirements gap in the current legal framework for sales involving secondhand resellers.

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As part of Mayor Sylvester Turner commitment to *One Safe Houston*, the Administration requested that the City's Legal Department, in consultation with HPD, craft an ordinance to outlaw the possession of severed catalytic converters without appropriate documentation and requiring documentation for all sales of catalytic converters to metal recyclers. *One Safe Houston* is a comprehensive violence reduction initiative focused on:

- (1) Violence Reduction and Crime Prevention
- (2) Crisis Intervention, Response and Recovery
- (3) Youth Outreach Opportunities, and
- (4) Key Community Partnerships; and,

Fiscal Note:

There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

DocuSigned by:

Arturo Michel

074157848964440...

Arturo G. Michel
City Attorney

DocuSigned by:

Troy Finner

A8A225F96B7149C...

Troy Finner
Chief of Police

Contact Information:

Joseph G. Hays Assistant City Attorney LGL 832.393.6437
Sonja O'Dat Council Liaison HPD 713.308.1728

**Chapter 7 ANTIQUE DEALERS, COMMON MARKETS, SCRAP METAL
PROCESSORS,
SECONDHAND RESELLERS AND RELATED BUSINESSES**

* * *

ARTICLE III. METAL RECYCLERS

DIVISION 1. GENERAL

Sec. 7-51. Definitions.

The following words, terms and phrases, when used in this article, shall have the same meanings as provided in this section, except where the context clearly indicates a different meaning:

Applicant means a person who applies for a license required by this article.

Authorized personnel means an individual who has been granted permission to sell material or accept payment in connection with a business to business transaction on behalf of a metal recycler, public utility, manufacturing, industrial, retail or other commercial vendor that generates or sells regulated material in the ordinary course of its business and whose name has been provided in writing from the company and maintained on file with the metal recycler conducting the business to business transaction.

Business to business transaction means a sale or transfer of material between a metal recycler and a company represented by authorized personnel.

Catalytic converter means an exhaust emission control device that reduces toxic gases and pollutants from internal combustion; this includes any material removed from a catalytic converter.

Electronic database means an electronic filing system in which data is organized by fields and records.

Enclosed structure means a building that consists of a roof and solid walls on all sides, with or without windows or doors, that extend from the roof to the floor. The term includes detached trailers or semi-trailers with fully-enclosed cargo space and containers as defined by rule or regulation promulgated pursuant to section 7-53 of this Code.

Fixed location means any building or structure for which a certificate of occupancy has been issued.

Licensee means a person who holds a license to conduct business as a metal recycler and includes the person's agents and employees.

Metal recycler means any person who:

- (1) Engages in the business of purchasing aluminum cans or ferrous or nonferrous metals, such as stainless steel alloys, copper cables or steel plates;
- (2) Engages in the business of utilizing machinery or equipment for the processing or manufacturing of iron, steel or nonferrous metallic scrap and whose principal product is scrap metal for reuse; or
- (3) Operates or maintains a place in which used metal items or scrap metal is purchased, collected or kept for shipment, sale, or transfer to other facilities.

The term does not include secondhand reseller as defined in chapter 7, article VI of this Code.

On-site representative means an individual responsible for the day-to-day operation of the place of business of a metal recycler.

Open storage means keeping, maintaining, or placing processed metal items or scrap metal outside of an enclosed structure for shipment, sale, or transfer to other facilities.

Public transaction means a sale or transfer of material between a metal recycler and an individual selling material on his own behalf. The term does not include any business to business transactions or any transaction involving an individual selling material on behalf of a company.

Regulated material shall have the same meaning as in Chapter 1956 of the Texas Occupations Code.

Scrap metal means a direct product or byproduct of any form of a manufactured, shaped, or processed iron, steel, aluminum, brass, copper, lead, tin, zinc, or other nonferrous material or alloy of materials.

* * *

Sec. 7-63.1 Purchase of catalytic converters.

- (a) It shall be unlawful for any metal recycler or his agents or employees acting on his behalf to purchase or receive catalytic converters from any person offering such property for sale unless, in addition to the requirements set forth in section 7-58 of this Code:
 - (1) For automotive repair facilities:

- a. The person selling the catalytic converter presents a verifiable receipt from the repair facility with:
 - [1] The name of the business;
 - [2] The address of the business;
 - [3] The phone number for the business that repaired the vehicle that the catalytic converter offered for sale came from; and
 - [4] The year, make, model, and vehicle identification number of the vehicle or vehicles repaired.
 - b. The metal recycler either verifies that the repair facility is an actual business and that the automotive repair facility or muffler repair facility is open to the general public for business, or the repair facility provides a copy of their applicable City of Houston Auto Dealers Detail license.
 - c. A seller with a valid used automotive parts recycler license issued by the Texas Department of License and Regulation (TDLR) under the Texas Occupations Code Chapter 2309 may offer for sale catalytic converters to a metal recycler without a verifiable receipt from a repair facility. The metal recycler must obtain a copy of the valid license issued by TDLR and upload it pursuant to section 7-63.1(b)(2) of this Code.
- (2) For individual sellers: The person attempting to sell a catalytic converter provides to the metal recycler:
- a. The year, make, model, and vehicle identification number for the vehicle from which the catalytic converter was removed;
 - b. a copy of the certificate of title or other documentation indicating that the person has an ownership interest in the vehicle from which the catalytic converter was removed; and
 - c. any other information required by Chapter 1956 of the Texas Occupations Code.
- (b) Once the metal recycler has purchased the catalytic converter, the metal recycler shall:
- (1) Take a photograph of:
 - a. All sides of the catalytic converter, and if round, both halves;
 - b. the serial number and

- c. any owner applied number, such as an etched serial number, VIN, etc.
- (2) The metal recycler must upload into the police department's selected law enforcement online investigation system the photographs and all information required pursuant to subsection (a) of this section.
- (c) It shall be unlawful for any individual or entity other than a metal recycler to possess a used catalytic converter that was cut from its original vehicle, rather than unbolted, unless the individual or entity provides the applicable information under subsection (a) of this section. Each catalytic converter in an individual or entity's possession shall constitute a separate offense.

* * *

Sec. 7-125. Records required to be kept by secondhand resellers.

- (a) A secondhand reseller shall be required to keep records of any used property purchased or otherwise received as follows:
 - (1) The date of receipt of any item; and
 - (2) The individual transaction number assigned by the secondhand reseller.
- (b) A secondhand reseller, his agents or employees shall provide a consecutively numbered receipt to the seller or transferor of the item. Such receipt shall be dated on the actual date of the transaction.
- (c) A secondhand reseller shall be required to keep and upload records of any catalytic converter purchased or otherwise received as detailed in sections 7-63.1(a) and (b) of this Code.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 11/3/2021

HCD21-93 The Village Learning Center, First Amendment

Agenda Item#: 10.

Summary:

ORDINANCE approving and authorizing first amendment to Subrecipient Grant Agreement between City of Houston and **THE VILLAGE LEARNING CENTER** to provide additional Hurricane Harvey Community Development Block Grant–Disaster Recovery 2017 (CDBG-DR17) Funds to continue providing services to low-to-moderate income Houston residents with Intellectual and/or Developmental Disabilities (I/DD) - \$400,000.00 - Grant Fund

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a First Amendment to the Agreement between the City of Houston (City) and The Village Learning Center, to continue providing services to low- to moderate- income (LMI) Houston residents with intellectual and/or Developmental Disabilities (I/DD) who were affected by Hurricane Harvey. This First Amendment will provide up to an additional \$400,000.00 in Community Development Block Grant – Disaster Recovery 2017 (CDBG-DR17) funds to serve a revised total of 120 individuals.

The Village Learning Center will use its funds to continue providing vocational training, one-on-one job training, and supportive employment services to individuals with I/DD.

Category	Agreement Amount	Percentage
Program Services	\$352,000.00	88%
Program Administration	\$48,000.00	12%
Total	\$400,000.00	100.0%

The initial term of this Agreement was July 1, 2020 – June 30, 2021, with a one-year administrative renewal through June 30, 2022. This First Amendment will fund the renewal period. The Village Learning Center has received funding from HCDD since 2012 and is currently receiving funding through CDBG-DR17 and CDBG grant funds. This agency had no findings in its most current compliance monitoring.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on July 27, 2021.

Keith W. Bynam, Director

Prior Council Action:

06/17/2020 (O) 2020-510

Amount and Source of Funding:

\$400,000.00

Federal Government – Grant Funded

Fund 5030

Contact Information:

Roxanne Lawson, Division Manager

Housing and Community Development Department

Phone: (832) 394-6307

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

ALL

Item Creation Date: 11/3/2021

HCD21-93 The Village Learning Center, First Amendment

Agenda Item#: 15.

Summary:

ORDINANCE approving and authorizing first amendment to Subrecipient Grant Agreement between City of Houston and **THE VILLAGE LEARNING CENTER** to provide additional Hurricane Harvey Community Development Block Grant - Disaster Recovery 2017 (CDBG-DR17) Funds to continue providing services to low-to-moderate income Houston residents with intellectual and/or developmental disabilities (I/DD)

Background:

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No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on July 27, 2021.

DocuSigned by:


 Keith W. Bynam, Director

Prior Council Action:

06/17/2020 (O) 2020-510

Amount and Source of Funding:

\$400,000.00

Federal Government – Grant Funded

Fund 5030

Contact Information:

Roxanne Lawson, Division Manager

Housing and Community Development Department

Phone: (832) 394-6307

ATTACHMENTS:

Description

Coversheet

Prior Council Action - Initial Agreement

Form B

Delinquent Tax Report

Affidavit of Ownership

Type

Signed Cover sheet

Backup Material

Backup Material

Backup Material

Backup Material

Departmental Sign Offs - PNFD
SAP Documents
Ordinance
Grant Fund Verification - BM

Backup Material
Financial Information
Ordinance/Resolution/Motion
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District D

Item Creation Date: 11/29/2021

HCD21-143 Houston's Investing in Development and Employment of Adults (Capital IDEA)

Agenda Item#: 11.

Summary:

ORDINANCE approving and authorizing first amendment to Subrecipient Grant Agreement between City of Houston and **HOUSTON'S CAPITAL INVESTING IN DEVELOPMENT AND EMPLOYMENT OF ADULTS, INC** to provide additional Hurricane Harvey Community Development Block Grant–Disaster Recovery Funds for the continuing administration and operation of Hurricane Harvey Public Services Activities providing Career Navigation Case Management, Career Placement, and Tutoring Services to low-and moderate-income persons who reside in Houston - \$253,236.00 - Grant Fund - **DISTRICT D - EVANS-SHABAZZ**

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a First Amendment to the Agreement between the City of Houston (City) and Houston's Capital Investing in Development and Employment of Adults (Capital IDEA), to continue operating a workforce development program with case management services for low-to moderate-income Houston residents affected by Hurricane Harvey. This First Amendment will provide up to an additional \$253,236.00 in Community Development Block Grant – Disaster Recovery 2017 (CDBG-DR17) funds to serve an additional 55 individuals, for a revised total of 205 individuals to be served through this Agreement.

Category	Amount	Percentage
Program Services	\$222,847.68	88.0%
Program Administration	\$30,388.32	12.0%
Total	\$253,236.00	100.0%

The initial term of this Agreement was July 1, 2020 – June 30, 2021, with a one-year administrative renewal approved to extend through June 30, 2022, which was executed via letter agreement dated May 6, 2021. This First Amendment will provide funding for the remaining term of the renewal period. Capital IDEA has received funding from HCDD since 2012, and currently receives funding through CDBG-DR17 and CDBG grant funds.

As of March 31, 2022, Capital IDEA has exceeded its original goal by serving 164 of the 150

individuals it planned to assist. This agency had no findings in its most current compliance monitoring.

No Fiscal Note is required on grant items. This item was reviewed by the Housing and Community Affairs Committee on December 13, 2021.

Keith W. Bynam, Director

Prior Council Action:

06/24/2020 (O) 2020-551

Amount and Source of Funding:

\$253,236.00 Federal State Local – Pass Through Fund (5030)

Contact Information:

Roxanne Lawson
(832) 394-6307

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

District D

Item Creation Date: 11/29/2021

HCD21-143 Houston's Investing in Development and Employment of Adults (Capital IDEA)

Agenda Item#: 24.

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a First Amendment to the Agreement between the City of Houston (City) and Houston's Capital Investing in Development and Employment of Adults (Capital IDEA), to continue operating a workforce development program with case management services for low- to moderate-income Houston residents affected by Hurricane Harvey. This First Amendment will provide up to an additional \$253,236.00 in Community Development Block Grant – Disaster Recovery 2017 (CDBG-DR17) funds to serve an additional 55 individuals, for a revised total of 205 individuals to be served through this Agreement.

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As of March 31, 2022, Capital IDEA has exceeded its original goal by serving 164 of the 150 individuals it planned to assist. This agency had no findings in its most current compliance monitoring.

No Fiscal Note is required on grant items. This item was reviewed by the Housing and Community Affairs Committee on December 13, 2021.

DocuSigned by:

Keith W. Bynam

Keith W. Bynam, Director

Prior Council Action:

06/24/2020 (O) 2020-551

Amount and Source of Funding:

\$253,236.00 Federal State Local – Pass Through Fund (5030)

Contact Information:

Roxanne Lawson
(832) 394-6307

ATTACHMENTS:

Description

Prior Council Action
Form B
Delinquent Tax Report
Affidavit of Ownership
Departmental Sign Offs - PNDFD
SAP Documents
GLO Approval

Type

Backup Material
Backup Material
Backup Material
Backup Material
Backup Material
Financial Information
Other



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District K

Item Creation Date: 3/4/2022

HCD22-11 Houston Shifa Foundation, Inc.

Agenda Item#: 12.

Summary:

ORDINANCE approving and authorizing second amendment to Grant Agreement between City of Houston and **HOUSTON SHIFA SERVICES FOUNDATION, INC** to extend the restricted use period for a family support center, located at 8620 Westplace Drive, Houston, Texas, which serves low-and moderate-income female and child victims of domestic violence and abuse - **DISTRICT K - CASTEX-TATUM**

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Second Amendment to the Agreement between the City of Houston (City) and Houston Shifa Services Foundation, Inc. (Shifa), adding six months to the facility's current Restricted Use Period.

The original Agreement dated March 27, 2013 provided Community Development Block Grant (CDBG) funds for the acquisition and construction of their facility located near the intersection of Gessner and Westplace Drive, Houston, Texas. On May 7, 2014, Council approved a First Amendment to the Agreement, providing additional in CDBG funds to cover additional construction costs for the facility and extending the Restricted Use Period.

Shifa, in partnership with the City of Houston, operates a shelter for women and children who have been victims of domestic violence. In addition to the shelter, Shifa provides medical services, legal advice, and vocational and education programs to help clients rebuild their lives in a safe and stable environment. The primary target clientele for these services will be low- and moderate-income individuals. There are no additional CDBG funds being added to this project.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on February 15, 2022.

Keith W. Bynam, Director

Prior Council Action:

3/27/2013 (O) 2013-255

5/7/2014 (O) 2014-431

Contact Information:

Roxanne Lawson
(832) 394-6307

ATTACHMENTS:**Description**

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

District K

Item Creation Date: 3/4/2022

HCD22-11 Houston Shifa Foundation, Inc.

Agenda Item#: 15.

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Second Amendment to the Agreement between the City of Houston (City) and Houston Shifa Services Foundation, Inc. (Shifa), adding six months to the facility's current Restricted Use Period.

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No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on February 15, 2022.

DocuSigned by:

A handwritten signature in black ink that reads "Keith W. Bynam".

Keith W. Bynam, Director

Prior Council Action:

3/27/2013 (O) 2013-255

5/7/2014 (O) 2014-431

Contact Information:

Roxanne Lawson

(832) 394-6307

ATTACHMENTS:

Description	Type
Agreement (2013-255)	Backup Material
First Amendment to Grant Agreement (2014-431)	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 2/2/2022

L26081.A1 - Non-Submersible Pump Repair and
Replacement Services - ORDINANCE (All Pump and
Equipment Company)

Agenda Item#: 13.

Summary:

ORDINANCE approving and authorizing first amendment to contract between City of Houston and **ALL PUMP AND EQUIPMENT COMPANY** for Non-Submersible Pump Repair and Replacement Services for Various Water and Wastewater Facilities (as approved by Ordinance No. 2017-0708)

Background:

L26081.A1 – Approve an ordinance authorizing a first amendment to Contract No. 4600014381 between the City of Houston and All Pump and Equipment Company (Approved by Ord. No.: 2017-708 on September 13, 2017) for Non-Submersible Pump Repair and Replacement Services to extend the contract term from September 25, 2022, to March 24, 2024, for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a first amendment to the contract between the City of Houston and **All Pump and Equipment Company** to extend the contract term from **September 25, 2022, to March 24, 2024**, for Non-Submersible Pump Repairs Services for Houston Public Works, to complete on-going projects.

The original contract was awarded on September 13, 2017 by Ordinance 2017-708, for a three-year term, with two one-year options in the original amount of \$13,617,439.50. No additional spending authority is required. There are enough funds to cover future costs of emergency and unforeseen pump repairs and/or replacements pending processing and the contractor has agreed to honor its fifth-year rates for an additional two-years. All other terms and conditions of the contract shall remain the same. The Strategic Procurement Division along with the department have agreed that this time extension request is sufficient.

The scope of work requires the contractor to provide all labor, materials, equipment, and transportation, and supervision necessary to provide repair, replacement, and condition assessment services for non-submersible pumps at various water and wastewater facilities. The non-submersible pumping system includes, but it not limited to, pumps, pump integral gearboxes, couplings, pump's packing and materials seals, discharge check and isolation valves, pump control

systems, shafts, extended drive shafts, immiscible motors, piping and general mechanical and structural work.

MWBE Subcontracting:

The contract was awarded with a 4% participation goal and All Pump and Equipment CO. is currently achieving 4.19% of the required MWBE goal.

Fiscal Note:

There is no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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

Carol Ellinger Haddock, P.E.
Houston Public Works

Prior Council Action:

Ordinance 2017-708; Passed September 13, 2017

Amount and Source of Funding:

No funding required

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Division Manager	FIN/SPD	(832) 393-8722
Catherine Scott, Sr. Procurement Specialist	FIN/SPD	(832) 393-8803
Jedediah Greenfield, Assistant Director	HPW	(832) 395-3754

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 2/2/2022

L26081.A1 - Non-Submersible Pump Repair and Replacement Services - ORDINANCE
(All Pump and Equipment Company)

Agenda Item#:

Background:

L26081.A1 – Approve an ordinance authorizing a first amendment to Contract No. 4600014381 between the City of Houston and All Pump and Equipment Company (Approved by Ord. No.: 2017-708 on September 13, 2017) for Non-Submersible Pump Repair and Replacement Services to extend the contract term from September 25, 2022, to March 24, 2024, for Houston Public Works.

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The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a first amendment to the contract between the City of Houston and **All Pump and Equipment Company** to extend the contract term from **September 25, 2022, to March 24, 2024**, for Non-Submersible Pump Repairs Services for Houston Public Works, to complete on-going projects.

The original contract was awarded on September 13, 2017 by Ordinance 2017-708, for a three-year term, with two one-year options in the original amount of \$13,617,439.50. No additional spending authority is required. There are enough funds to cover future costs of emergency and unforeseen pump repairs and/or replacements pending processing and the contractor has agreed to honor its fifth-year rates for an additional two-years. All other terms and conditions of the contract shall remain the same. The Strategic Procurement Division along with the department have agreed that this time extension request is sufficient.

