

AGENDA

CITY OF HOUSTON ■ CITY COUNCIL

May 24 & 25, 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 24, 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 Peck

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# 631 639 608#. Details for signing up to speak in-person or virtually are posted at <https://www.houstontx.gov/council/meetingsinfo.html>.

Members of the public may attend the Wednesday Council session in person, or via Teams at (936) 755-1521, Conference ID# 979 414 20# but no public comment will be allowed outside of the two public hearings.

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

SP05-24-2022

RECESS

RECONVENE

WEDNESDAY - MAY 25, 2022 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY

THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARINGS

1. **9:00 A.M. PUBLIC HEARING** on the City Budgets for the time period July 1, 2022 through June 30, 2023
2. **PUBLIC HEARING** relative to the sale of a 0.268-acre park site known as **STUDEMONT SPACEWAY**
3. **ORDINANCE** making findings concerning the use or permanent taking of a 0.2600 acre of park land known as Studemont Spaceway located at 800 Studemont Street, south of Washington Avenue and north of Memorial Drive
This item should only be considered after passage of Item 2 above

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 4 through 33

MISCELLANEOUS - NUMBER 4

4. **RECOMMENDATION** from Director Administration & Regulatory Affairs Department for the designation of a Residential Parking Permit Area in the 1300 block of Moy St. Park, 5100-5200 blocks of Allen, 100 block of Avondale, 2200 block of Whitney, 500 block of Rose, 3100-3200 blocks of Reba and in the 2000 block of Schuler - **DISTRICTS C - KAMIN and G - HUFFMAN**

ACCEPT WORK - NUMBERS 5 through 7

5. **RECOMMENDATION** from Director of General Services Department for approval of final contract amount of \$7,273,474.72 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for the Construction Manager at Risk contract for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney - 10.94% under the original construction amount and under the approved 10% contingency - **DISTRICT I - GALLEGOS**
6. **RECOMMENDATION** from Director Houston Public Works for approval of final contract amount of \$15,496,027.46 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION L.P.**, for Chelford City Diversion Package No. 1: 60-Inch Sanitary Sewer Along Westpark Drive from Dairy Ashford Road to Houston Center Boulevard - 3.11% under the original Contract Amount – **DISTRICT F - THOMAS**
7. **RECOMMENDATION** from Director Houston Public Works for approval of final contract amount of \$12,694,137.45 and acceptance of work on contract with **BOYER, INC** for Diversion and Abandonment of Kirkwood #3 Lift Station to New Harvest Moon Lift Station - 1.04% under the original Contract Amount - **DISTRICT G - HUFFMAN**

PROPERTY - NUMBER 8

8. RECOMMENDATION from City Attorney to settle the condemnation matter of City of Houston v. VSD, LLC, et al.; Cause No. 1111523, for an additional \$72,246.00 above the award of the Special Commissioners for a total compensation of \$130,000.00

PURCHASING and TABULATION OF BIDS - NUMBERS 9 through 12

9. **KINLOCH EQUIPMENT & SUPPLY, INC** for Bergkamp Replacement Parts for the Fleet Management Department - 3 Years with 2 one-year options - \$2,419,975.02 - Fleet Management Fund
10. **GLOBE ELECTRIC SUPPLY CO., INC** for Reflective Vinyl Tape for Houston Public Works - 3 Years with 2 one-year options - \$440,370.00 - Enterprise Fund
11. **HOP INDUSTRIES, INC** for Traffic Signal Poles for Houston Public Works - 3 Years with 2 one-year options - \$273,360.00 - Special Fund
12. **VEGA AMERICAS, INC** for Level Measurement Devices for Houston Public Works - 3 Years with 2 one-year options - \$323,850.00 - Enterprise Fund

RESOLUTIONS - NUMBER 13

13. RESOLUTION of Assurances of Support for the 2024 Democratic National Convention

ORDINANCES - NUMBERS 14 through 33

14. ORDINANCE approving and authorizing third amendment to contract between City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** to extend term of contract and provide additional Housing Opportunities for Persons With AIDS Funds for the continuing operation of a Job Services Program including Supportive Services - \$175,000.00 - Grant Fund
15. ORDINANCE approving and authorizing third amendment to contract between City of Houston and **THE WOMEN'S HOME**, extending term of contract and providing additional Community Development Block Grant Funds for the continuing administration and operation of a Homeless Services Program - \$924,744.71 - Grant Fund
16. ORDINANCE appropriating \$15,656,686.00 out of Airports Renewal and Replacement Fund as additional appropriation to Construction Contract between City of Houston and **FLATIRON CONSTRUCTORS, INC** for Airfield Pavement Repairs at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Airport; (Project 460C) - **DISTRICTS B - JACKSON, E - MARTIN and I - GALLEGOS**
17. ORDINANCE appropriating \$127,960.00 out of Equipment Acquisition