The scope of work requires the contractor to provide all labor, materials, equipment, and transportation, and supervision necessary to provide repair, replacement, and condition assessment services for non-submersible pumps at various water and wastewater facilities. The non-submersible pumping system includes, but it not limited to, pumps, pump integral gearboxes, couplings, pump's packing and materials seals, discharge check and isolation valves, pump control systems, shafts, extended drive shafts, immiscible motors, piping and general mechanical and structural work.

MWBE Subcontracting:

The contract was awarded with a 4% participation goal and All Pump and Equipment CO. is currently achieving 4.19% of the required MWBE goal.

Fiscal Note:

There is no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

3/31/2022

DocuSigned by:
Jerry Adams
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Jerry Adams, Chief Procurement Officer

Finance/Strategic Procurement Division

DocuSigned by:
Carol Haddock
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Carol Ellinger Haddock, P.E. Director

Houston Public Works

3/31/2022

DS
JG

Prior Council Action:

Ordinance 2017-708; Passed September 13, 2017

Amount and Source of Funding:

No funding required

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Division Manager	FIN/SPD	(832) 393-8722
Catherine Scott, Sr. Procurement Specialist	FIN/SPD	(832) 393-8803
Jedediah Greenfield, Assistant Director	HPW	(832) 395-3754

ATTACHMENTS:

Description

Title

Description	Type
Signed Contract - Part One	Contract/Exhibit
Signed Contract - Part Two	Contract/Exhibit
Signed Contract - Part Three	Contract/Exhibit
Ordinance 2017- 708	Ordinance/Resolution/Motion
Verification of MWDBE - All Pump Equipment Co.	Backup Material
Tax Report - All Pump & Equipment CO. 2.25.22	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 3/31/2022

L26100 – Exhaust Muffler Repair and Replacement Services -
ORDINANCE (Jsuper Investments LLC)

Agenda Item#: 14.

Summary:

ORDINANCE awarding contract to **JSUPER INVESTMENTS LLC** for Exhaust Muffler Repair and Replacement Services for Fleet Management Department; providing a maximum contract amount – 3 Years with 2 one-year options - \$617,450.00 - Fleet Management Fund

Background:

Formal Bids Received March 10, 2022 for S10-L26100 – Approve an ordinance awarding a contract to Jsuper Investments LLC in an amount not to exceed \$617,450.00 for exhaust muffler repair and replacement services for the Fleet Management Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three-year contract with two one-year options** to **Jsuper Investments LLC** on its low bid meeting specifications for exhaust muffler repair and replacement services in the total amount not to exceed **\$617,450.00** for the Fleet Management Department.

This Invitation to Bid (ITB) was advertised in accordance with the requirements of the State of Texas bid laws. Eight (8) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. Jsuper Investments LLC	\$617,450.00
2. U Do It Auto Repair LLC	\$677,750.00

The scope of work requires the contractor to provide all labor, supervision, parts, materials, tools, equipment and facilities necessary to provide turnkey exhaust muffler repair and replacement services, including but not limited to, mufflers, tailpipes, catalytic converters and related hardware and extensions, etc. for all City of Houston department vehicles. The contractor shall also be required to repair malfunctioning equipment resulting from normal wear and tear, mechanical repairs and repair services or alterations to bring the aforementioned equipment into functional status and in compliance with industry standards and applicable federal, state and local regulations.

M/WBE Participation:

This invitation to bid was issued as a goal-oriented contract with a 2% goal for M/WBE participation level. Jsuper Investments LLC has designated the below-named company as its certified M/WBE subcontractor:

Name	Type of Work	Amount	%
Onward Fabrications & Industrial Services, LLC	Welding Services and Steel Fabrication	\$12,349.00	2%

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, Jsuper Investments LLC provides health benefits to eligible employees in compliance with City policy.

Hire Houston First:

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses, while supporting job creation. In this case, JsUPER Investments LLC 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 FY22 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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-
-
-

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority			
DEPARTMENT	FY2022	OUT YEARS	TOTAL
Fleet Management Department	\$10,290.83	\$607,159.17	\$617,450.00

Amount and Source of Funding:

\$617,450.00

Fleet Management Fund

Fund No.: 1005

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Greg Hubbard, Sr. Staff Analyst	FIN/SPD	832.393.8748
Gary A. Glasscock, Director	FMD	832.395.6901

ATTACHMENTS:**Description**

signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 3/31/2022

L26100 – Exhaust Muffler Repair and Replacement Services - ORDINANCE (JsUPER Investments LLC)

Agenda Item#:

Background:

Formal Bids Received March 10, 2022 for S10-L26100 – Approve an ordinance awarding a contract to JsUPER Investments LLC in an amount not to exceed \$617,450.00 for exhaust muffler repair and replacement services for the Fleet Management Department.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three-year contract with two one-year options** to **JsUPER Investments LLC** on its low bid meeting specifications for exhaust muffler repair and replacement services in the total amount not to exceed **\$617,450.00** for the Fleet Management Department.

This Invitation to Bid (ITB) was advertised in accordance with the requirements of the State of Texas bid laws. Eight (8) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. JsUPER Investments LLC	\$617,450.00
2. U Do It Auto Repair LLC	\$677,750.00

The scope of work requires the contractor to provide all labor, supervision, parts, materials, tools, equipment and facilities necessary to provide turnkey exhaust muffler repair and replacement services, including but not limited to, mufflers, tailpipes, catalytic converters and related hardware and extensions, etc. for all City of Houston department vehicles. The contractor shall also be required to repair malfunctioning equipment resulting from normal wear and tear, mechanical repairs and repair services or alterations to bring the aforementioned equipment into functional status and in compliance with industry standards and applicable federal, state and local regulations.

M/WBE Participation:

This invitation to bid was issued as a goal-oriented contract with a 2% goal for M/WBE participation level. JsUPER Investments LLC has designated the below-named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>%</u>
Onward Fabrications & Industrial Services, LLC	Welding Services and Steel Fabrication	\$12,349.00	2%

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, JsUPER Investments LLC provides health benefits to eligible employees in compliance with City policy.

Hire Houston First:

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses, while supporting job creation. In this case, JsUPER Investments LLC 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 FY22 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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Jerry Adams, Chief Procurement Officer
 Finance/Strategic Procurement Division

DocuSigned by:

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Department Approval Authority

4/14/2022

<u>Estimated Spending Authority</u>			
<u>DEPARTMENT</u>	<u>FY2022</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Fleet Management Department	\$10,290.83	\$607,159.17	\$617,450.00

Amount and Source of Funding:

\$617,450.00
Fleet Management Fund
Fund No.: 1005

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Greg Hubbard, Sr. Staff Analyst	FIN/SPD	832.393.8748
Gary A. Glasscock, Director	FMD	832.395.6901

ATTACHMENTS:

Description	Type
Award Recommendation	Backup Material
Bid Tab	Backup Material
Certification of Funds	Financial Information
Funding Form-A	Financial Information
Hire Houston First	Backup Material
MWBE Letter of Intent Form	Backup Material
Pay or Play Forms	Backup Material
Texas Secretary of State	Backup Material
Resolution of Contractor	Backup Material
Ordinance, Legal Draft	Ordinance/Resolution/Motion
Contract	Contract/Exhibit
Tax Log, Ownership Form	Backup Material
Certificate of Insurance, Endorse., AMB	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 3/1/2022

T29907 - Sales and Use Tax Audit Services - ORDINANCE
(MuniServices, LLC)

Agenda Item#: 15.

Summary:

ORDINANCE approving and authorizing contract between City and **MUNISERVICES, LLC** for Sales/Use Tax Audit and Sales/Use Tax Analysis and Reporting Services; providing a maximum contract amount - 3 Years with 2 one-year options - \$4,075,000.00 - General Fund

Background:

Request for Proposals received July 1, 2021, for S36-T29907 - Approve an ordinance awarding a contract to MuniServices, LLC in the maximum contract amount of \$4,075,000.00 to provide Sales and Use Tax Audit Services for the Finance Department.

Specific Explanation:

The Chief Business Officer/ Director of the Finance Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three (3) year contract with two (2) one-year options to renew to MuniServices, LLC** in the maximum contract amount of **\$4,075,000.00** for sales and use tax audit services. The Director of the Finance Department may terminate this contract at any time upon 30-days written notice to the contractor, with a copy of the notice to the Chief Procurement Officer.

The Contractor shall provide all labor, material and supervision necessary to provide sales and use tax audit services as described "Exhibit A" of the contract and maintain compliance with the City's sales and use taxes by:

1. determining whether the business is remitting the sales and use tax due the City to the state correctly;
2. reviewing the top one hundred (100) sales tax revenue generating businesses in the City as the baseline;
3. generating a significant anomalies report to discover monthly sales tax anomalies;
4. generating a negative fund transfers report to track all occurrences of a business filing a refund, amended return, prepared tax credit, state audit, or an incurred misallocation;
5. resolving all leads generated by all reports;
6. performing physical canvassing to ensure accuracy of businesses that have nexus within the City limit;
7. providing documentation to businesses mistakenly reporting the tax to another jurisdiction to facilitate a correction of the registration information;
8. providing documentation to the State to secure the transfer of funds to the City that was reported in error to another jurisdiction; and
9. providing quarterly updated Sales Tax Automated Research (STAR) digest in electronic format.

The Contractor shall provide progress reports as follows:

1. provide quarterly progress reports to the City in the form of status updates;

2. provide sales tax monthly and annual projections matching the City's fiscal year (July 1 – June 30) months earned and 3-year projections based on the City's fiscal year for sales tax month earned (Sales Tax Capture Leakage Analysis);
3. prepare legislative analysis and give guidance in regards to legislative impacts affecting the City; and
4. submit a quarterly newsletter in regard to Houston's economy, inclusive of but not limited to employment growth, population, new business expansion, business contraction, commercial and residential real estate, and oil and gas outlook.

The Request for Proposals (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. As a result, proposals were received from five (5) firms: 7th Echelon LLC, Azavar Government Solutions, Inc., HdL Companies, MuniServices ,LLC, and TexasCityServices, LLC. The evaluation committee consisted of City employees from the Administration and Regulatory Affairs, Finance and Legal Departments. The evaluation was based on the following criteria:

1. Responsiveness of Proposal
2. Technical Competence
3. Price

MuniServices, LLC was deemed qualified to perform the requirements as outlined in the R F P. MuniServices, LLC's compensation is based upon sales tax reclassification amount to the City. MuniServices, LLC will be compensated on a fixed percentage for each quarter. The estimated yearly reclassification under the proposed contract is \$3,250,000 with collection fee of 18% for past period for 48 months (previously filed returns) and 22% for prospective compliance for first 24 consecutive reporting months. For the STAR System Package, except for the first 12 months (Year 1), which shall be free of charge, the City shall pay MuniServices, LLC an annual fixed fee of \$30,000.00 per year (from Year 2 through Year 5) ("Annual Fee"). The City shall pay the Annual Fee in four equal quarterly payments of \$7,500.00 each.

MWBE Participation:

The RFP was advertised with a 5% goal for M/WBE participation. MuniServices, LLC has designated the below-named company as its certified M/WBE subcontractor.

Name	Type of Work	Percentage (%)
Decision Information Resources	Economic Analysis and Sales Tax Examination Services	5%

Pay or Play:

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.

Hire Houston First:

The proposed contract requires compliance with the City's Hire Houston First (HHF) ordinance that promotes opportunity for Houston businesses and supports job creation. In this case, MuniServices, LLC does not meet the requirement for HHF designation; no HHF firms were within three percent.

Fiscal Note:

Funding for this item is adopted in the FY22 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Chief Business Officer/ Director
Finance Department

Estimated Spending Authority

Department	FY2022	Out Year	Total
General Government	\$315,000.00	\$3,760,000.00	\$4,075,000.00

Amount and Source of Funding:

\$4,075,000.00

General Fund

Fund No.: 1000

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Yesenia Chuca, Purchasing Manager	FIN/SPD	(832) 393-8727
Valerie Player-Kaufman, Senior Procurement Specialist	FIN/SPD	(832) 393-8749
Arif Rasheed, Deputy Director	FIN	(832) 393-9013

ATTACHMENTS:

Description

signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 3/1/2022

T29907 - Sales and Use Tax Audit Services - ORDINANCE (MuniServices, LLC)

Agenda Item#:

Background:

Request for Proposals received July 1, 2021, for S36-T29907 - Approve an ordinance awarding a contract to MuniServices, LLC in the maximum contract amount of \$4,075,000.00 to provide Sales and Use Tax Audit Services for the Finance Department.

Specific Explanation:

The Chief Business Officer/ Director of the Finance Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three (3) year contract with two (2) one-year options to renew to MuniServices, LLC** in the maximum contract amount of **\$4,075,000.00** for sales and use tax audit services. The Director of the Finance Department may terminate this contract at any time upon 30-days written notice to the contractor, with a copy of the notice to the Chief Procurement Officer.

The Contractor shall provide all labor, material and supervision necessary to provide sales and use tax audit services as described "Exhibit A" of the contract and maintain compliance with the City's sales and use taxes by:

1. determining whether the business is remitting the sales and use tax due the City to the state correctly;
2. reviewing the top one hundred (100) sales tax revenue generating businesses in the City as the baseline;
3. generating a significant anomalies report to discover monthly sales tax anomalies;
4. generating a negative fund transfers report to track all occurrences of a business filing a refund, amended return, prepared tax credit, state audit, or an incurred misallocation;
5. resolving all leads generated by all reports;
6. performing physical canvassing to ensure accuracy of businesses that have nexus within the City limit;
7. providing documentation to businesses mistakenly reporting the tax to another jurisdiction to facilitate a correction of the registration information;
8. providing documentation to the State to secure the transfer of funds to the City that was reported in error to another jurisdiction; and
9. providing quarterly updated Sales Tax Automated Research (STAR) digest in electronic format.

The Contractor shall provide progress reports as follows:

1. provide quarterly progress reports to the City in the form of status updates;
2. provide sales tax monthly and annual projections matching the City's fiscal year (July 1 – June 30) months earned and 3-year projections based on the City's fiscal year for sales tax month earned (Sales Tax Capture Leakage Analysis);
3. prepare legislative analysis and give guidance in regards to legislative impacts affecting the City; and
4. submit a quarterly newsletter in regard to Houston's economy, inclusive of but not limited to employment growth, population, new business expansion, business contraction, commercial and residential real estate, and oil and gas outlook.

The Request for Proposals (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. As a result, proposals were received from five (5) firms: 7th Echelon LLC, Azavar Government Solutions, Inc., HdL Companies, MuniServices, LLC, and TexasCityServices, LLC. The evaluation committee consisted of City employees from the Administration and Regulatory Affairs, Finance and Legal Departments. The evaluation was based on the following criteria:

1. Responsiveness of Proposal
2. Technical Competence
3. Price

MuniServices, LLC was deemed qualified to perform the requirements as outlined in the RFP. MuniServices, LLC's compensation is based upon sales tax reclassification amount to the City. MuniServices, LLC will be compensated on a fixed percentage for each quarter. The estimated yearly reclassification under the proposed contract is \$3,250,000 with collection fee of 18% for past period for 48 months (previously filed returns) and 22% for prospective compliance for first 24 consecutive reporting months. For the STAR System Package, except for the first 12 months (Year 1), which shall be free of charge, the City shall pay MuniServices, LLC an annual fixed fee of \$30,000.00 per year (from Year

[illegible]



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date:

MYR Mutual Aid Agreements

Agenda Item#: 16.

Summary:

ORDINANCE authorizing and approving a form of Mutual Aid Agreement between City of Houston and each of the following Cities: **CITY OF DALLAS, TEXAS, CITY OF EL PASO, TEXAS, CITY OF FORT WORTH, TEXAS** and **CITY OF SAN ANTONIO, TEXAS**; authorizing the Mayor to execute the Form Mutual Aid Agreement for the provision of Mutual Aid with each City

Background:

The Director of Public Safety and Homeland Security recommends that City Council approve an ordinance authorizing Mutual Aid Agreements between the City of Houston and each of the following cities: the City of Dallas, Texas; the City of El Paso, Texas; the City of Fort Worth; the City of San Antonio, Texas.

In the past, during disasters or civil emergencies and cleanup periods, requests were made from or among the named cities to provide aid in the form of personnel, supplies, and equipment. Mutual Aid Agreements will authorize the cities to provide aid as the need arises.

George T. Buenik, Director

Contact Information:

George T. Buenik

Director, Mayor's Office of Public Safety and Homeland Security

Phone: 832-393-0875

ATTACHMENTS:

Description	Type
Signed Coversheet Mutual Aid Agreements	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/27/2022

ALL

Item Creation Date:

Mutual Aid Agreements

Agenda Item#: 28.

Background:

The Director of Public Safety and Homeland Security recommends that City Council approve an ordinance authorizing Mutual Aid Agreements between the City of Houston and each of the following cities: the City of Dallas, Texas; the City of El Paso, Texas; the City of Fort Worth; the City of San Antonio, Texas.

In the past, during disasters or civil emergencies and cleanup periods, requests were made from or among the named cities to provide aid in the form of personnel, supplies, and equipment.

Mutual Aid Agreements will authorize the cities to provide aid as the need arises.

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

George T. Buenik, Director

Contact Information:

George T. Buenik, Director

Phone - 832-393-0875



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 4/8/2022

OBO - Increase Maximum Contract Amount for Build Up
Houston Capacity Building Program

Agenda Item#: 17.

Summary:

ORDINANCE amending Ordinance No. 2021-30 (Passed on January 13, 2021) to increase the maximum contract amount for contract between City of Houston and **INTERISE, INC** for purchase of Licenses for Curriculum and Supporting Materials for the Office of Business Opportunity in connection with its Build-Up Houston Capacity Building Program - \$76,000.00 - Enterprise Fund

Background:

The Director of the Office of Business Opportunity (OBO) and the Director of the Houston Airport System (HAS) are requesting Council approval of an Ordinance to increase the maximum contract amount for a 3- year contract between the City of Houston and **Interise, Inc.** for the purchase of licenses for the Streetwise "MBA" Curriculum and supporting materials required for the administration and implementation of OBO's Build Up Houston Capacity Building Program. Build Up Houston is a comprehensive, 7-month program designed to increase the capacity and success of small businesses through a combination of classroom learning, real-world case studies and the engagement of industry experts.

The Amendment is to appropriate and allocate an additional \$76,000 in supplemental funds for the purchase of licenses for years 2 and 3 of the contract as authorized by City Council via Ordinance 2021-30.

MWBE Participation:

OBO approves the waiver of an MWBE Goal on this procurement because there is no divisibility to allow for MWBE subcontracting participation.

Pay or Play:

The contract does not require compliance with the City's Pay or Play Ordinance as this contract is for the purchase of licenses not the provision of services.

Hire Houston First:

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

Fiscal Note:

Funding for this item is included in the FY2022 Adopted Budget. Therefore, no Fiscal Note is

required as stated in the Financial Policies.

Estimated Spending Authority			
DEPARTMENT	FY 2022	OUT YEARS	TOTAL
Houston Airport System	\$38,000.00	\$38,000.00	\$76,000.00

Marsha E. Murray, Director
Office of Business Opportunity

Mario Diaz, Director
Houston Airport System

Prior Council Action:

Ordinance 2021-30 – January 13, 2021

Amount and Source of Funding:

\$76,000.00

HAS Revenue Fund

Fund 8001

Contact Information:

Marsha E. Murray - 832.393.0615

Mario Diaz - 281.233.1877

ATTACHMENTS:

Description

Coversheet (revised)

FAQ document

Type

Signed Cover sheet

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

ALL

Item Creation Date: 4/8/2022

OBO - Increase Maximum Contract Amount for Build Up Houston Capacity Building Program

Agenda Item#: 42.

Summary:

ORDINANCE AMENDING ORDINANCE NO. 2021-30 (PASSED ON JANUARY 13, 2021) TO INCREASE THE MAXIMUM CONTRACT AMOUNT FOR A CONTRACT BETWEEN THE CITY OF HOUSTON AND INTERISE, INC. FOR THE PURCHASE OF LICENSES FOR CURRICULUM AND SUPPORTING MATERIALS FOR THE OFFICE OF BUSINESS OPPORTUNITY IN CONNECTION WITH ITS BUILD-UP HOUSTON CAPACITY BUILDING PROGRAM; CONTAINING PROVISIONS RELATING TO THE SUBJECT AND DECLARING AN EMERGENCY.

Background:

The Director of the Office of Business Opportunity (OBO) and the Director of the Houston Airport System (HAS) are requesting Council approval of an Ordinance to increase the maximum contract amount for a 3- year contract between the City of Houston and **Interise, Inc.** for the purchase of licenses for the Streetwise "MBA" Curriculum and supporting materials required for the administration and implementation of OBO's Build Up Houston Capacity Building Program. Build Up Houston is a comprehensive, 7-month program designed to increase the capacity and success of small businesses through a combination of classroom learning, real-world case studies and the engagement of industry experts.

The Amendment is to appropriate and allocate an additional \$76,000 in supplemental funds for the purchase of licenses for years 2 and 3 of the contract as authorized by City Council via Ordinance 2021-30.

MWBE Participation:

OBO approves the waiver of an MWBE Goal on this procurement because there is no divisibility to allow for MWBE subcontracting participation.

Pay or Play:

The contract does not require compliance with the City's Pay or Play Ordinance as this contract is for the purchase of licenses not the provision of services.

Hire Houston First:

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

Fiscal Note:

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

Estimated Spending Authority			
DEPARTMENT	FY 2022	OUT YEARS	TOTAL
Houston Airport System	\$38,000.00	\$38,000.00	\$76,000.00

DocuSigned by:

Marsha Murray

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Marsha E. Murray, Director
Office of Business Opportunity

DocuSigned by:

Mario Diaz

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Mario Diaz, Director
Houston Airport System

Prior Council Action:

Ordinance 2021-30 – January 13, 2021

Amount and Source of Funding:

\$76,000.00

HAS Revenue Fund

Fund 8001

Contact Information:

Marsha E. Murray - 832.393.0615
Mario Diaz - 281.233.1877

ATTACHMENTS:

Description	Type
Coversheet	Signed Cover sheet
Ordinance 2021-30	Backup Material
Funding Document	Backup Material
Ordinance	Ordinance/Resolution/Motion

Q1. What is Build Up Houston (BUH) and its benefit to the City of Houston and its participants?

A1. Build Up Houston is a comprehensive, seven-month Program designed to increase the capacity and success of small businesses. This Program has been administered by the Office of Business Opportunity for the past six (6) years, with Houston Airport System joining as a partner in 2021. The Program is offered at no financial cost to the approximately 70 accepted participants since the Program's inception.

The Program combines the best of classroom learning with real-world case studies, including each participant's own business. Industry experts, business peers, and instructors provide insights, strategies, motivation, and accountability. It's an interactive format, where participants get the tools, know-how, and confidence to take the next step to grow and scale their business to pursue greater opportunities. Program data has shown that successful completion of BUH has provided greater access to capital - including lines of credit, improved marketing and accounting procedures, financial and staff growth, and meaningful relationships with peers and procurement representatives and professionals in the banking, marketing, and staffing industries. The knowledge acquired by business owners that have completed the Program has led to job creation, business growth, and community development, which all help the overall economic impact of Houston.

The Program uses a StreetWise 'MBA'™ curriculum developed by Interise, Inc., a premier national organization for established small businesses interested in growth. Interise seeks to fill a gap in small business economic development by serving established small businesses in order to promote job creation, local wealth generation, and community building.

Q2. What is the request to Council for this Program, and its associated costs?

A2. In 2021, City Council approved the contract with Interise, Inc., but the ordinance only approved funding for the first year. OBO and HAS stated at the time that we would return to Council to request approval of the funding for years two and three. We are now asking for Council to approve that funding.

The cost to the administer the Program, per cohort, is \$38,000 for the licensing and Program materials.

Q3. What topics does the Program cover?

A3.

Session 0 Program Kick Off
Module 1: Business & Leadership
Session 1 Program Overview & Introduction to Goal-Setting
Session 2 Setting Initial Strategic Growth Goals
Session 3 Challenges & Stages of Small Business Growth
Module 2: Finances
Session 4 Financial Statement Analysis
Session 5 Financial Analysis as a Business Tool
Session 6 Understanding How Others See Your Financials
Module 3: Marketing & Sales
Session 7 Identifying and Target Your Ideal Customer Base
Session 8 Positioning Business w/Competitive Landscape
Session 9 Sales Strategies, Resources, and Systems
Module 4: Resources
Session 10 Human Resources
Session 11 Accessing New Capital: Public & Private Financing
Session 12 Accessing New Markets: Doing Business w/ Government & Anchors
Module 5: Putting It All Together
Session 13: Growth Plan Presentations
Graduation

Q4. What industries are the Program's focus?

A4. From BUH's inception in 2014 until 2020, the focus was on construction-related firms, due to the number of opportunities with the City of Houston. The 2021 cohort was the first time the Program purposely expanded its recruitment efforts to include firms outside of the construction industry, specifically food and beverage, retail, and hospitality (industries severely impacted by the COVID-19 pandemic).

Q5. What are the Program requirements?

A5. Basic requirements: Participation by the business owner, min. \$150k annual revenue, min. 2 employees; min. 2yrs in operation, and a being City-certified business. Participants must sign an acknowledgement that if they miss more than two classes, they will be excused from the Program (special circumstances are considered).

Q6. Are there some relevant statistics of the Program success for graduates?

A6.

- 65 jobs created
- 68 jobs retained
- 85% reported profitable businesses
- 83% reported they could not have had the same service or networking opportunities outside of the Program
- 100% were likely to recommend Program to others
- 38% secured government contracts valued at \$7.1 million
- 31% secured corporate contracts valued at \$3.6 million
- 38% secured local contracts valued at \$6.7 million
- 46% secured new financing
- 90% of full-time staff are from local community where businesses are located

Q7. When will the 2022 cohort begin and where will it be held?

A7. If the additional funding requested via this Ordinance is approved, the Program will start on Tuesday, May 24, 2022, 5:00pm – 8:00pm, occurring every other Tuesday evening and ending on November 29, 2022. Sessions will be hosted by Impact HUB Houston, 1802 Main Street, Houston, TX 77002, who serves as a 2022 Program partner.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

Item Creation Date:

HPD_775 Interlocal Agreement with Harris County District Attorney (CGIC)

Agenda Item#: 18.

Summary:

ORDINANCE approving and authorizing Interlocal Agreement between City of Houston and **HARRIS COUNTY** for Harris County District Attorney's Office funded by a Grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Gun Crime Intelligence Center Integration Program

Background:

The Chief of Police for the Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and Harris County. HPD received a grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance entitled the Crime Gun Intelligence Center (CGIC) Integration program. The CGIC Grant program expires September 30, 2022.

The CGIC Grant funds, in part, will be expended to reimburse the Harris County District Attorney Office for reimbursement of part of the cost of an Intelligence Analyst hired by the Harris County District Attorney's Office for an amount not to exceed \$50,000.00. The Intelligence Analyst will work under the immediate supervision of the prosecutors assigned to the Gangs and Organized Crime Division-Crime Gun Strike Force and will process intelligence information using a variety of analytical tools and integrate data to produce intelligence summaries; research, analyze, evaluate and correlate criminal intelligence information to determine source reliability, accuracy, and integrity, develop investigative leads and links; and distinguish patterns and trends.

The target geographic area of the CGIC Grant program is the Houston Metropolitan area which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Harris, Galveston, Liberty, Montgomery and Waller Counties. The City and Harris County believe it is in their best interests to enter into this Agreement to carry out the CGIC Grant program.

Fiscal Note:

No Fiscal Note is required on grant items.

Troy Finner
Chief of Police

Amount and Source of Funding:

\$50,000.00

Federal Government - Grant Fund

Fund 5000

Contact Information:

Rhonda Smith, CFO and Deputy Director (713) 308-1708

Sonja O'Dat, Council Liaison (713) 308-1728

ATTACHMENTS:

Description

Signed RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/13/2022

Item Creation Date:

HPD_775 Interlocal Agreement with Harris County District Attorney (CGIC)

Agenda Item#: 62.

Background:

The Chief of Police for the Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and Harris County. HPD received a grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance entitled the Crime Gun Intelligence Center (CGIC) Integration program. The CGIC Grant program expires September 30, 2022.

The CGIC Grant funds, in part, will be expended to reimburse the Harris County District Attorney Office for reimbursement of part of the cost of an Intelligence Analyst hired by the Harris County District Attorney's Office for an amount not to exceed \$50,000.00. The Intelligence Analyst will work under the immediate supervision of the prosecutors assigned to the Gangs and Organized Crime Division-Crime Gun Strike Force and will process intelligence information using a variety of analytical tools and integrate data to produce intelligence summaries; research, analyze, evaluate and correlate criminal intelligence information to determine source reliability, accuracy, and integrity, develop investigative leads and links; and distinguish patterns and trends.

The target geographic area of the CGIC Grant program is the Houston Metropolitan area which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Harris, Galveston, Liberty, Montgomery and Waller Counties. The City and Harris County believe it is in their best interests to enter into this Agreement to carry out the CGIC Grant program.

Fiscal Note:

No Fiscal Note is required on grant items.

DS DocuSigned by:

A handwritten signature in blue ink that reads "Troy Finner".

ABA225F96B7149C...

Troy Finner
Chief of Police

Amount and Source of Funding:

\$50,000.00

Federal Government - Grant Fund
(5000)

Contact Information:

Rhonda Smith, CFO and Deputy Director (713) 308-1708
Sonja O'Dat, Council Liaison (713) 308-1728



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ETJ

Item Creation Date: 3/15/2022

HPW - 20WR355 – Petition Addition (0.8592) Grant Road
Public Utility District

Agenda Item#: 19.

Summary:

ORDINANCE consenting to the addition of 0.8592 acres of land to **GRANT ROAD PUBLIC UTILITY DISTRICT**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 0.8592 acres to Grant Road Public Utility District.

RECOMMENDATION: Petition for the City's consent to the addition of 0.8592 acres to Grant Road Public Utility District be approved.

SPECIFIC EXPLANATION: Grant Road Public Utility District (the "District") was created through an act of the Texas Legislature in 1971, and currently consists of 677.1807 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 0.8592 acres of developed land, to the District. The developed land is a single family residential property. The developed land will connect to public water. The proposed annexation tract is located in the vicinity of Cypress Creek, Huffmeister Road, Louetta Road, and Grant 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 Grant Road Public Utility District Wastewater Treatment Plant. Potable water is provided by the District.

The nearest major drainage facility for Grant Road Public Utility District is Little Cypress Creek, which flows into 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 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:

Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/15/2022

HPW - 20WR355 – Petition Addition (0.8592) Grant Road Public Utility District

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 0.8592 acres to Grant Road Public Utility District.

RECOMMENDATION: Petition for the City's consent to the addition of 0.8592 acres to Grant Road Public Utility District be approved.

SPECIFIC EXPLANATION: Grant Road Public Utility District (the "District") was created through an act of the Texas Legislature in 1971, and currently consists of 677.1807 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 0.8592 acres of developed land, to the District. The developed land is a single family residential property. The developed land will connect to public water. The proposed annexation tract is located in the vicinity of Cypress Creek, Huffmeister Road, Louetta Road, and Grant 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 Grant Road Public Utility District Wastewater Treatment Plant. Potable water is provided by the District.

The nearest major drainage facility for Grant Road Public Utility District is Little Cypress Creek, which flows into 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 prior to their construction.

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

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock, written in a cursive style.

4/15/2022

A03C410B72B3453

Carol Ellinger Haddock, P. E.

Director

Houston Public Works

Contact Information:

Sharon Citino, J.D.

Planning Director

Houston Water

Phone: (832) 395-2712

ATTACHMENTS:

Description

Maps

Application

Petition

Backup Material

Fact Sheet

Type

Backup Material

Backup Material

Backup Material

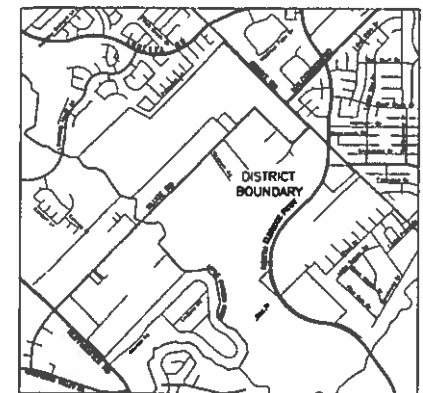
Backup Material

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NOT TO SCALE

GRAPHIC SCALE IN FEET



ANNEXATION TABLE		
ORDER OF ANNEXATION	TRACTS	ACREAGE
ORIGINAL BOUNDARY	A	284.2228
DE-ANNEXED TRACT		-4.9530
FIRST ANNEXATION	B	27.8700
SECOND ANNEXATION	C	59.6787
THIRD ANNEXATION	D, E & F	81.1356
FOURTH ANNEXATION	G	1.7880
FIFTH ANNEXATION	H	27.0856
SIXTH ANNEXATION	I	40.8290
SEVENTH ANNEXATION	J	26.4400
EIGHTH ANNEXATION	K	72.4430
NINTH ANNEXATION	L	1.9143
TENTH ANNEXATION	M	11.8348
ELEVENTH ANNEXATION	N	2.9100
TWELFTH ANNEXATION	O	3.8773
TOTAL		617.18

NOTES

1. This document was prepared under 22 TEX. REGS. 10.001, does not indicate the results of an on-site inspection, and is not to be used as evidence in any legal proceeding. It is the responsibility of the applicant to provide accurate information and to ensure that the information is true and correct.

BOUNDARY MAP
GRANT ROAD PUBLIC
UTILITY DISTRICT
LOCATED IN THE CITY OF CYPRESS
AND BEING OUT OF THE
J.M. CALLAHAN SURVEY, ABSTRACT NO. 10,
HARRIS COUNTY, TEXAS

Pacheco Koch		2020 STATE HIGHWAY 500 SUITE 200 HOUSTON, TX 77059 (832) 833-1000 TX REG. COMMERCIAL PLOT 7-400 TX REG. SURVEYING PLOT 40-000000000
DATE: 05/18/2021	BY: JMT	SCALE: NTS
0.5	0.5	0.5

VICINITY MAP


Proposed Annexation
0.8592 ac


Grant Road Public Utility District (0.8592 acres)






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-  Watersheds


 Texas Senate Districts


 Texas House Districts

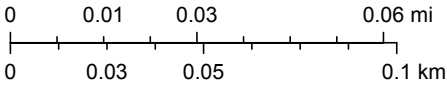
 100 Year Floodplain
-  500 Yyear Floodplain

 Floodway

 City Limits

 Council Districts

 Existing Acreage of District





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ETJ

Item Creation Date: 3/22/2022

HPW - 20WR364 – Petition Addition (44.272) Harris County
Municipal Utility District No. 558

Agenda Item#: 20.

Summary:

ORDINANCE consenting to the addition of 44.272 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 558**, for inclusion in the district

Background:

SUBJECT: Petition for the City's consent to the addition of three (3) tracts of land totaling 44.272 acres to Harris County Municipal Utility District No. 558.

RECOMMENDATION: Petition for the City's consent to the addition of three (3) tracts of land totaling 44.272 acres to Harris County Municipal Utility District No. 558 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 558 (the "District") was created through the TCEQ in 2019, and currently consists of 567.97 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of vacant land totaling 44.272 acres, proposed to be developed as single family residential, drainage, and detention property, to the District. The proposed annexation tracts are located in the vicinity of Grand Parkway , Bauer Road, FM 2920, and Mueschke 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 will have a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Harris County Municipal Utility District No. 558 Wastewater Treatment Plant No. 1. Potable water will be provided by the District.

The nearest major drainage facility for Harris County Municipal Utility District No. 558 is Little Cypress Creek Regional Detention Pond, which flows into Cypress Creek, then to Spring Creek, then to the San Jacinto River, and finally into the Houston Ship Channel. Little Cypress Creek Regional Detention Pond is within the Little Cypress Creek watershed. The proposed annexation tracts are 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 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:

Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/22/2022

HPW - 20WR364 – Petition Addition (44.272) Harris County Municipal Utility District No. 558

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of three (3) tracts of land totaling 44.272 acres to Harris County Municipal Utility District No. 558.

RECOMMENDATION: Petition for the City's consent to the addition of three (3) tracts of land totaling 44.272 acres to Harris County Municipal Utility District No. 558 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 558 (the "District") was created through the TCEQ in 2019, and currently consists of 567.97 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of vacant land totaling 44.272 acres, proposed to be developed as single family residential, drainage, and detention property, to the District. The proposed annexation tracts are located in the vicinity of Grand Parkway, Bauer Road, FM 2920, and Mueschke Road. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

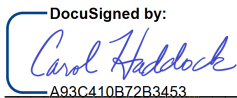
The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District will have a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Harris County Municipal Utility District No. 558 Wastewater Treatment Plant No. 1. Potable water will be provided by the District.

The nearest major drainage facility for Harris County Municipal Utility District No. 558 is Little Cypress Creek Regional Detention Pond, which flows into Cypress Creek, then to Spring Creek, then to the San Jacinto River, and finally into the Houston Ship Channel. Little Cypress Creek Regional Detention Pond is within the Little Cypress Creek watershed. The proposed annexation tracts are 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 prior to their construction.