Consolidated Fund for Equipment and Other Purchases for the Houston Fire Department

18. ORDINANCE amending the City's Master Classification Plan (City of Houston Ordinance No. 1998-834, as most recently amended by City of Houston Ordinance No. 2022-245); to add two (2) classifications and deleting/delimiting three (3) job classifications; providing a repealer
19. ORDINANCE appropriating \$50,000.00 out of Miscellaneous Capital Projects/Acquisitions CP Series E Fund as an additional appropriation to Professional Architectural Services Contract with **REY DE LA REZA ARCHITECTS, INC** for City Hall Basement Restoration (Hurricane Harvey) (Approved by Ordinance No. 2019-0317) - **DISTRICT I - GALLEGOS**
20. ORDINANCE approving and authorizing first amendment to agreement for Moving and Storage of Household Goods between City of Houston and **APMS OF HOUSTON, LLC dba ALL POINTS MOVING AND STORAGE** for the Houston Housing and Community Development Department
21. ORDINANCE approving and awarding contract between City of Houston and **HERITAGE-CRYSTAL CLEAN, LLC** for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$791,888.37 - General, Enterprise and Other Funds
22. ORDINANCE awarding contract to **EASY ICE, LLC** for the lease of Ice Machines and Combination Ice Machines/Water Dispensers for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$3,532,743.36 - General, Enterprise and Other Funds
23. ORDINANCE approving and authorizing agreement for Professional Planning Services between City of Houston and **JENSEN HUGHES, INC** to provide Hurricane Harvey Community Development Block Grant – Disaster Recovery Funds for Professional Planning Services to facilitate the modernization of the City's Construction Code; setting a maximum contract amount – 2 Years with 1 one-year option - \$2,098,533.00 - Grant Fund
24. ORDINANCE amending Ordinance No. 2022-271 to increase the maximum contract amount and approving and authorizing first amendment to agreement between City of Houston and **THE HARRIS CENTER FOR MENTAL HEALTH AND IDD** for the creation and operation of a Crisis Call Diversion and Mobile Crisis Outreach Team Rapid Response Program for the Houston Police Department; providing a maximum contract amount - \$1,433,793.00 - ARPA Recovery Fund
25. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between City of Houston and **HARRIS COUNTY** relating to construction and operation of the Joint Processing Center; (Approved by Ordinance No. 2015-0896)
26. ORDINANCE consenting to the addition of 38.566 acres of land to **FORT BEND COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**, for inclusion in its district
27. ORDINANCE consenting to the creation of **EAST LAKE HOUSTON MANAGEMENT DISTRICT**, and the inclusion of 434.036 acres of land into

- the district
28. ORDINANCE approving and authorizing first amendment to Utility Functions and Services Agreement between City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390** (Approved by Ordinance No. 2002-0764) to limit City of Houston's Rebate obligation relating to Harris County Municipal Utility District No. 390's land expansion - **DISTRICT D - EVANS-SHABAZZ**
29. ORDINANCE consenting to the addition of 55.352 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390**, for inclusion in its district - **DISTRICT D - EVANS-SHABAZZ**
This item should only be considered after passage of Item 28 above
30. ORDINANCE approving and authorizing Groundwater Reduction Plan Wholesale Agreement between City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 525** to achieve Harris-Galveston Subsidence District Compliance
31. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of East Parker Road right of way at the intersection of Airline Drive; abandoning the easement to Louis Macey, Trustee and Fountainview Partnership #1, Tenants in common and the abutting property owners, in exchange for a cash payment of \$43,640.00 and conveyance to the City of a 25-foot-wide sanitary sewer easement, all easements being situated in the H.&T.C.R.R. Survey, Abstract No. 429, Harris County, Texas, and other good and valuable consideration - **DISTRICT H - CISNEROS**
32. ORDINANCE appropriating \$5,326,200.00 out of Metro Projects Construction DDSRF Funds; approving and authorizing Interlocal Agreement between City of Houston, Texas, and **UPTOWN DEVELOPMENT AUTHORITY** for Memorial Drive Panel Replacement Project - **DISTRICT C - KAMIN**
33. ORDINANCE appropriating \$9,109,450.82 out of Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax and \$3,527,683.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford; 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 Drainage and Street Renewal Capital Fund-Ad Valorem Tax and Water & Sewer System Consolidated Construction Fund, contingency and testing services - **DISTRICT F - THOMAS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 34