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

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 4/5/2022
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Carol Ellinger Haddock, P. E.
Director
Houston Public Works

Contact Information:

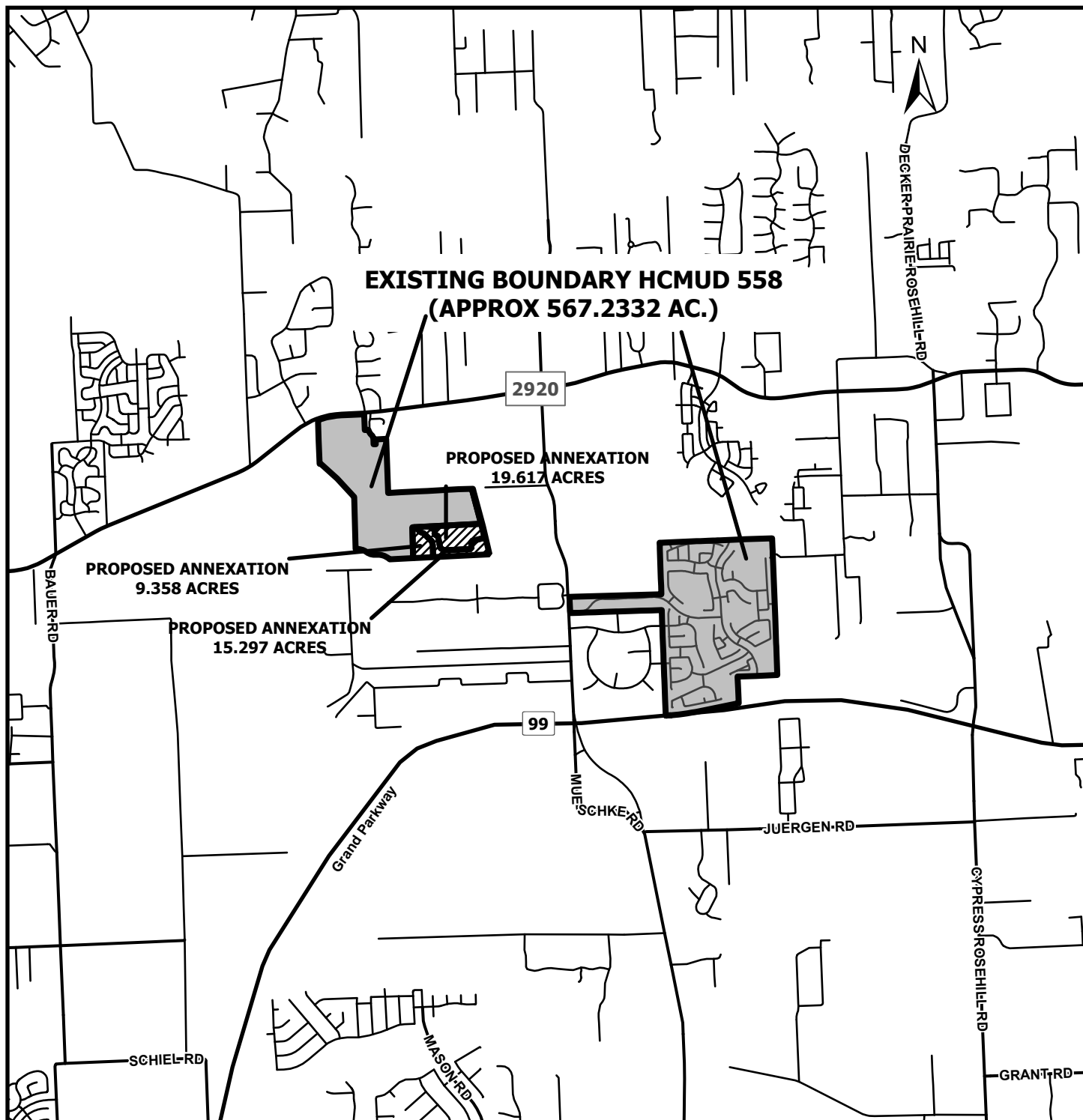
Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

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

HARRIS COUNTY MUD NO. 558 ANNEXATION OF 44.272 ACRES

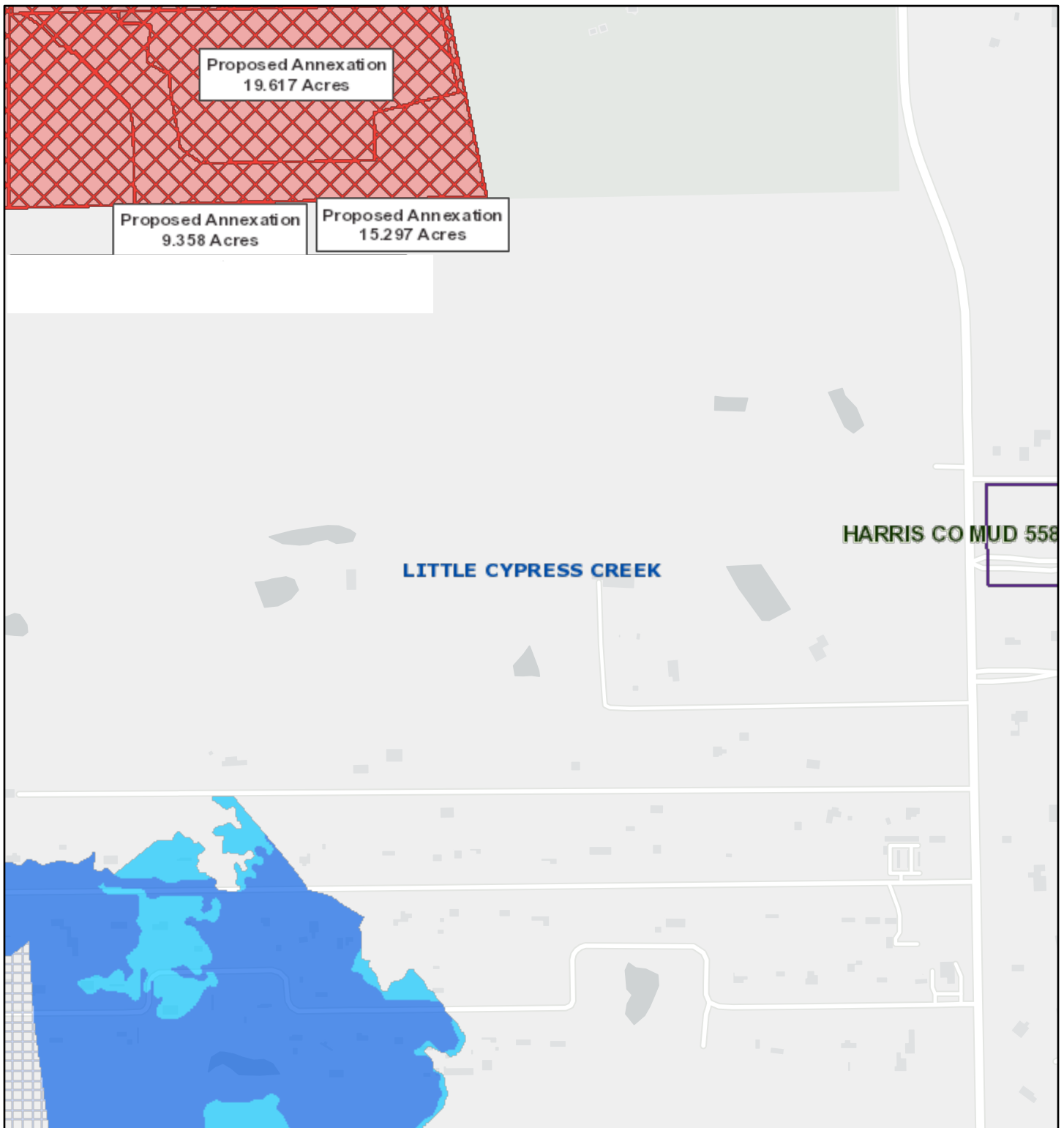
KEY MAPS: 285R, 286N, 286S, 286T, 286U, 286V, 286Y, 286Z



VICINITY EXHIBIT











N.T.S.

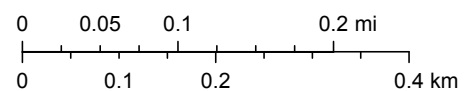
Harris County Municipal Utility District No. 558 (44.272 acres)



3/21/2022, 3:50:33 PM

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-  Watersheds
-  Texas Senate Districts
-  Texas House Districts
-  Flood Hazard Zones
-  100 Year Floodplain
-  500 Yyear Floodplain
-  Floodway
-  City Limits
-  Council Districts
-  Existing Acreage of District





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ETJ

Item Creation Date: 3/24/2022

HPW - 20WR365 – Petition Addition (453.327) Northwest
Harris County Municipal Utility District No. 12

Agenda Item#: 21.

Summary:

ORDINANCE consenting to the addition of 453.327 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12**, for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of three (3) tracts of land totaling 453.327 acres to Northwest Harris County Municipal Utility District No. 12.

RECOMMENDATION: Petition for the City's consent to the addition of three (3) tracts of land totaling 453.327 acres to Northwest Harris County Municipal Utility District No. 12 be approved.

SPECIFIC EXPLANATION: Northwest Harris County Municipal Utility District No. 12 (the "District") was created through the TCEQ in 1977, and currently consists of 931.4444 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of vacant land totaling 453.327 acres, proposed to be developed as single family residential property, to the District. The proposed annexation tracts are located in the vicinity of Clay Road, Stockdick School Road, West Little York Road, and Fry 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 tracts will be provided with wastewater treatment by the Harris County Municipal Utility District No. 105 Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Harris County Municipal Utility District No. 105. Potable water is provided by the District.

The nearest major drainage facility for Northwest Harris County Municipal Utility District No. 12 is Bear Creek, which flows to South Mayde Creek, then to Buffalo Bayou, and finally into the Houston Ship Channel. Bear Creek is within the Addicks Reservoir watershed. The proposed annexation tracts are within the 100 year floodplain (0.041%) and 500 year floodplain (0.135%).

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 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:

Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/24/2022

HPW - 20WR365 – Petition Addition (453.327) Northwest Harris County Municipal Utility District No. 12

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of three (3) tracts of land totaling 453.327 acres to Northwest Harris County Municipal Utility District No. 12.

RECOMMENDATION: Petition for the City's consent to the addition of three (3) tracts of land totaling 453.327 acres to Northwest Harris County Municipal Utility District No. 12 be approved.

SPECIFIC EXPLANATION: Northwest Harris County Municipal Utility District No. 12 (the "District") was created through the TCEQ in 1977, and currently consists of 931.4444 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of vacant land totaling 453.327 acres, proposed to be developed as single family residential property, to the District. The proposed annexation tracts are located in the vicinity of Clay Road, Stockdick School Road, West Little York Road, and Fry Road. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

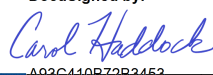
The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Harris County Municipal Utility District No. 105 Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Harris County Municipal Utility District No. 105. Potable water is provided by the District.

The nearest major drainage facility for Northwest Harris County Municipal Utility District No. 12 is Bear Creek, which flows to South Mayde Creek, then to Buffalo Bayou, and finally into the Houston Ship Channel. Bear Creek is within the Addicks Reservoir watershed. The proposed annexation tracts are within the 100 year floodplain (0.041%) and 500 year floodplain (0.135%).

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 prior to their construction.

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

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 4/13/2022
 A03C410B72B3453
 Carol Ellinger Haddock, P. E.
 Director



Houston Public Works

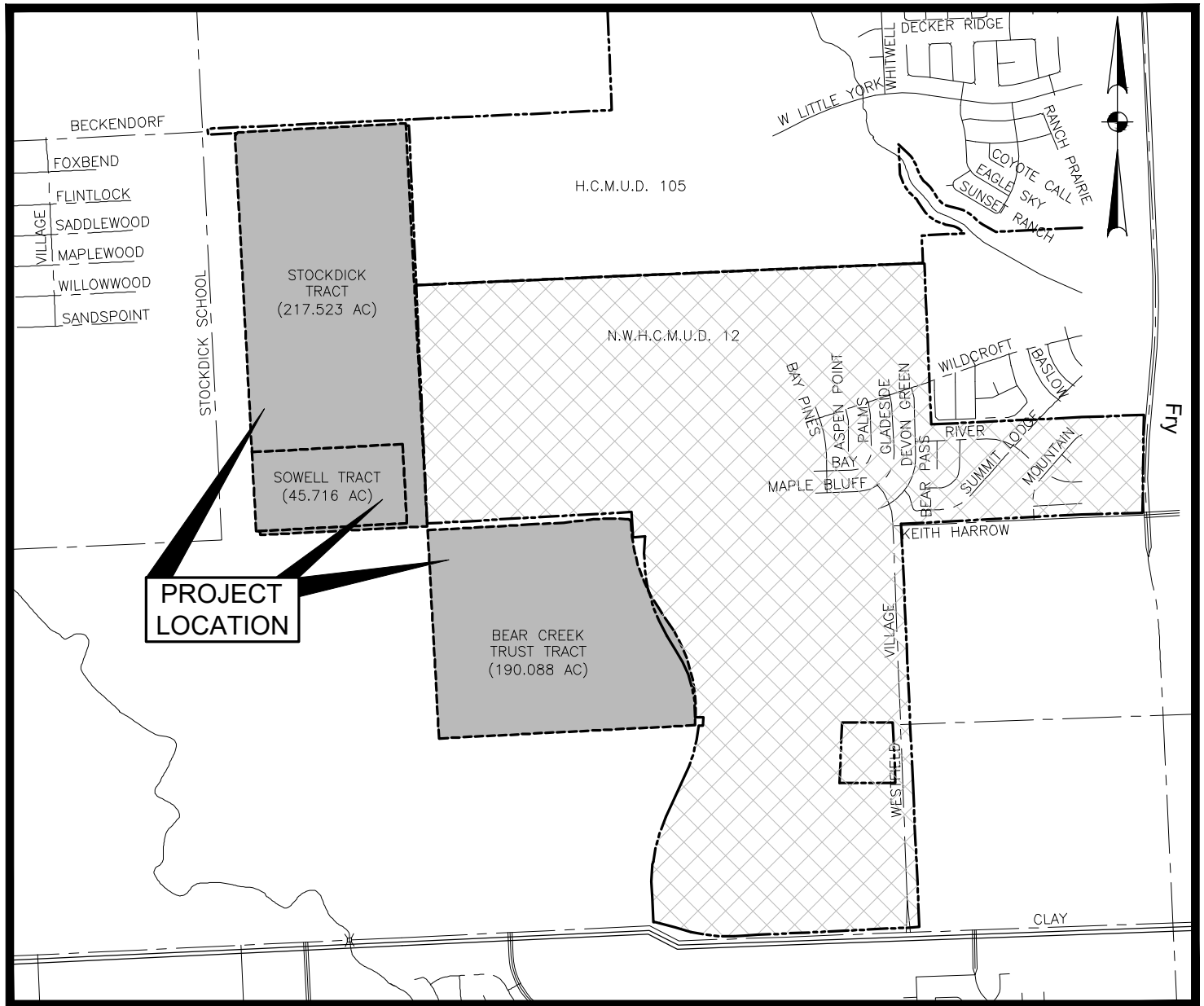
Contact Information:

Sharon Citino, J.D.
 Planning Director
 Houston Water
 Phone: (832) 395-2712

ATTACHMENTS:

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

-  = NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12 ANNEXATION TRACT
-  = NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12 TRACT



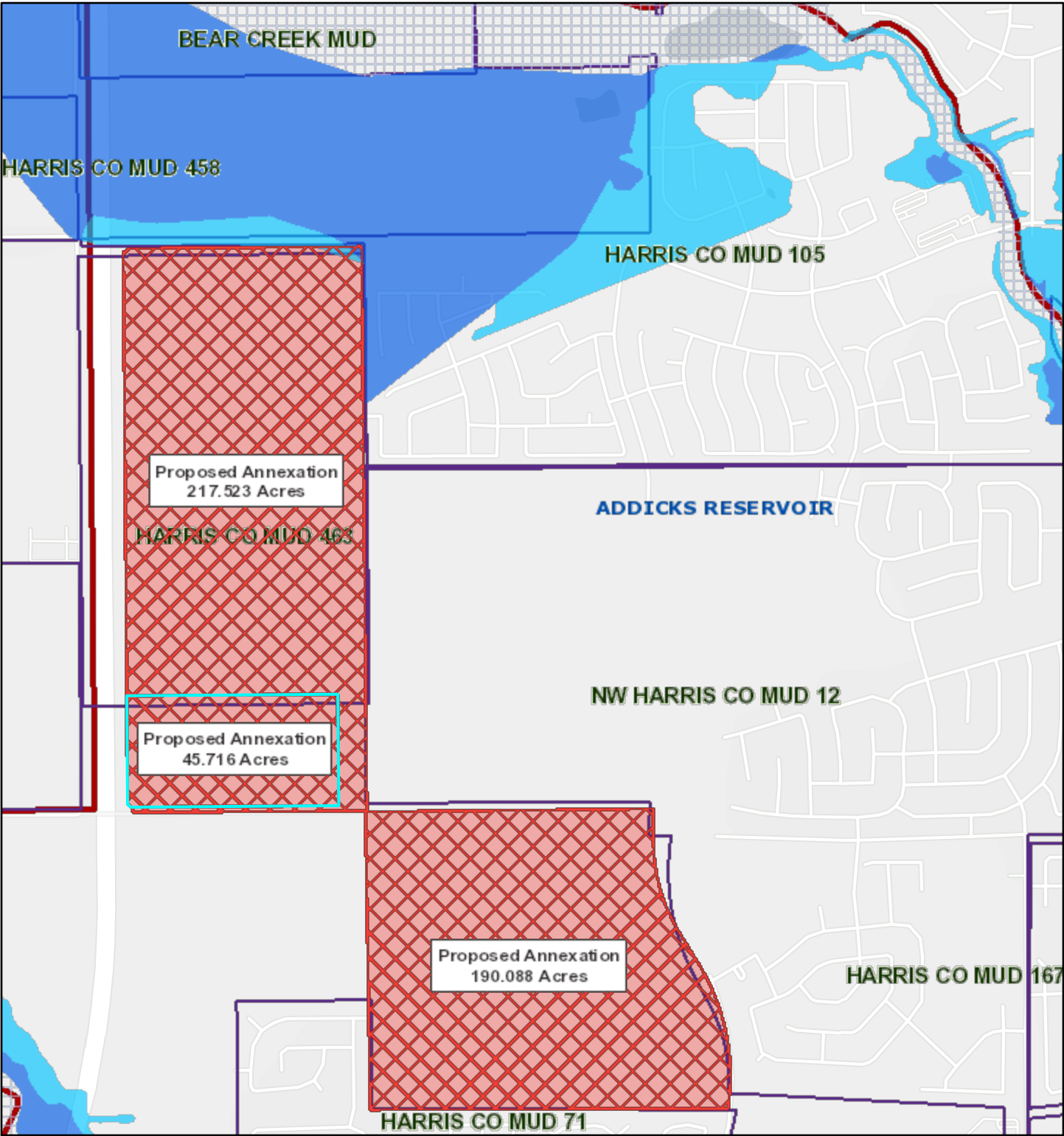
VICINITY MAP

N.T.S.

PROPOSED ACREAGE:
453.327

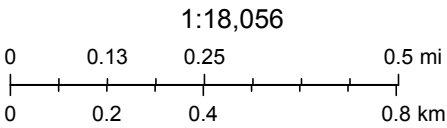
TOTAL ACREAGE:
1,384.7714

Northwest Harris County Municipal Utility District No. 572 (453.327 acres)



3/23/2022, 12:24:57 PM

- Watersheds
- Texas Senate Districts
- Texas House Districts
- Flood Hazard Zones
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- City Limits
- Council Districts
- Existing Acreage of District





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ETJ

Item Creation Date: 3/23/2022

HPW - 20WR366 – Petition Addition (67.081) Harris County
Municipal Utility District No. 572

Agenda Item#: 22.

Summary:

ORDINANCE consenting to the addition of 67.081 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 572**, for inclusion in the district

Background:

SUBJECT: Petition for the City's consent to the addition of 67.081 acres to Harris County Municipal Utility District No. 572.

RECOMMENDATION: Petition for the City's consent to the addition of 67.081 acres to Harris County Municipal Utility District No. 572 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 572 (the "District") was created through an act of the Texas Legislature in 2019, and currently consists of 54.749 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 67.081 acres of vacant land, proposed to be developed as single family residential property, to the District. The proposed annexation tract is located in the vicinity of Grand Parkway, Mueschke Road, FM 2920, and Cypress Rose Hill 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 Cypress Rosehill Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Tomball Independent School District. Potable water is provided by Tomball ISD Cypress Rosehill Plant.

The nearest major drainage facility for Harris County Municipal Utility District No. 572 is Willow Creek, which flows to Cypress Creek, then into Spring Creek, then into the San Jacinto River, and finally into Lake Houston. Tributary to Willow Creek is within the Addicks Reservoir watershed. 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 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:

Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/23/2022

HPW - 20WR366 – Petition Addition (67.081) Harris County Municipal Utility District No. 572

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of 67.081 acres to Harris County Municipal Utility District No. 572.

RECOMMENDATION: Petition for the City's consent to the addition of 67.081 acres to Harris County Municipal Utility District No. 572 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 572 (the "District") was created through an act of the Texas Legislature in 2019, and currently consists of 54.749 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 67.081 acres of vacant land, proposed to be developed as single family residential property, to the District. The proposed annexation tract is located in the vicinity of Grand Parkway, Mueschke Road, FM 2920, and Cypress Rose Hill 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 Cypress Rosehill Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Tomball Independent School District. Potable water is provided by Tomball ISD Cypress Rosehill Plant.

The nearest major drainage facility for Harris County Municipal Utility District No. 572 is Willow Creek, which flows to Cypress Creek, then into Spring Creek, then into the San Jacinto River, and finally into Lake Houston. Tributary to Willow Creek is within the Addicks Reservoir watershed. 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 prior to their construction.

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

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock, written in a cursive style.

4/5/2022

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Carol Ellinger Haddock, P. E.
Director

Houston Public Works

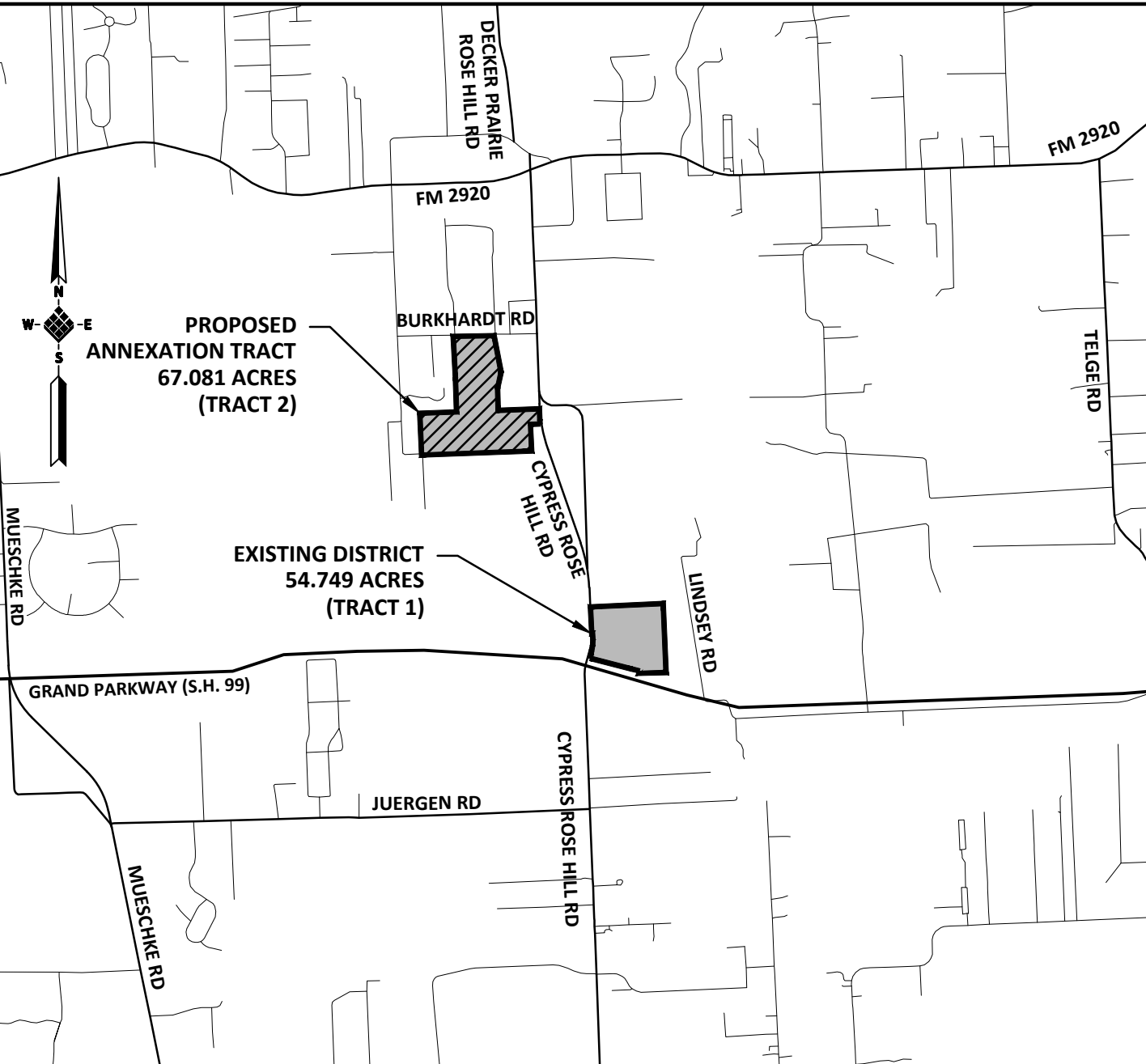
Contact Information:

Sharon Citino, J.D.
Planning Director
Houston Water
Phone: (832) 395-2712

ATTACHMENTS:

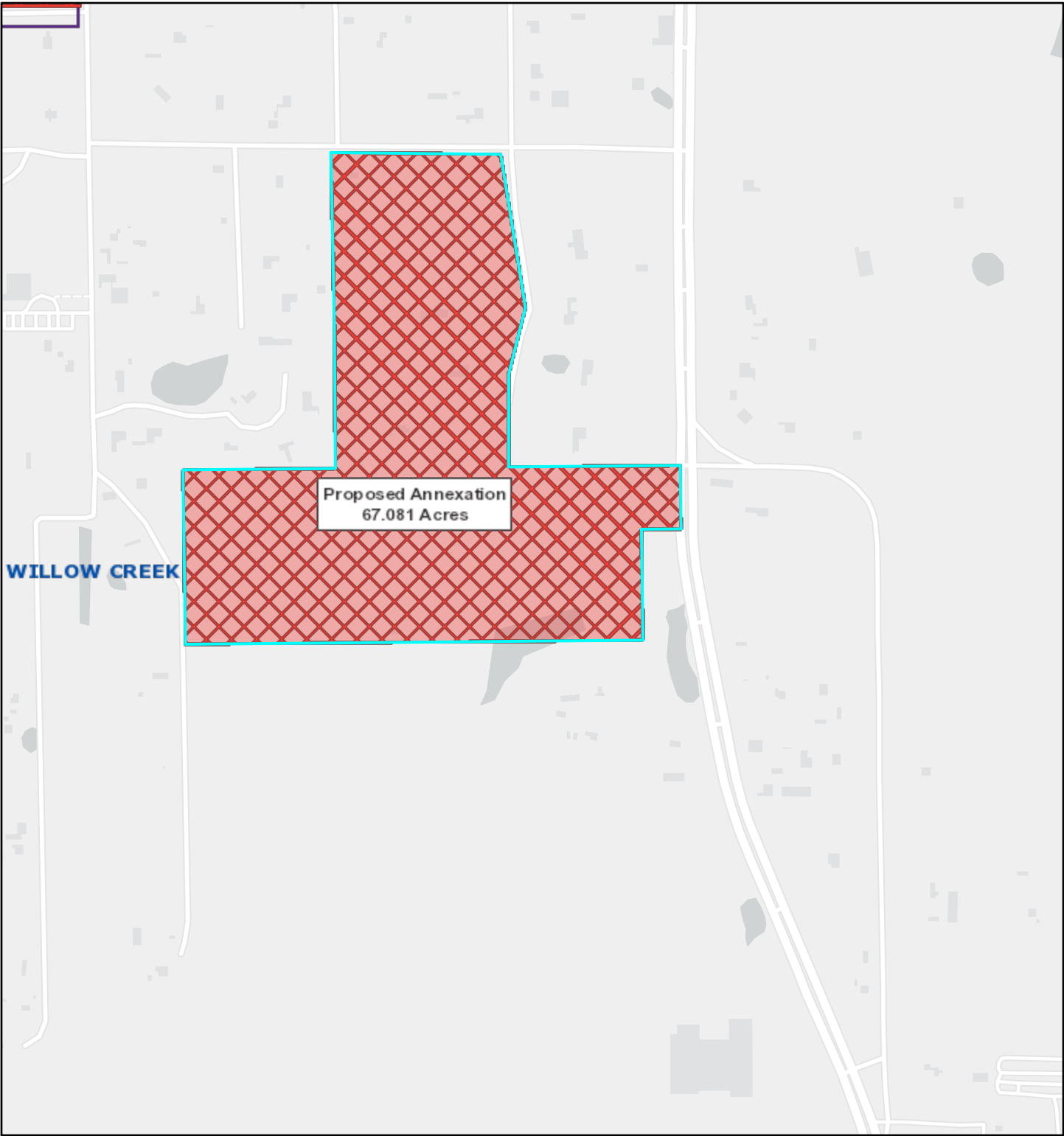
Description	Type
Maps	Backup Material
Application	Backup Material
Petition	Backup Material
Backup Material	Backup Material
Fact Sheet	Backup Material

HARRIS COUNTY MUNICIPAL DISTRICT NO. 572
67.081 ACRES TO BE ANNEXED (TRACT 2)
WILLIAM HURD SURVEY, A-376, F. BENIGNUS SURVEY, A-1463 AND
C.D. CRENSHAW SURVEY, A-204
KEY MAP NO. 287 W, 286 R & V AND 287 N & S




VICINITY MAP
NTS


Harris County Municipal Utility District No. 572 (67.081 acres)




3/23/2022, 10:39:35 AM



1:9,028


-  Watersheds


 Texas Senate Districts


 Texas House Districts


Flood Hazard Zones

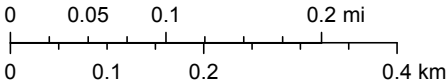
 100 Year Floodplain
-  500 Yyear Floodplain

 Floodway

 City Limits

 Council Districts

 Existing Acreage of District





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District H

Item Creation Date: 3/10/2022

HPW20DOB9940/Abandonment and sale of Lilac
Street/SY20-053A, SY20-053B, LY20-023A, LY20-023B

Agenda Item#: 23.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Lilac Street, from Goldenrod Street south to its terminus; abandoning such street to Zachary T. Haines, Emily Haines, Terrence E. Hill, and Kimberly E. Meyer, the abutting property owners, in consideration of their cash payment to the City in the amount of \$70,095, and a conveyance to the City of a 1,159 square-foot storm sewer easement, and \$78,090.00, and a 1,216 square-foot storm sewer easement, all easements being located in the Glen Park Subdivision, situated in the John Austin Survey, Abstract No. 1, Harris County, Texas, and other good and valuable consideration; waiving certain prohibitions in Chapter 15 of the Code of Ordinances - **DISTRICT H - CISNEROS**

Background:

SUBJECT: Abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**

RECOMMENDATION: It is recommended City Council approve an ordinance authorizing the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a cash consideration of \$148,185.00 and a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**

SPECIFIC EXPLANATION: Zachary T. Haines and Emily Haines, 106 Cosmos Street, Houston, Texas, 77009, and Terrence E. Hill and Kimberly E. Meyer, 732 West Temple Street, Houston, Texas, 77009, requested the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. The property owners plan to incorporate the subject street into their abutting properties for single-family home construction. The Joint Referral Committee reviewed and approved this request. Zachary T. Haines, Emily Haines, Terrence E. Hill, and Kimberly E. Meyer have completed the transaction requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to Zachary T. Haines and Emily Haines:

Parcel SY20-053B

2,916 square feet of street easement	\$87,480.00
Valued at \$30.00 per square foot x 100%	

The City will abandon and sell to Terrence E. Hill and Kimberly E. Meyer:

Parcel SY20-053A

3,211 square feet of street easement \$96,330.00
Valued at \$30.00 per square foot x 100%

TOTAL ABANDONMENT AND SALE **\$183,810.00**

In exchange, Zachary T. Haines and Emily Haines have paid:

Cash \$70,095.00

Plus Zachary T. Haines and Emily Haines will convey to the City:

Parcel LY20-023A

1,159 square feet of storm sewer easement \$17,385.00
Valued at \$30.00 per square foot x 50%

In exchange, Terrence E. Hill and Kimberly E. Meyer have paid:

Cash \$78,090.00

Plus Terrence E. Hill and Kimberly E. Meyer will convey to the City:

Parcel LY20-023B

1,216 square feet of storm sewer easement \$18,240.00
Valued at \$30.00 per square foot x 50%

TOTAL CASH AND CONVEYANCE **\$183,810.00**

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a cash consideration of \$148,185.00 and a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey.

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

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

Amount and Source of Funding:

REVENUE
Fund 1000
General Fund

Contact Information:

Marjorie L. Cox
Assistant Director-Real Estate
(832) 395-3130

ATTACHMENTS:

Description	Type
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Signed Coversheet
Parcel Map
Aerial Location Photo
Council District Map

Signed Cover sheet
Backup Material
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District H

Item Creation Date: 3/10/2022

HPW20DOB9940/Abandonment and sale of Lilac Street/SY20-053A, SY20-053B, LY20-023A, LY20-023B

Agenda Item#:

Background:

SUBJECT: Abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**

RECOMMENDATION: It is recommended City Council approve an ordinance authorizing the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a cash consideration of \$148,185.00 and a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**

SPECIFIC EXPLANATION: Zachary T. Haines and Emily Haines, 106 Cosmos Street, Houston, Texas, 77009, and Terrence E. Hill and Kimberly E. Meyer, 732 West Temple Street, Houston, Texas, 77009, requested the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. The property owners plan to incorporate the subject street into their abutting properties for single-family home construction. The Joint Referral Committee reviewed and approved this request.

Zachary T. Haines, Emily Haines, Terrence E. Hill, and Kimberly E. Meyer have completed the transaction requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to Zachary T. Haines and Emily Haines:

Parcel SY20-053B	
2,916 square feet of street easement	\$87,480.00
Valued at \$30.00 per square foot x 100%	

The City will abandon and sell to Terrence E. Hill and Kimberly E. Meyer:

Parcel SY20-053A	
3,211 square feet of street easement	\$96,330.00
Valued at \$30.00 per square foot x 100%	

TOTAL ABANDONMENT AND SALE	<u>\$183,810.00</u>
-----------------------------------	----------------------------

In exchange, Zachary T. Haines and Emily Haines have paid:

Cash	\$70,095.00
------	-------------

Plus Zachary T. Haines and Emily Haines will convey to the City:

Parcel LY20-023A	
1,159 square feet of storm sewer easement	\$17,385.00
Valued at \$30.00 per square foot x 50%	

In exchange, Terrence E. Hill and Kimberly E. Meyer have paid:

Cash	\$78,090.00
------	-------------

Plus Terrence E. Hill and Kimberly E. Meyer will convey to the City:

Parcel LY20-023B	
1,216 square feet of storm sewer easement	\$18,240.00
Valued at \$30.00 per square foot x 50%	

TOTAL CASH AND CONVEYANCE	<u>\$183,810.00</u>
----------------------------------	----------------------------

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a cash consideration of \$148,185.00 and a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey.

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

DocuSigned by:



4/5/2022

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

Amount and Source of Funding:

REVENUE
Fund 1000
General Fund

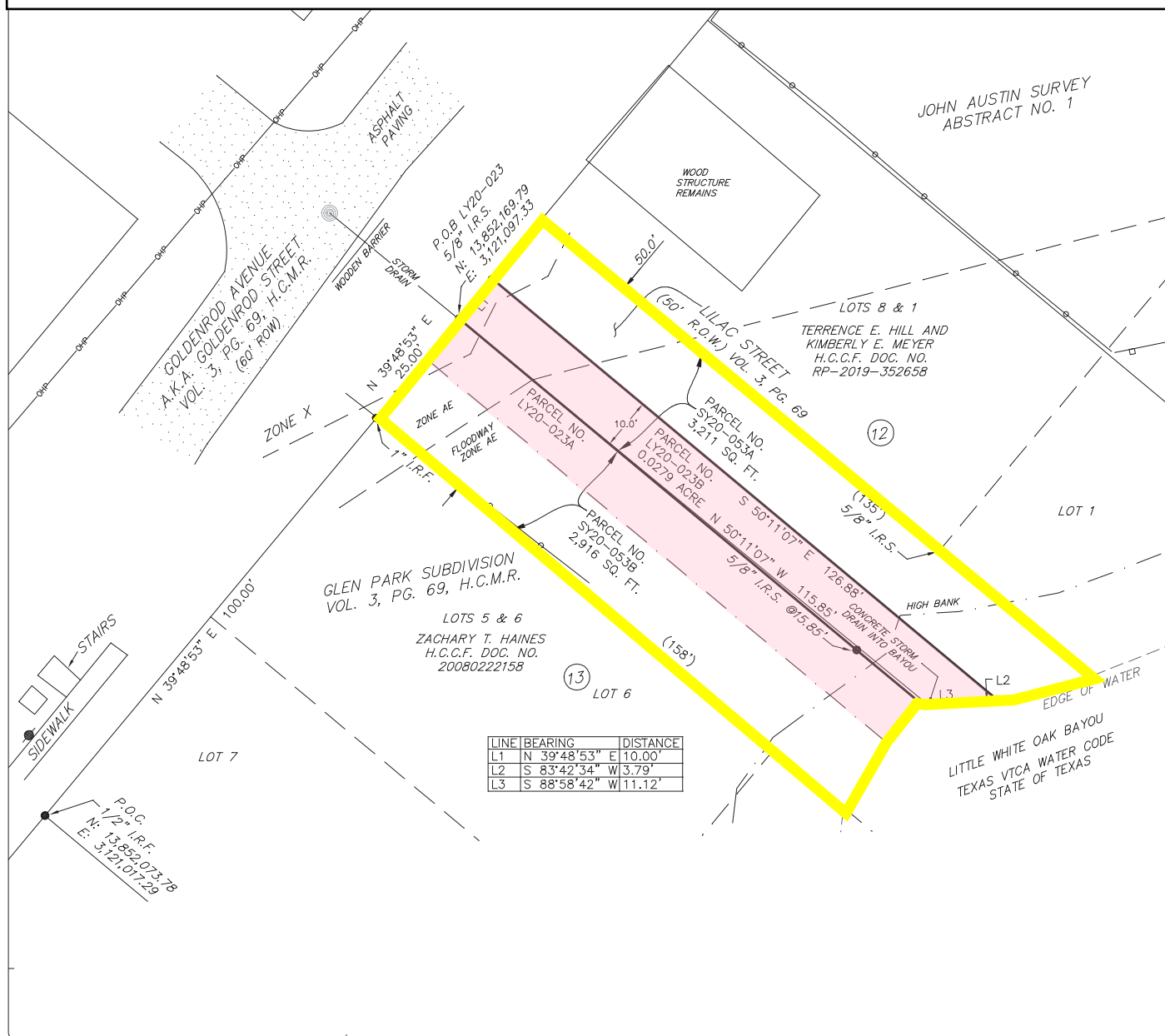
Contact Information:

Marjorie L. Cox
Assistant Director-Real Estate
(832) 395-3130

ATTACHMENTS:

Description	Type
Parcel Map	Backup Material
Aerial Location Photo	Backup Material
Council District Map	Backup Material