NON-CONSENT - MISCELLANEOUS

34. REVIEW on the Record and make determination relative to the appeal from the decision of the Sign Administration, on denial of an Off Premise Sign at 7007 Gulf Freeway, filed by Stephanie Stewart, on behalf of Chick-Fil-A

MATTERS HELD - NUMBER 35

35. ORDINANCE approving and authorizing first amendment for Job Order Contracts between City of Houston and **BROWN & ROOT INDUSTRIAL SERVICES, LLC, HORIZON INTERNATIONAL GROUP, LLC, and JAMAIL & SMITH CONSTRUCTION, LP**, for the Houston Airport System (Project Nos. 516J, 516L, 516M) - **DISTRICTS B - JACKSON; E - MARTIN and I - GALLEGOS**
TAGGED BY COUNCIL MEMBERS THOMAS, POLLARD and PLUMMER
This was Item 12 on Agenda of May 18, 2022

MATTERS TO BE PRESENTED BY COUNCIL - Council Member Castex-Tatum 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: 5/24/2022

Item Creation Date:

Members of the public may attend the Wednesday Council session in person, or via Teams at (936) 755-1521, Conference ID# 979 414 20# but no public comment will be allowed outside of the two public hearings.

Agenda Item#:



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

SP05-24-2022

Agenda Item#:

ATTACHMENTS:

Description	Type
SP05-24-2022	Signed Cover sheet

**CITY COUNCIL CHAMBER – HYBRID MEETING – TUESDAY
MAY 24, 2022 – 2:00 PM**

AGENDA

3 MIN	3 MIN	3 MIN
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NON-AGENDA

2 MIN	2 MIN	2 MIN
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3 MIN	3 MIN	3 MIN
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- JOHN EGGING – 406 Rosalie St. – 77006 – 917-723-3054 – Complaint on bar – **(In Person)**
- VINCENT COLBERT – 2656 S. Loop West, #225 – 77054 – 713-728-4617 – Systemic issues in the City – **(In Person)**
- JEANA WILEY – No Address – 346-347-0285 – Rental control – **(In Person)**
- JOSEPH BALLARD – 6302 Rocky Nook Dr. – Humble, TX – 77396 – 281-850-0388 – Community nuisance – **(In Person)**
- GEORGE LABLANCHE – 12806 Southspring Dr. – 77047 – 832-901-5109 – Illegal Dumping/Access to Hwy 288 – **(In Person)**
- SHANE STINSON – 644 E. 10 ½ St. – 77008 – 713-304-2564 – 11th Street Project – **(In Person)**

PREVIOUS

1 MIN	1 MIN	1 MIN
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- BARBARA REA – 910 Silver Rd., #D3 – 77024 – 832-250-3714 – T-Mobile/AT&T – **(In Person)**
- DEBORAH ELAINE ALLEN – Post Office Box 263252 – 77027 – 346-260-1574 – Will appear to express opinion – **(Teleconference)**
- JONATHAN WEIGAND – 1116 Banks St., #13 – 77006 – 713-560-9520 – My time in Houston (26 years) – **(In Person)**
- JERRY GAUSE – 624 E. 10 ½ St. – 77008 – 832-452-5788 – 11th Street Project – **(In Person)**



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 5/3/2022

FIN FY2023 PUBLIC HEARING

Agenda Item#: 1.

Summary:

9:00 A.M. PUBLIC HEARING on the City Budgets for the time period July 1, 2022 through June 30, 2023

Background:

Public Hearing on the FY2023 Proposed Operating Budget.

Recommendation: (Summary)

City Council call a public hearing on the FY2023 Proposed Operating Budget for May 25, 2022 and authorize the City Secretary to publish notice.

Specific Explanation:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006 of the Texas Local Government Code), a public hearing is required on the FY2023 Proposed Operating Budget. The hearing will be held virtually via Microsoft Teams and in person at 9:00a.m. on May 25, 2022 in City Council Chambers.