Subject: Abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**



LILAC STREET

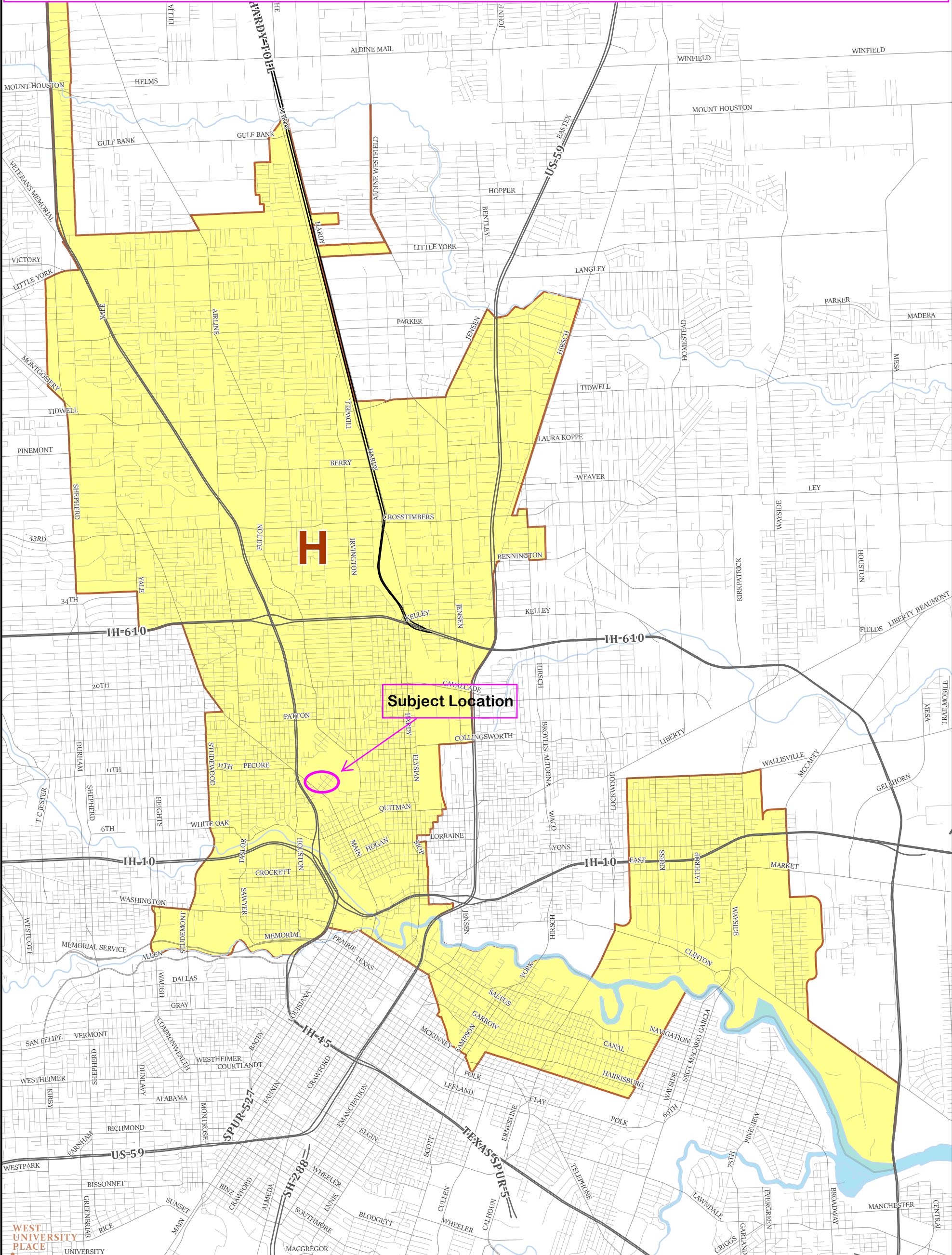
STORM SEWER EASEMENT

AERIAL LOCATION MAP

Subject: Abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**



Subject: Abandonment and sale of Lilac Street, from Goldenrod Street south to its terminus, in exchange for conveyance to the City of a 20 foot-wide storm sewer easement, both located in the Glen Park Subdivision, out of the John Austin Survey. **Parcels SY20-053A, SY20-053B, LY20-023A, and LY20-023B**





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District H

Item Creation Date: 2/10/2022

HPW – 20SS14 Agreement / Union Pacific Railroad
Company

Agenda Item#: 24.

Summary:

ORDINANCE appropriating \$70,000.00 out of Dedicated Drainage and Street Renewal Capital Fund - Drainage; approving and authorizing Reimbursement Agreement between City of Houston and **UNION PACIFIC RAILROAD COMPANY** to reimburse Union Pacific Railroad for Kress Street Area Drainage and Paving Improvements from Larimer Street to Clinton Drive; providing funding for CIP Cost Recovery - **DISTRICT H - CISNEROS**

Background:

SUBJECT: An Authorization and Reimbursement Agreement between the City of Houston and Union Pacific Railroad Company for Kress Street Area Drainage and Paving Improvements from Larimer Street to Clinton Drive.

RECOMMENDATION: Adopt an ordinance approving an Authorization and Reimbursement Agreement between the City of Houston and Union Pacific Railroad Company and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Storm Drainage Capital Improvement Plan (CIP) and is required to construct stormwater drainage and paving improvements to reduce the risk of structural flooding.

DESCRIPTION: This project consists of the improvement of the existing At-Grade Crossing Area along, over, and across the railroad's track and right of way associated with the ongoing construction of Kress Street Project.

LOCATION: The project is located along Kress Street between Larimer Street and Clinton Drive.

SCOPE OF THE AGREEMENT AND FEE: This agreement between the City of Houston and Union Pacific Railroad Company entails the relocation of the crossing gate in Northwest quadrant of crossing, relocation of the signal cabin in Southwest quadrant of crossing, and relocation of the signal bungalow. The City of Houston will reimburse Union Pacific Railroad Company for one hundred percent (100%) of actual costs incurred by Union Pacific Railroad Company.

The total requested amount of \$70,000.00 is to be appropriated as follows: \$50,000.00 for the

cost of the project, \$16,666.67 for contingency, and \$3,333.33 for CIP Cost Recovery.

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

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

WBS No. M-000700-0001-7

Amount and Source of Funding:

\$70,000.00 - Fund No. 4042 - Dedicated Drainage and Street Renewal Capital Fund - Drainage Charge

Contact Information:

Juan Chavira, PE, PMP, CEM, ENV SP
Assistant Director, Capital Projects
Phone: (832) 395-2441

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/4/2022

District H

Item Creation Date: 2/10/2022

HPW – 20SS14 Agreement / Union Pacific Railroad Company

Agenda Item#: 33.

Background:

SUBJECT: An Authorization and Reimbursement Agreement between the City of Houston and Union Pacific Railroad Company for Kress Street Area Drainage and Paving Improvements from Larimer Street to Clinton Drive.

RECOMMENDATION: Adopt an ordinance approving an Authorization and Reimbursement Agreement between the City of Houston and Union Pacific Railroad Company and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Storm Drainage Capital Improvement Plan (CIP) and is required to construct stormwater drainage and paving improvements to reduce the risk of structural flooding.

DESCRIPTION: This project consists of the improvement of the existing At-Grade Crossing Area along, over, and across the railroad's track and right of way associated with the ongoing construction of Kress Street Project.

LOCATION: The project is located along Kress Street between Larimer Street and Clinton Drive.

SCOPE OF THE AGREEMENT AND FEE: This agreement between the City of Houston and Union Pacific Railroad Company entails the relocation of the crossing gate in Northwest quadrant of crossing, relocation of the signal cabin in Southwest quadrant of crossing, and relocation of the signal bungalow. The City of Houston will reimburse Union Pacific Railroad Company for one hundred percent (100%) of actual costs incurred by Union Pacific Railroad Company.

The total requested amount of \$70,000.00 is to be appropriated as follows: \$50,000.00 for the cost of the project, \$16,666.67 for contingency, and \$3,333.33 for CIP Cost Recovery.

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

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

4/21/2022

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

WBS No. M-000700-0001-7

Amount and Source of Funding:

\$70,000.00 - Fund No. 4042 - Dedicated Drainage and Street Renewal Capital Fund - Drainage Charge

Contact Information:

Juan Chavira, PE, PMP, CEM, ENV SP
Assistant Director, Capital Projects
Phone: (832) 395-2441

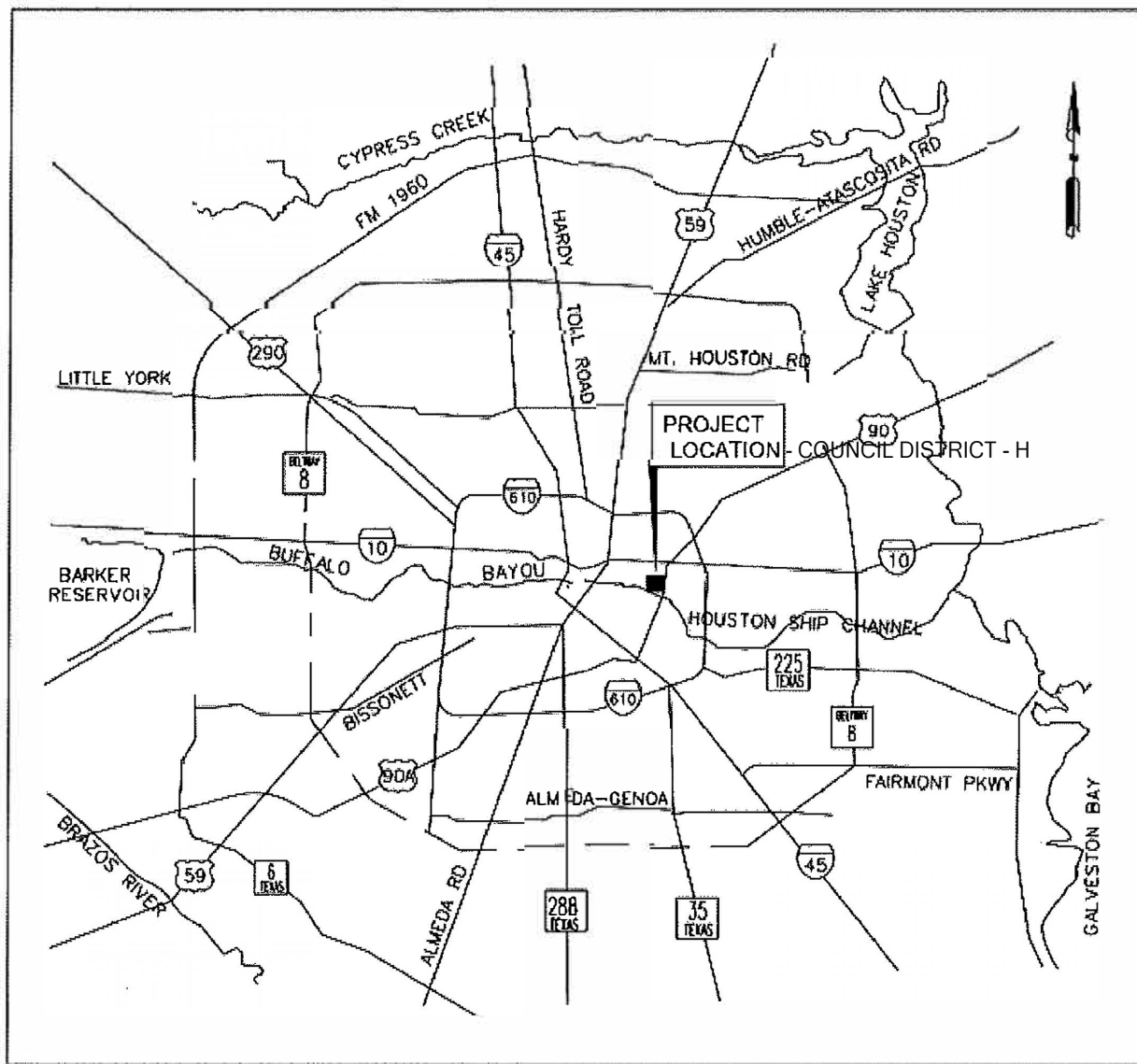
ATTACHMENTS:

Description

SAP Documents
Maps

Type

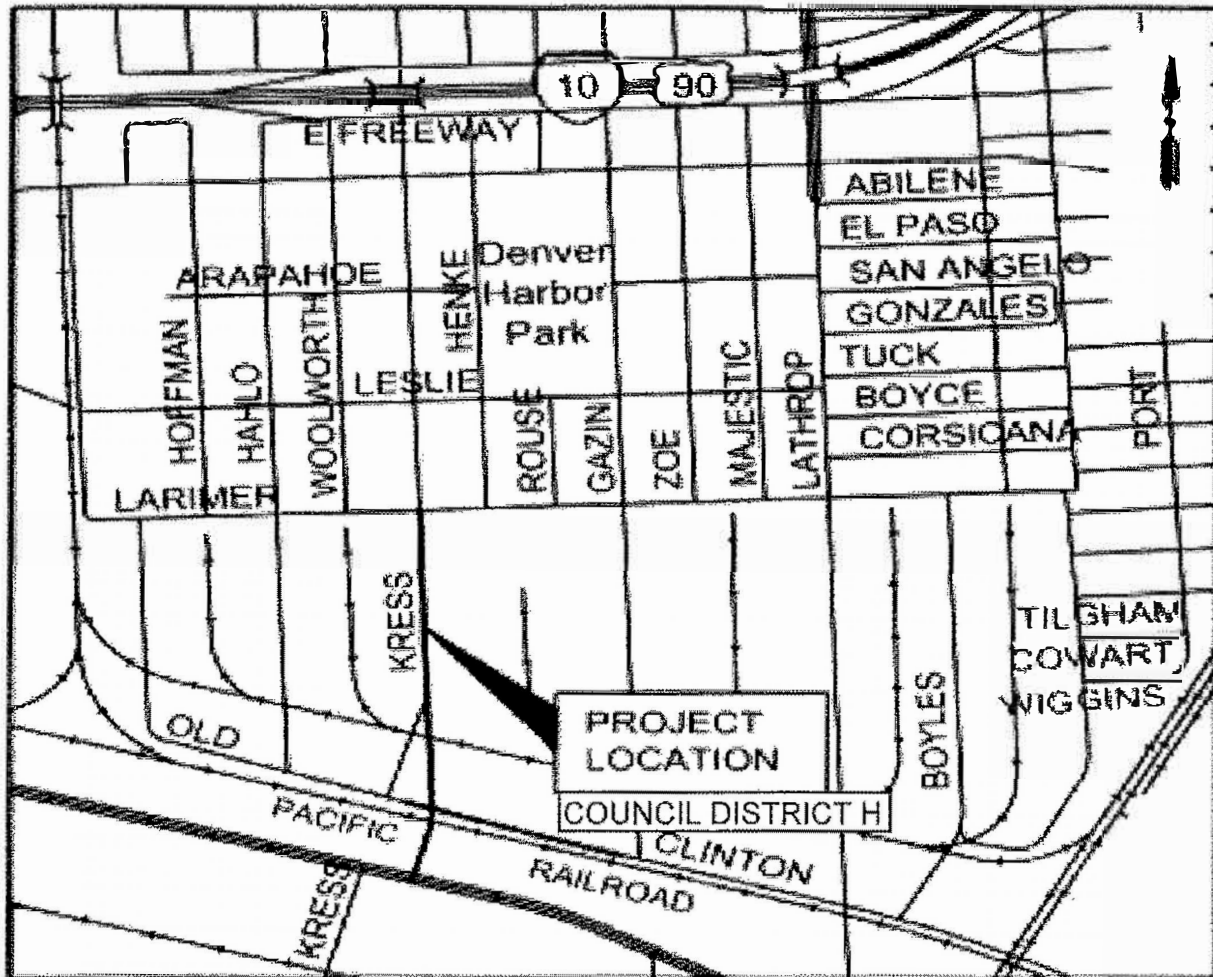
Financial Information
Backup Material



LOCATION MAP

PROJECT: KRESS STREET DRAINAGE AND PAVING IMPROVEMENTS
FROM LARIMER TO CLINTON

WBS No. M-000700-0001-7



VICINITY MAP

PROJECT: KRESS STREET DRAINAGE AND PAVING IMPROVEMENTS
FROM LARIMER TO CLINTON
WBS No. M-000700-0001-7



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 11/9/2021

HPW – 20SBM02 Amendment & Additional Appropriation /
Data Transfer Solutions, LLC

Agenda Item#: 25.

Summary:

ORDINANCE appropriating \$3,820,577.25 out of Dedicated Drainage and Street Renewal Capital Fund - Ad Valorem Tax as an additional appropriation; approving and authorizing first amendment to Professional Services Contract between City of Houston and **DATA TRANSFER SOLUTIONS, LLC** for Street Data Collection and Pavement Management Update Program (as approved by Ordinance No. 2017-0564); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax

Background:

SUBJECT: First Amendment to Professional Services Contract between the City of Houston (City) and Data Transfer Solutions, LLC for Street Data Collection and Pavement Management Update Program.

RECOMMENDATION: Approve a First Amendment to the Professional Services Contract with Data Transfer Solutions, LLC and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street Data Collection and Pavement Management Update Program and will assist with maintaining safe road conditions and utilizing available financial resources effectively and efficiently.

DESCRIPTION/SCOPE: This project consists of identifying street segments for consideration in a multi-year pavement management program which will include preservation, repair, rehabilitation, and reconstruction recommendations.

LOCATION: The project locations are throughout the City.

PREVIOUS HISTORY AND SCOPE: On July 26, 2017, City Council approved the original contract under Ordinance No. 2017-0564. The scope of services under the original contract consisted of professional consulting services. Under this contract, the consultant delivered the following:

- Major Streets Pavement surveys, ratings, and geo-coded data.
- Local Streets Pavement surveys, ratings, and geo-coded data.
- Video-logger accessing software.
- StreetSaver Plus Pavement Management Information Systems (PMIS)

fully loaded with the latest data with unlimited web-based user licenses.

- Services By Request (SBR) surveys, ratings, and geo-coded data.
- Geo-coded files based on "Projected Coordinate System:
NAD_1983_StatePlane_Texas_South_central_FIPS_4204_Feet

SCOPE OF THIS AMENDMENT AND ADDITIONAL APPROPRIATION: The original appropriation of \$3,780,420.00 has been exhausted, and this Contract will expire by the end of FY 2022. An Amendment is requested to extend the life of the contract for 2 years, obtain an additional appropriation of \$3,820,577.25 and allow for the addition of asset-tagging of Sidewalk and Ramp Inventory, Alleyway Pavement and Speed Hump/Cushion Inventory.

The total requested appropriation of \$3,820,577.25 is to be appropriated as follows: \$3,638,645.00 for contract services and \$181,932.25 for CIP Cost Recovery.

With this Amendment, the vendor will also provide a decision optimization tool which will become the HPW-TDO SMARRT (Street Maintenance and Repair Rehabilitation Team) and BRRAT (Bridge Repair Rehabilitation Action Team) Tool. The Street Data Collection and Pavement Management Program Services and the PMIS afforded by this contract are critical to ensuring that the City can continue to manage its street network and extend the overall service-life of all approximately 6,100 centerline miles of streets. The PMIS provides crucial data that is used to identify neighborhoods for rehabilitation under the Mayor's Street Rehabilitation Initiative. The SMARRT Tool will be a dashboard that resides on top of the PMIS. The BRRAT Tool will be the dashboard for TDO Street and Bridge Maintenance and Operations to see bridge inventory, bridge condition, and other useful information to manage the bridge network. These tools will assist with determining the right treatment on the right road at the right time and will help identify neighborhoods and street segments for consideration in a multi-year pavement management program which will include preservation, repair, rehabilitation, and reconstruction recommendations. These tools can meet these requirements and deliver an actionable plan that provides an optimal solution for any scenario by examining the following: asset life cycle analysis, socioeconomic and community impact policies, risk reduction (i.e., Vision Zero, High-Injury Network, and emergency resupply routes), and budgeting.

Ultimately, the Amendment and additional appropriation will allow the City to utilize these tools and leverage the City's current and past roadway condition data collection efforts and create a more holistic asset and capital investment plans with better return on investment (ROI).

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits to some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE PARTICIPATION: The M/WBE goal established for this project was 14%. The original contract amount was \$3,780,420.00. The contractor was paid 100% of this amount to date, exhausting the original appropriation. Of this amount, \$577,441.06 (15.28%) was paid to the M/WBE sub-consultant. Assuming the requested additional Amendment and appropriation is approved, the total contract amount will increase to \$7,419,065.00. The contractor proposes the following plan to meet the M/WBE goal:

Name of Firm	Work Description	Amount	% of New Contract Amount
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Paid Prior M/WBE Commitment		\$577,441.06	7.78%
Unpaid Prior M/WBE Commitment		\$0	0%
1. HVJ	QC/QA Data	<u>\$509,411.10</u>	<u>6.87%</u>
	Total	\$1,086,852.16	14.65%

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

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

WBS# N-320667-0011-3

Prior Council Action:

Ordinance No. 2017-0564, Dated 07-26-2017

Amount and Source of Funding:

\$3,820,577.25 from Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax.

Total previous appropriation \$3,780,420.00

– \$1,134,126.00 from Fund No. 4040 - METRO Projects Construction DDSRF (\$1,134,126.00 Supported by METRO Funds)

\$2,646,294.00 from Fund No. 4042 - Street & Traffic Control and Storm Drainage DDSRF (\$2,646,294.00 Supported by METRO Funds)

Contact Information:

Raj Shah
Project Manager, Transportation & Drainage Operations
Phone: (832) 395-2026

ATTACHMENTS:

Description

Signed Coversheet
Map

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 11/9/2021

HPW – 20SBM02 Amendment & Additional Appropriation / Data Transfer Solutions, LLC

Agenda Item#:

Background:

SUBJECT: First Amendment to Professional Services Contract between the City of Houston (City) and Data Transfer Solutions, LLC for Street Data Collection and Pavement Management Update Program.

RECOMMENDATION: Approve a First Amendment to the Professional Services Contract with Data Transfer Solutions, LLC and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street Data Collection and Pavement Management Update Program and will assist with maintaining safe road conditions and utilizing available financial resources effectively and efficiently.

DESCRIPTION/SCOPE: This project consists of identifying street segments for consideration in a multi-year pavement management program which will include preservation, repair, rehabilitation, and reconstruction recommendations.

LOCATION: The project locations are throughout the City.

PREVIOUS HISTORY AND SCOPE: On July 26, 2017, City Council approved the original contract under Ordinance No. 2017-0564. The scope of services under the original contract consisted of professional consulting services. Under this contract, the consultant delivered the following:

- Major Streets Pavement surveys, ratings, and geo-coded data.
- Local Streets Pavement surveys, ratings, and geo-coded data.
- Video-logger accessing software.
- StreetSaver Plus Pavement Management Information Systems (PMIS) fully loaded with the latest data with unlimited web-based user licenses.
- Services By Request (SBR) surveys, ratings, and geo-coded data.
- Geo-coded files based on "Projected Coordinate System: NAD_1983_StatePlane_Texas_South_central_FIPS_4204_Feet

SCOPE OF THIS AMENDMENT AND ADDITIONAL APPROPRIATION: The original appropriation of \$3,780,420.00 has been exhausted, and this Contract will expire by the end of FY 2022. An Amendment is requested to extend the life of the contract for 2 years, obtain an additional appropriation of \$3,820,577.25 and allow for the addition of asset-tagging of Sidewalk and Ramp Inventory, Alleyway Pavement and Speed Hump/Cushion Inventory.

The total requested appropriation of \$3,820,577.25 is to be appropriated as follows: \$3,638,645.00 for contract services and \$181,932.25 for CIP Cost Recovery.

With this Amendment, the vendor will also provide a decision optimization tool which will become the HPW-TDO SMARRT (Street Maintenance and Repair Rehabilitation Team) and BRRAT (Bridge Repair Rehabilitation Action Team) Tool. The Street Data Collection and Pavement Management Program Services and the PMIS afforded by this contract are critical to ensuring that the City can continue to manage its street network and extend the overall service-life of all approximately 6,100 centerline miles of streets. The PMIS provides crucial data that is used to identify neighborhoods for rehabilitation under the Mayor's Street Rehabilitation Initiative. The SMARRT Tool will be a dashboard that resides on top of the PMIS. The BRRAT Tool will be the dashboard for TDO Street and Bridge Maintenance and Operations to see bridge inventory, bridge condition, and other useful information to manage the bridge network. These tools will assist with determining the right treatment on the right road at the right time and will help identify neighborhoods and street segments for consideration in a multi-year pavement management program which will include preservation, repair, rehabilitation, and reconstruction recommendations. These tools can meet these requirements and deliver an actionable plan that provides an optimal solution for any scenario by examining the following: asset life cycle analysis, socioeconomic and community impact policies, risk reduction (i.e., Vision Zero, High-Injury Network, and emergency resupply routes), and budgeting.

Ultimately, the Amendment and additional appropriation will allow the City to utilize these tools and leverage the City's current and past roadway condition data collection efforts and create a more holistic asset and capital investment plans with better return on investment (ROI).

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health

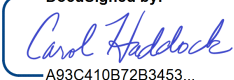
benefits for employees of City contractors. In this case, the contractor provides benefits to some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE PARTICIPATION: The M/WBE goal established for this project was 14%. The original contract amount was \$3,780,420.00. The contractor was paid 100% of this amount to date, exhausting the original appropriation. Of this amount, \$577,441.06 (15.28%) was paid to the M/WBE sub-consultant. Assuming the requested additional Amendment and appropriation is approved, the total contract amount will increase to \$7,419,065.00. The contractor proposes the following plan to meet the M/WBE goal:

Name of Firm	Work Description	Amount	% of New Contract Amount
Paid Prior M/WBE Commitment		\$577,441.06	7.78%
Unpaid Prior M/WBE Commitment		\$0	0%
1. HVJ	QC/QA Data	<u>\$509,411.10</u>	<u>6.87%</u>
	Total	\$1,086,852.16	14.65%

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

DocuSigned by:



4/14/2022

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

WBS# N-320667-0011-3

Prior Council Action:

Ordinance No. 2017-0564, Dated 07-26-2017

Amount and Source of Funding:

\$3,820,577.25 from Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax.

Total previous appropriation \$3,780,420.00

\$1,134,126.00 from Fund No. 4040 - METRO Projects Construction DDSRF (\$1,134,126.00 Supported by METRO Funds)

\$2,646,294.00 from Fund No. 4042 - Street & Traffic Control and Storm Drainage DDSRF (\$2,646,294.00 Supported by METRO Funds)

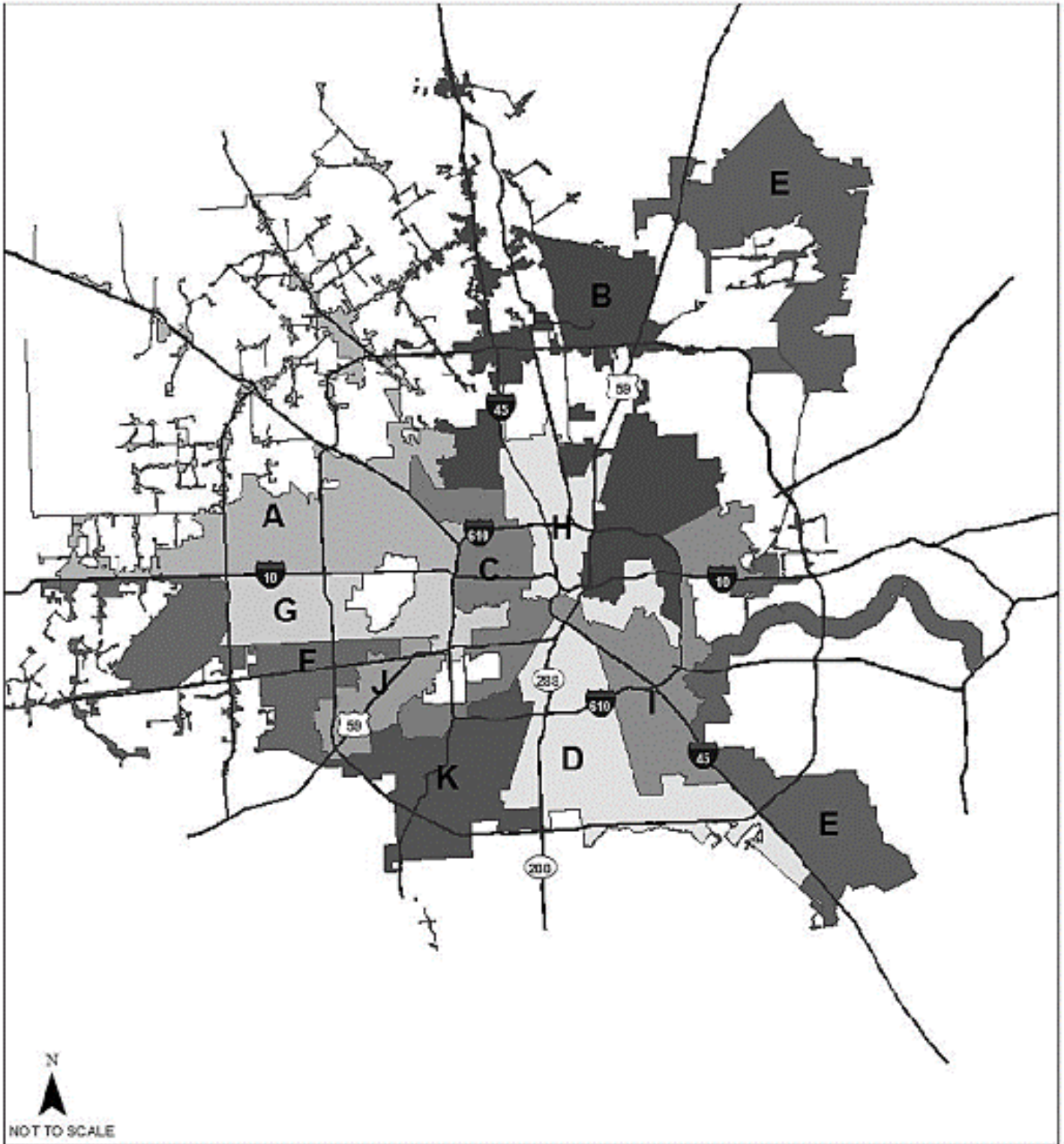
Contact Information:

Raj Shah
Project Manager, Transportation & Drainage Operations
Phone: (832) 395-2026

ATTACHMENTS:

Description	Type
SAP Documents	Financial Information
Map	Backup Material
Pay or Play	Backup Material
Form B	Backup Material
Form 1295	Backup Material
Prior Council Action	Backup Material
OBO Docs	Backup Material
Ownership Information Form and Tax Report	Backup Material

CITY OF HOUSTON
HOUSTON PUBLIC WORKS



LOCATION AND VICINITY MAP
CITYWIDE WORK ORDERS

(VARIOUS DISTRICT LOCATIONS)
Street Data Collection and Pavement Management Update Program
[Data Transfer Solutions, INC.](#)

WBS NO. N-320667-0011-3



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date: 3/31/2022

HPW – 20PMO66 Contract Award / JFT Construction, Inc.

Agenda Item#: 26.

Summary:

ORDINANCE appropriating of \$2,978,026.00 out of Metro Projects Construction DDSRF, awarding contract to **JFT CONSTRUCTION, INC** for Citywide Work Orders for Council District Service Fund Project #8; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF, contingency, and testing services

Background:

SUBJECT: Contract Award for Citywide Work Orders for Council District Service Fund Project #8.

RECOMMENDATION: (SUMMARY) Accept low bid, award construction contract to JFT Construction, Inc., for Citywide Work Orders for Council District Service Fund Project #8 and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Control Capital Improvement Plan (CIP) and is required to meet current City of Houston Standards as well as improve sidewalks, street surfaces, curbs, mobility and safety at intersections, The work orders will be determined by the Council District Service Fund process.

DESCRIPTION/SCOPE: This contract is for construction of sidewalks, median modifications, new pavement markings, wheelchair ramps, pedestrian crossings, panel replacements, overlays, etc. in various locations throughout the City of Houston. The Contract duration for this project is 365 calendar days. This is a work order based contract with work orders assigned on an as-needed basis.

LOCATION: The projects are located throughout the City of Houston (City).

BIDS: This project was advertised for bidding on January 21, 2022, and on January 28, 2022. The Bids were received on February 2, 2022. The nine (9) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. JFT Construction, Inc.	\$2,634,569.10
2. Tikon Group, Inc.	\$2,759,014.30
3. DCE Construction, Inc.	\$2,972,643.00
4. Total Contracting Limited	\$2,989,880.20
5. Grava LLC	\$3,068,398.70
6. Resicom, Inc.	\$3,194,104.94
7. R. Miranda Trucking & Construction LLC	\$3,582,675.00
8. T Construction LLC	\$3,832,967.45
9. Main Lain Industries, Ltd.	\$3,988,557.81

AWARD: It is recommended that this construction contract be awarded to JFT Construction, Inc. with a

low bid of \$2,634,569.10.

PROJECT COST: The total cost of this project is \$2,978,026.00 to be appropriated as follows:

· Bid Amount	\$2,634,569.10
· Contingencies	\$131,728.45
· Testing Services	\$80,000.00
· CIP Cost Recovery	\$131,728.45

Testing Services will be provided by Professional Service Industries, Inc. under a previously approved contract.

The appropriations for CIP Cost Recovery are necessary to fund project management costs but will not be charged to CDSF.

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

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

-
-
-
-

M/WSBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 17% MBE goal and 3% WBE goal for this project.

	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Match & Mix Construction LLC	Concrete Work	\$ 316,148.29	12.00%
2.	C. Sanchez Trucking	Hauling / Trucking	\$ 26,345.69	1.00%
		Total	\$ 342,493.98	13.00%

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Access Data Supply, Inc.	Ready Mix Concrete	\$ 79,037.07	3.00%
		Total	\$ 79,037.07	3.00%

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Professional Traffic Control,	Flagging/Traffic Control	\$ 105,382.76	4.00%

LLC

Total

\$ 105,382.76

4.00%

-

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

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

WBS No. N-322017-0025-4

Amount and Source of Funding:

\$2,978,026.00 – Fund No. 4040 METRO Projects Construction – DDSRF

Contact Information:

Michael T. Wahl, P.E., PTOE
Assistant Director, Transportation and Drainage Operations
Phone: (832) 395-2443

ATTACHMENTS:

Description

Signed Coversheet
Map

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 3/31/2022

HPW – 20PMO66 Contract Award / JFT Construction, Inc.

Agenda Item#:

Background:

SUBJECT: Contract Award for Citywide Work Orders for Council District Service Fund Project #8.

RECOMMENDATION: (SUMMARY) Accept low bid, award construction contract to JFT Construction, Inc., for Citywide Work Orders for Council District Service Fund Project #8 and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Control Capital Improvement Plan (CIP) and is required to meet current City of Houston Standards as well as improve sidewalks, street surfaces, curbs, mobility and safety at intersections. The work orders will be determined by the Council District Service Fund process.

DESCRIPTION/SCOPE: This contract is for construction of sidewalks, median modifications, new pavement markings, wheelchair ramps, pedestrian crossings, panel replacements, overlays, etc. in various locations throughout the City of Houston. The Contract duration for this project is 365 calendar days. This is a work order based contract with work orders assigned on an as-needed basis.

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4. Total Contracting Limited	\$2,989,880.20
5. Grava LLC	\$3,068,398.70
6. Resicom, Inc.	\$3,194,104.94
7. R. Miranda Trucking & Construction LLC	\$3,582,675.00
8. T Construction LLC	\$3,832,967.45
9. Main Lain Industries, Ltd.	\$3,988,557.81

AWARD: It is recommended that this construction contract be awarded to JFT Construction, Inc. with a low bid of \$2,634,569.10.

PROJECT COST: The total cost of this project is \$2,978,026.00 to be appropriated as follows:

· Bid Amount	\$2,634,569.10
· Contingencies	\$131,728.45
· Testing Services	\$80,000.00
· CIP Cost Recovery	\$131,728.45

Testing Services will be provided by Professional Service Industries, Inc. under a previously approved contract.

The appropriations for CIP Cost Recovery are necessary to fund project management costs but will not be charged to CDSF.

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

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

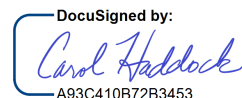
M/WSBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 17% MBE goal and 3% WBE goal for this project.

	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Match & Mix Construction LLC	Concrete Work	\$ 316,148.29	12.00%
2.	C. Sanchez Trucking	Hauling / Trucking	\$ 26,345.69	1.00%
	Total		\$ 342,493.98	13.00%

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Access Data Supply, Inc.	Ready Mix Concrete	\$ 79,037.07	3.00%
	Total		\$ 79,037.07	3.00%

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Professional Traffic Control, LLC	Flagging/Traffic Control	\$ 105,382.76	4.00%
	Total		\$ 105,382.76	4.00%

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

DocuSigned by:

 4/15/2022
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Carol Ellinger Haddock, P.E., Director
 Houston Public Works

WBS No. N-322017-0025-4

Amount and Source of Funding:

\$2,978,026.00 – Fund No. 4040 METRO Projects Construction – DDSRF

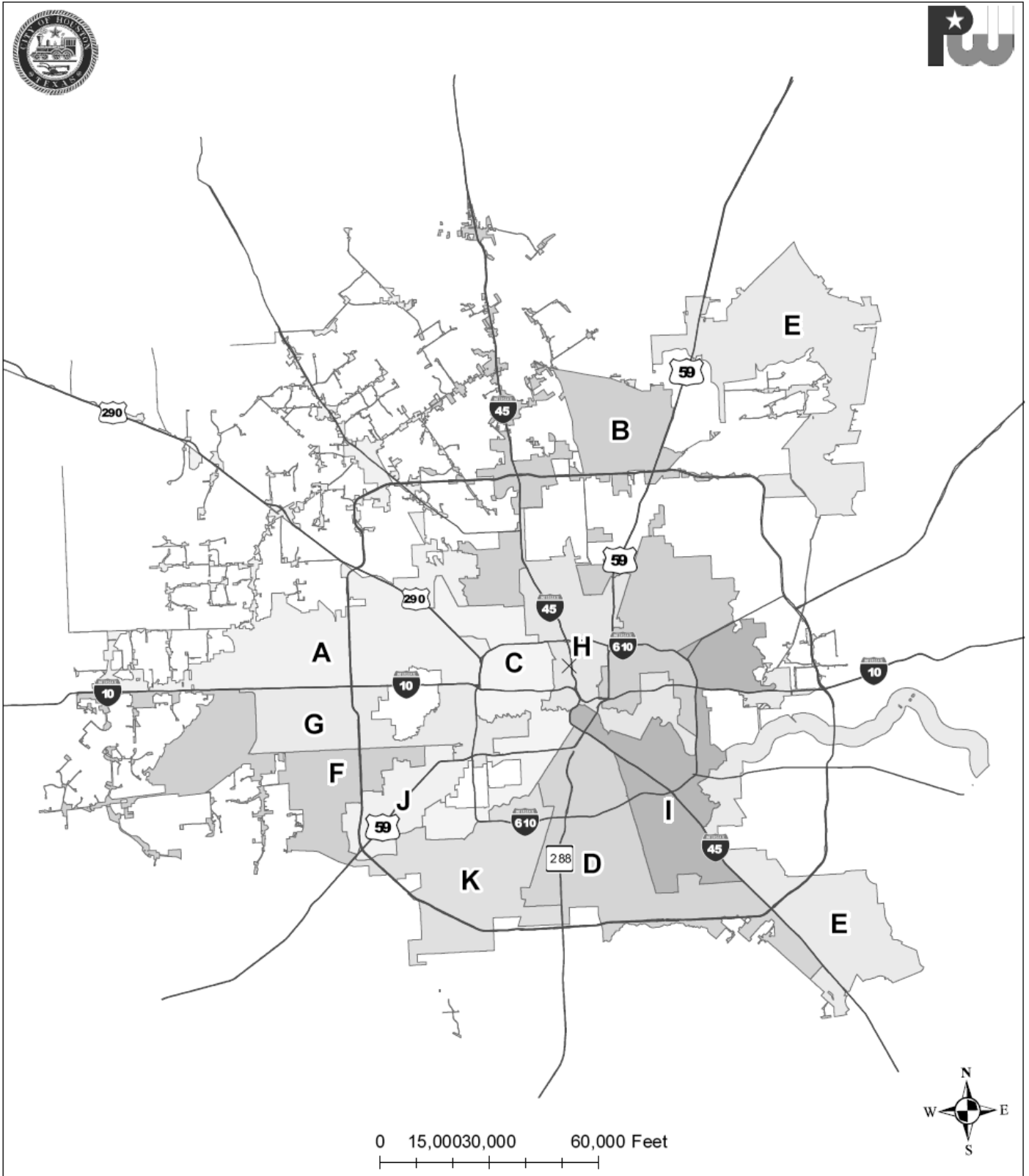
Contact Information:

Michael T. Wahl, P.E., PTOE
 Assistant Director, Transportation and Drainage Operations
 Phone: (832) 395-2443

ATTACHMENTS:

Description	Type
SAP Documents	Financial Information
Map	Backup Material
Hire Houston First	Backup Material
OBO Documentation	Backup Material
Ownership Information Form and Tax Report	Backup Material
Form B – Fair Campaign Ord.	Backup Material
Pay or Play (POP 1-3)	Backup Material
Form 1295	Backup Material
Bid Tabs	Backup Material

Houston Public Works
Transportation & Drainage Operations



Citywide Work Orders for
CDSF Project #8

WBS No. N-322017-0025-4
Citywide

City Council District Map/Vicinity Map



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

District E

Item Creation Date: 2/28/2022

HPW – 20SD171 Contract Award / Industrial TX Corp.