Tantri Emo
Director of Finance

Contact Information:

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

ATTACHMENTS:

Description	Type
Signed RCA Coversheet	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/10/2022

ALL

Item Creation Date: 5/3/2022

FIN FY2023 PUBLIC HEARING

Agenda Item#: 10.

Background:

A resolution providing for a Public Hearing on the FY2023 Proposed Operating Budget.

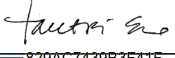
Recommendation: (Summary)

City Council call a public hearing on the FY2023 Proposed Operating Budget for May 25, 2022 and authorize the City Secretary to publish notice.

Specific Explanation:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006 of the Texas Local Government Code), a public hearing is required on the FY2023 Proposed Operating Budget. The hearing will be held virtually via Microsoft Teams and in person at 9:00a.m. on May 25, 2022 in City Council Chambers.

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Tantri Emo
Director of Finance

Contact Information:

William Jones, Deputy Director ^{DS}
Phone: 832-393-9080 



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District C

Item Creation Date: 3/2/2022

PRD - Public Hearing on the sale of Studemont Spaceway

Agenda Item#: 2.

Summary:

PUBLIC HEARING relative to the sale of a 0.268-acre park site known as **STUEMONT SPACEWAY**

Background:

The Houston Parks and Recreation Department (HPARD) recommends sale of a 0.268-acre park site known as Studemont Spaceway to the adjacent developer, BKR Memorial who will repurpose the site as part of the Buffalo Heights mixed use development project.

Texas Parks and Wildlife Code Chapter 26 requires the City to publish three public notices and hold a public hearing prior to authorizing the use or taking of park land for non-park purposes. Notices will be published in the Houston Chronicle.

Chapter 253 of the Local Government Code also requires a public hearing followed by a 60-day petition period.

At a later date, an ordinance will be presented to Council to make findings relating to the public hearing.

The proposed date for the public hearing to meet the requirement of both Texas Parks and Wildlife Code Chapter 26 and Chapter 253 of the Local Government code is May 25, 2022.

Director's Signature

Kenneth Allen, Director
Houston Parks and Recreation Department

Contact Information:

Jarrel Washington
Phone: 832-395-7069

Email: Jarrel.Washington@houstontx.gov

ATTACHMENTS:

Description

Type



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District C, District G

Item Creation Date: 5/5/2022

ARA - Residential Permit Parking

Agenda Item#: 4.

Summary:

RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a Residential Parking Permit Area in the 1300 block of Moy St. Park, 5100-5200 blocks of Allen, 100 block of Avondale, 2200 block of Whitney, 500 block of Rose, 3100-3200 blocks of Reba and in the 2000 block of Schuler - **DISTRICTS C - KAMIN and G - HUFFMAN**

Background:

The Administration and Regulatory Affairs Department recommends that the following proposed areas be designated as a Residential Permit Parking (RPP) area and that a valid permit be required for on-street parking at the times of day and days of the week specified below.

RPP# 072721-22-350

- 1300 block of Moy St. Park and 5100 – 5200 blocks of Allen
- Days/Times: Wednesday – Sunday, 10 PM – 5 AM, tow-away zone

RPP# 102121-24-360

- 100 block of Avondale
- Days/Times: Monday – Sunday, 5 PM – 11 PM, tow-away zone

RPP# 113021-24-358

- 2200 block of Whitney
- Days/Times: Wednesday – Sunday, 11 PM – 5 AM, tow-away zone

RPP# 011322-22-359

- 5300 block of Rose
- Days/Times: Wednesday – Sunday, 10 PM – 5 AM, tow-away zone

RPP# 022822-23-361

- 3100 – 3200 blocks of Reba
- Days/Times: Monday – Friday, 7 AM – 9 AM, tow-away zone

RPP# 022822-24-362

- 2000 block of Converse
- Days/Times: Wednesday – Sunday, 11 PM – 5 AM, tow-away zone

Chapter 26, Section 26-311 of the City of Houston's Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 196 permit parking areas have been designated.

The Administration and Regulatory Affairs and Houston Public Works reviewed the applications and held a virtual public hearing on May 3, 2022, to discuss and ensure any outstanding issues with the proposed area were satisfactorily resolved within the community. The required public hearing notice was sent to all addresses within a 200 ft. boundary of the requested zone as well and the Super Neighborhood Council.

Fiscal Note

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

Departmental Approval Authority:

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

Other Authorization

Contact Information:

Maria Irshad Phone: (832) 393-8643
Naelah Yahya Phone: (832) 393-8530

ATTACHMENTS:

Description

5.6.2022 Residential Permit Parking cover
sheet signed

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

District C, District G

Item Creation Date: 5/5/2022

ARA - Residential Permit Parking

Agenda Item#: 2.

Background:

The Administration and Regulatory Affairs Department recommends that the following proposed areas be designated as a Residential Permit Parking (RPP) area and that a valid permit be required for on-street parking at the times of day and days of the week specified below.

RPP# 072721-22-350

- 1300 block of Moy St. Park and 5100 – 5200 blocks of Allen
- Days/Times: Wednesday - Sunday, 10 PM – 5 AM, tow-away zone

RPP# 102121-24-360

- 100 block of Avondale
- Days/Times: Monday – Sunday, 5 PM – 11 PM, tow-away zone

RPP# 113021-24-358

- 2200 block of Whitney
- Days/Times: Wednesday – Sunday, 11 PM – 5 AM, tow-away zone

RPP# 011322-22-359

- 5300 block of Rose
- Days/Times: Wednesday – Sunday, 10 PM – 5 AM, tow-away zone

RPP# 022822-23-361

- 3100 – 3200 blocks of Reba
- Days/Times: Monday – Friday, 7 AM – 9 AM, tow-away zone

RPP# 022822-24-362

- 2000 block of Converse
- Days/Times: Wednesday – Sunday, 11 PM – 5 AM, tow-away zone

Chapter 26, Section 26-311 of the City of Houston's Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 196 permit parking areas have been designated.

The Administration and Regulatory Affairs and Houston Public Works reviewed the applications and held a virtual public hearing on May 3, 2022, to discuss and ensure any outstanding issues with the proposed area were satisfactorily resolved within the community. The required public hearing notice was sent to all addresses within a 200 ft. boundary of the requested zone as well and the Super Neighborhood Council.

Fiscal Note

There is no impact to the fiscal budget and no additional spending authority. 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:

Maria Irshad Phone: (832) 393-8643
Naelah Yahya Phone: (832) 393-8530



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District I

Item Creation Date: 4/29/2022

25CONS510 – Accept Work – 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney - Times Construction, Inc.

Agenda Item#: 5.

Summary:

RECOMMENDATION from Director of General Services Department for approval of final contract amount of \$7,273,474.72 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for the Construction Manager at Risk contract for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney - 10.94% under the original construction amount and under the approved 10% contingency - **DISTRICT I - GALLEGOS**

Background:

RECOMMENDATION: The General Services Department recommends approval of a final contract amount of \$7,273,474.72 and acceptance of work on the Construction Manager at Risk contract with Times Construction, Inc., for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney – 10.35% under the original construction amount and under the approved 10% contingency.

SPECIFIC EXPLANATION: On December 19, 2018, by Ordinance No. 2018-1018, City Council awarded a Construction Manager at Risk (CMAR) contract to Times Construction, Inc., to provide pre-construction and construction phase services for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and for the 2805 McKinney Project and appropriated \$7,163,800.00 for pre-construction and construction phase services. On October 16, 2019, by Ordinance No. 2019-797, City Council approved an additional appropriation of \$1,733,331.00 to the CMAR contract with Times Construction, Inc. to replace the HVAC system on level 2 and increase the inground detention at 2805 McKinney. On November 10, 2020, by Ordinance No. 2020-953, City Council approved a de-appropriation of \$450,000.00 from the CMAR contract with Times Construction, Inc. and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to renovate the 5th Floor of 611 Walker to accommodate the Strategic Procurement Division. On February 24, 2021, by Ordinance No. 2021-133, City Council approved a de-appropriation of \$1,000,000.00 from the CMAR contract with Times Construction, Inc. and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to delete the parking lot at 2805 McKinney from the CMAR contract with Times Construction, Inc. for other projects.

The General Services Department (GSD) and Times Construction, Inc. agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of \$3,796,767.96 for 611 Walker 8th and 9th Floors, a GMP in the amount of \$2,643,354.64 for 2805 McKinney 2nd and 3rd Floors,

and a GMP for \$1,673,184.00 for the 2805 McKinney parking lot and elevator. The three GMPs total \$8,113,306.60. GSD recommends that City Council approve the final construction amount of \$7,273,474.72, or 10.35% under the original GMPs (the original construction amount), accept the work and authorize final payment to Times Construction, Inc.