Agenda Item#: 27.

Summary:

ORDINANCE appropriating \$23,068,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP** for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, contingencies, and testing services - **DISTRICT E - MARTIN**

Background:

SUBJECT: Contract Award for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements.

RECOMMENDATION: Award a Construction Contract to Industrial TX Corp., for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program to improve operability, maintainability, and reliability for the East Water Purification Plant to meet existing and future water demand requirements. These improvements are required to comply with the Texas Commission on Environmental Quality and Surface Water Treatment Rule mandated by the United States Environmental Protection Agency.

DESCRIPTION/SCOPE: This project consists of Ton Container Building improvements, demolition and installation of new evaporators and chlorinators, including all associated piping and appurtenances, demolition and installation of new Reverse Osmosis Units, new Chlorinated Polyvinyl Chloride (CPVC) piping from Evaporators to Ejector Stations, new CPVC piping from Ejector Stations to Injection Points, Electrical, installation of temporary Sodium Hypochlorite System, Instrumentation and Programmable Logic Controller (PLC) improvements. The Contract duration for this project is 672 calendar days. This project was designed by Kalluri Group, Inc.

LOCATION: The project is generally bound by Market Street on the north, Clinton Drive on the south, Federal Road on the east, and Holland Avenue on the west.

BIDS: This project was advertised for bidding on 12/3/2021. Bids were received on 1/20/2022.

The three (3) bids are as follows:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	Industrial TX Corp	\$ 20,902,792.50
2.	Reytec Construction	\$ 22,679,000.00
3.	Flintco Industrial	\$ 33,583,045.00

- **AWARD:** It is recommended that this construction contract be awarded to Industrial TX Corp. with a low bid of \$20,902,792.50 and Addenda Numbers 1 and 2 be made a part of this Contract.

- **PROJECT COST:** The total cost of this project is \$23,068,100.00 to be appropriated as follows:

• Bid Amount	\$20,902,792.50
• Contingencies	\$ 1,045,139.62
• Testing Services	\$ 75,000.00
• CIP Cost Recovery	\$ 1,045,167.88

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

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

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

- **M/WSBE PARTICIPATION:** The contractor has submitted the following proposed program to satisfy the 13% MBE goal and 7% WBE goal for this project.

	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Elec-Net Supply LLC	Electrical Equipment	\$ 250,000.00	1.20%
2.	Aviles Painting Contractor	Painting Contractor	\$ 750,000.00	3.59%
3.	C & B Rebar Construction, Inc.	Rebar Contractors	\$ 35,000.00	0.17%
4.	C & B Waterworks, Inc.	Install Mechanical Equipment	\$1,200,000.00	5.74%
5.	NY Trucking Company Inc.	Dump Trucks	\$ 25,000.00	0.12%
	TOTAL		\$2,260,000.00	10.81%

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Macaulay Controls Company	Process Control Instruments	\$1,438,000.00	6.88%
2.	Fleetcard, Inc., DBA Impac Fleet	Fuel Management	\$ 25,000.00	0.12%
3.	Bevco Company, Inc.	Plumbing Supplies	\$ 150,000.00	0.72%
4.	Holes Incorporated	Break Concrete	\$ 17,500.00	0.08%
	TOTAL		\$1,630,500.00	7.80%

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Automation Nation, Inc.	Software Programming	\$ 496,400.00	2.37%
2.	Medcalf Fabrication, Inc.	Structural Steel	\$ 20,000.00	0.10%
	TOTAL		\$ 516,400.00	2.47%

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

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

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

WBS No(s). S-000056-080B-4

Amount and Source of Funding:

\$23,068,100.00 - Fund No. 8500 – Water and Sewer System Consolidated Construction

Contact Information:

R. Jeff Masek, P.E., CCM
Assistant Director, Capital Projects
Phone: (832) 395-2387

ATTACHMENTS:

Description

Signed Coversheet
Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District E

Item Creation Date: 2/28/2022

HPW – 20SD171 Contract Award / Industrial TX Corp.

Agenda Item#:

Background:

SUBJECT: Contract Award for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements.

RECOMMENDATION: Award a Construction Contract to Industrial TX Corp., for East Water Purification Plant Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program to improve operability, maintainability, and reliability for the East Water Purification Plant to meet existing and future water demand requirements. These improvements are required to comply with the Texas Commission on Environmental Quality and Surface Water Treatment Rule mandated by the United States Environmental Protection Agency.

DESCRIPTION/SCOPE: This project consists of Ton Container Building improvements, demolition and installation of new evaporators and chlorinators, including all associated piping and appurtenances, demolition and installation of new Reverse Osmosis Units, new Chlorinated Polyvinyl Chloride (CPVC) piping from Evaporators to Ejector Stations, new CPVC piping from Ejector Stations to Injection Points, Electrical, installation of temporary Sodium Hypochlorite System, Instrumentation and Programmable Logic Controller (PLC) improvements. The Contract duration for this project is 672 calendar days. This project was designed by Kalluri Group, Inc.

LOCATION: The project is generally bound by Market Street on the north, Clinton Drive on the south, Federal Road on the east, and Holland Avenue on the west.

BIDS: This project was advertised for bidding on 12/3/2021. Bids were received on 1/20/2022. The three (3) bids are as follows:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	Industrial TX Corp	\$ 20,902,792.50
2.	Reytec Construction	\$ 22,679,000.00
3.	Flintco Industrial	\$ 33,583,045.00

AWARD: It is recommended that this construction contract be awarded to Industrial TX Corp. with a low bid of \$20,902,792.50 and Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$23,068,100.00 to be appropriated as follows:

• Bid Amount	\$20,902,792.50
• Contingencies	\$ 1,045,139.62
• Testing Services	\$ 75,000.00
• CIP Cost Recovery	\$ 1,045,167.88

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

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

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WSBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 13% MBE goal and 7% WBE goal for this project.

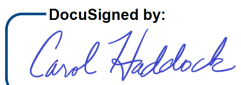
	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Elec-Net Supply LLC	Electrical Equipment	\$ 250,000.00	1.20%
2.	Aviles Painting Contractor	Painting Contractor	\$ 750,000.00	3.59%
3.	C & B Rebar Construction, Inc.	Rebar Contractors	\$ 35,000.00	0.17%
4.	C & B Waterworks, Inc.	Install Mechanical Equipment	\$1,200,000.00	5.74%
5.	NY Trucking Company Inc.	Dump Trucks	<u>\$ 25,000.00</u>	<u>0.12%</u>
	TOTAL		\$2,260,000.00	10.81%

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Macaulay Controls Company	Process Control Instruments	\$1,438,000.00	6.88%
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	TOTAL		\$1,630,500.00	7.80%

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Automation Nation, Inc.	Software Programming	\$ 496,400.00	2.37%
2.	Medcalf Fabrication, Inc.	Structural Steel	<u>\$ 20,000.00</u>	<u>0.10%</u>
	TOTAL		\$ 516,400.00	2.47%

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

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

DocuSigned by:
 4/13/2022
 A93C410B72B3453...
 Carol Ellinger Haddock, P.E., Director
 Houston Public Works

WBS No(s). S-000056-080B-4

Amount and Source of Funding:

\$23,068,100.00 - Fund No. 8500 – Water and Sewer System Consolidated Construction

Contact Information:

R. Jeff Masek, P.E., CCM
 Assistant Director, Capital Projects
 Phone: (832) 395-2387

ATTACHMENTS:

Description	Type
Maps	Backup Material
SAP Documents	Financial Information
OBO Documents	Backup Material
Form B	Backup Material
Ownership Information Form & Tax Report	Backup Material
Pay or Play	Backup Material
Bid Tabulations	Backup Material
Form 1295	Backup Material



Vicinity Map

East Water Purification Plant (EWPP) Chlorine System Improvements Package 2 - Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements
WBS No. S-000056-080B-4
Council District: E
Project Address: 2300 Federal Road, Houston, TX 77015



Council District Map

East Water Purification Plant (EWPP) Chlorine System Improvements Package 2 – Ton Containers, Evaporators, Chlorinators, Ejectors, Piping and Miscellaneous Improvements

WBS No. S-000056-080B-4

Council District: E

Project Address: 2300 Federal Road, Houston, TX 77015

Key Map: 496U, 496Y



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date:

PLN - Motion to set a public hearing date for Chapter 42
Technical Amendments

Agenda Item#: 28.

Summary:

SET A PUBLIC HEARING DATE for Chapter 42 Technical Amendments

HEARING DATE - WEDNESDAY - 9:00 A.M. - May 11, 2022

Background:

The Planning and Development Department has been working with the Livable Places Action Committee (LPAC) to update portions of the City's development code, Chapter 42, to create more opportunities for walkability, affordability and equity. Chapter 42 is the ordinance that establishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction area to promote the health, safety, and general welfare of the city and the safe, orderly healthful development of the city. As part of this effort, the LPAC recommended technical amendments to Chapter 42 and is working on more amendments that will come to city council later this year.

On May 27, 2021, the Planning Commission unanimously approved the technical amendments to Chapter 42. The amendments will clarify and codify certain requirements and policies within the ordinance, eliminate inconsistencies, and add efficiency to the process. The amendments include the following:

- Subdivision naming standards for public hearing applications
- Public notification requirements pertaining to area, time period and signage
- Public hearing notice provision for replats
- Time schedule for the submittal of plat applications
- Street width exception areas
- Clarifying the term "nonresidential" in Section 42-193 as a specific restriction on a plat
- Variance requirements for Special Minimum Lots Size and Special Minimum Building Line applications
- Temporary access easement for utility facilities
- Identifying floodways and floodplains on general plans

Chapter 42 Technical Amendments Timeline:

- Livable Places Action Committee presentation (October 20, 2020)
- Planning Commission public hearing (March 18, 2021)
- 30-day public comment period (March 18 – April 18, 2021)

- Planning Commission action and unanimous approval (May 27, 2021)
- Quality of Life Council Committee presentation (June 23, 2021)
- Quality of Life Council Committee presentation (April 27, 2022)

Chapter 212 of the Texas Local Government Code requires City Council to hold a public hearing before adopting an ordinance amending Chapter 42 of the City's Code of Ordinances. Under Chapter 212 (Sec. 212.002 and 212.044), city council may adopt rules governing plats, subdivisions and development plats after a public hearing on the matter.

The Planning and Development Department recommends setting a public hearing date of Wednesday, May 11, 2022, at 9:00 a.m., in the City Hall Council Chambers.

Margaret Wallace Brown, AICP, CNU-A
Director
Planning and Development Department

Contact Information:

Anna Sedillo, Council Liaison
832-393-6578

Suvidha Bandi, Principal Planner
832-393-6522

ATTACHMENTS:

Description

RCA
Chapter 42 Technical Amendments Summary

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date:

PLN - Motion to set a public hearing date for Chapter 42 Technical Amendments

Agenda Item#: 32.

Summary:

NOT A REAL CAPTION

SET A PUBLIC HEARING DATE for Chapter 42 Technical Amendments

HEARING DATE - WEDNESDAY - 9:00 A.M. - May 11, 2022

Background:

The Planning and Development Department has been working with the Livable Places Action Committee (LPAC) to update portions of the City's development code, Chapter 42, to create more opportunities for walkability, affordability and equity. Chapter 42 is the ordinance that establishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction area to promote the health, safety, and general welfare of the city and the safe, orderly healthful development of the city. As part of this effort, the LPAC recommended technical amendments to Chapter 42 and is working on more amendments that will come to city council later this year.

On May 27, 2021, the Planning Commission unanimously approved the technical amendments to Chapter 42. The amendments will clarify and codify certain requirements and policies within the ordinance, eliminate inconsistencies, and add efficiency to the process. The amendments include the following:

- Subdivision naming standards for public hearing applications
- Public notification requirements pertaining to area, time period and signage
- Public hearing notice provision for replats
- Time schedule for the submittal of plat applications
- Street width exception areas
- Clarifying the term "nonresidential" in Section 42-193 as a specific restriction on a plat
- Variance requirements for Special Minimum Lots Size and Special Minimum Building Line applications
- Temporary access easement for utility facilities
- Identifying floodways and floodplains on general plans

Chapter 42 Technical Amendments Timeline:

- Livable Places Action Committee presentation (October 20, 2020)
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Chapter 212 of the Texas Local Government Code requires City Council to hold a public hearing before adopting an ordinance amending Chapter 42 of the City's Code of Ordinances. Under Chapter 212 (Sec. 212.002 and 212.044), city council may adopt rules governing plats, subdivisions and development plats after a public hearing on the matter.

The Planning and Development Department recommends setting a public hearing date of Wednesday, May 11, 2022, at 9:00 a.m., in the City Hall Council Chambers.

DocuSigned by:

A handwritten signature in blue ink, appearing to read "JWB", is written over a blue rectangular stamp.

81C3A0FD666743D
Margaret Wallace Brown, AICP, CNU-A

Director

Planning and Development Department

Contact Information:

Anna Sedillo, Council Liaison
832-393-6578

Suvidha Bandi, Principal Planner
832-393-6522

ATTACHMENTS:

Description

RCA
Chapter 42 Technical Amendments Summary

Type

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Backup Material

Summary of proposed Chapter 42 Technical Amendments

Houston Planning Commission



PLANNING & DEVELOPMENT DEPARTMENT

1. **Subdivision Naming Standards for Public Hearing applications:** Amend Sec 42-41 to remove the extra naming convention requirement for partial replats requiring public notification. Instead, like all other subdivision plat types, a unique subdivision name would be required. The name of the preceding subdivision(s) will still be required within the legal description on the face of the plat to maintain the connection to the preceding subdivision(s).
2. **Public notification requirements:**
 - Amend Sections 42-49 and 42-83 to revise the notification area and locate all common notification requirements in one section.
 - Amend Section 42-49 and 42-83 to require additional days of notification. Current requirement ranges from 7- 16 days. Amendment proposes minimum 20 days of notice to the neighboring properties within 250' radius of the project.
 - Require the removal of the notification sign(s) within 60 days of the application being acted upon by the Commission, withdrawn by the applicant, or otherwise deemed incomplete or inactive by staff.
3. **Requirements for replats with notice:**
 - Amend Section 42-49 to remove the State Law reference requiring a public hearing for replats of single-family restricted properties and add requirements within this Chapter and conform to amendments made in the legislature.
 - Add a new Section 42-84, on the protest procedure for replat with notice applications requiring a variance and the need for an affirmative vote of at least three-fourth of the members present at the commission meeting.
 - Amend 42-81 to remove reference to protest provision in the State Law and add reference to the new section.
4. **Time for Submitting plat applications:** Amend 42-53 to add reference to the Planning Commission meeting schedule approved by the Planning Commission and published on the department website for each year. The schedule includes information about the submittal dates and Planning Committee meeting dates.
5. **Street width exception areas:** Amend 42-123(c) to accurately identify the boundaries of the Street Width in Place ordinance area where no additional right of way widening for streets is required.
6. **Clarify the term "nonresidential" in 42-193:** Amend 42-193(c)(2) to clarify that the term "nonresidential" here is referring to the specific plat restriction on a recorded plat and does not apply to all nonresidential uses as defined in 42-1.
7. **Variances requirements for Special minimum lot size and Special minimum building line applications:** Amend 42-81(a) to clarify that the applicant does not have to justify the five statement of facts while requesting a variance for properties within special minimum lot size and special minimum building line areas considering the vested rights.
8. **Temporary access easement for utility facilities:** Amend 42-190 to allow utility facilities like water/wastewater treatment plants and lift stations to have access via an access easement 30' wide temporarily that follows the street pattern within the general plan until the streets are recorded with abutting sections.
9. **Identify floodways and floodplains on General Plans:** Amend 42-24 and 42-50 to require identification of floodplains and floodways on the General plan as it is an existing condition.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/3/2022

ALL

Item Creation Date:

MYR-RCA FOR ORDINANCE AMENDING CHPT 44 2022

Agenda Item#: 29.

Summary:

ORDINANCE **AMENDING AND READOPTING ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to guidelines and criteria for Tax Abatements; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability; containing a savings clause

TAGGED BY COUNCIL MEMBER JACKSON

This was Item 16 on Agenda of April 27, 2022

Background:

SUBJECT: An Ordinance readopting Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas, relating to tax abatements; providing for an effective date; providing for severability; and containing a savings clause.

RECOMMENDATION:

Approve an Ordinance readopting Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas, relating to tax abatements; providing for an effective date; providing for severability; and containing a savings clause.

SPECIFIC EXPLANATION:

Before entering into tax abatement agreements, Texas Tax Code Section 312.002(a) requires cities to adopt tax abatement guidelines and criteria and elect to become eligible to participate in tax abatement. Each approved abatement agreement must meet those guidelines. City Council last adopted tax abatement guidelines and criteria effective May 19, 2020, by Ordinance No. 2020-424, which were amended on December 16, 2020, by Ordinance No. 2020-1091, as codified in Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas ("Tax Abatement Ordinance"). The current Tax Abatement Ordinance is set to expire on May 19, 2022. The Mayor's Office of Economic Development recommends readopting the current Tax Abatement Ordinance effective for 2 years and electing to continue the City's eligibility to participate in tax abatement.

Andrew F. Icken, Chief Development Officer

Prior Council Action:

Ord. No. 2020-424, 5/19/2020;
Ord. No. 2020-1091, 12/16/2020

Contact Information:

Gwendolyn Tillotson, Deputy Director
City of Houston, Mayor's Office

Phone: 832.393.0937

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 4/27/2022

ALL

Item Creation Date:

MYR-RCA FOR ORDINANCE AMENDING CHPT 44 2022

Agenda Item#:

Background:

SUBJECT: An Ordinance readopting Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas, relating to tax abatements; providing for an effective date; providing for severability; and containing a savings clause.

RECOMMENDATION:

Approve an Ordinance readopting Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas, relating to tax abatements; providing for an effective date; providing for severability; and containing a savings clause.

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Prior Council Action:

Ord. No. 2020-424, 5/19/2020;

Ord. No. 2020-1091, 12/16/2020

Amount and Source of Funding:

None

Contact Information:

DocuSigned by:

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

Andrew F. Tcken, Chief Development Officer

Gwendolyn Tillotson

Phone: (832.393.0937)

ATTACHMENTS:

Description

PCA 2020-1091

PCA 2020-424

Type

Backup Material

Backup Material