PROJECT LOCATION: 611 Walker St., Houston, Texas 77002 and 2805 McKinney St., Houston, Texas 77003

PROJECT DESCRIPTION: This project renovated the 8th and 9th Floors at 611 Walker for the Houston Information Technology Services Department (HITS). It removed all water damaged materials due to a broken fire sprinkler and reconfigured the floor layout to increase the quantity of workstations. The project also renovated the 2nd and 3rd Floors of 2805 McKinney for the 311 Call Center including a new elevator, administrative offices, breakroom, and conference room.

CONTRACT COMPLETION AND COST: The contractor completed the project within 483 days: the original contract time of 327 days, plus 156 days approved by Change Orders. The final cost of the project, including Change Orders is \$7,273,474.72, a decrease of \$839,831.88 under the original GMPs.

PREVIOUS CHANGE ORDERS:

611 Walker 8th and 9th Floors: Change Order No. 1 included renovations to the ADA restrooms, complete replacement of the fire alarm system, revised the lighting plan for a credit, changed the building automation control system subcontractor, and replaced the plumbing lines in the restrooms. Change Order No. 2 included repairs to the existing ductwork, procurement for security equipment, electrical work for additional monitors, deleted white glass marker boards, architectural metal ceiling in break rooms, changed the toilet partition type, and added generator power for the Security Operations Center (SOC) equipment. Change Order No. 3 included moving services for donated furniture, Construction Administration services for the SOC, Mecho shades for the windows, and deleted the unused CMAR contingency for a credit. Change Order No. 4 included matching Spinneybeck panel to the 9th floor, door locks at management doors, and ceiling panels in the elevator lobbies.

2805 McKinney 2nd and 3rd Floors: Change Order No. 1 included plumbing changes and repairs to the existing damaged fireproofing to meet building codes. Change Order No. 2 included a door for security, replacing the existing mechanical piping, replacing the existing failed lighting contactors, new wall to conceal existing plumbing, additional security access items, electrical revisions in IT rooms, and relocation of mechanical room plumbing. Change Order No. 3 included credits for moving and project savings and an additional 100 days.

2805 McKinney Parking Lot and Elevator: Change Order No. 1 added additional security cameras. Change Orders No. 2 and 3 deleted the parking lot scope of work. Change Order No. 4 added 156 days to the construction duration.

CONSTRUCTION GOALS: The advertised M/WBE contract goals for this project were 18% MBE and 10% WBE (28% total). The M/W/SBE goals approved for this project were 18% MBE and 10% WBE (28% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 20.84% MBE and 16.23% WBE (37.07% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Outstanding for the following

reasons: Times Construction, Inc. exceeded the MBE and WBE goals on this contract and made good faith efforts to utilize all goal credit subcontractors to full capacity. For the reasons listed, Times Construction, Inc. performance exceeded expectations and meets the intent and the spirit of the City's MWSBE program.

WBS No: D-200002-0001-4

DIRECTOR'S SIGNATURE/DATE:

C. J. Messiah, Jr.
General Services Department

Carol Ellinger Haddock, P.E.
Houston Public Works

Prior Council Action:

Ordinance No. 2018-1018, Dated December 19, 2018
Ordinance No. 2019-797, Dated October 16, 2019
Ordinance No. 2020-953, Dated November 10, 2020
Ordinance No. 2021-133, Dated February 24, 2021

Amount and Source of Funding:

No Additional Funding Required

Previous Funding:

\$ 7,447,131.00 PWE – W&S System Consolidated Construction Fund (8500)

Contact Information:

Enid M. Howard
Council Liaison
Phone: 832.393.8023

ATTACHMENTS:

Description

Signed Coversheet
25CONS510 - Maps
25CONS510 - Client Signature

Type

Signed Cover sheet
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/18/2022

District I

Item Creation Date: 4/29/2022

25CONS510 – Accept Work – 611 Walker 5th, 8th, and 9th floors, and 2805 McKinney -
Times Construction, Inc.

Agenda Item#: 2.

Summary:

NOT A REAL CAPTION

RECOMMENDATION from Director of General Services Department for approval of final contract amount of \$7,273,474.72 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for the Construction Manager at Risk contract with Times Construction, Inc., for the Renovation and relocation at 611 Walker 5th, 8th, and 9th floors, and 2805 McKinney - 10.94% under the original construction amount - **DISTRICT I - GALLEGOS**

Background:

RECOMMENDATION: The General Services Department recommends approval of a final contract amount of \$7,273,474.72 and acceptance of work on the Construction Manager at Risk contract with Times Construction, Inc., for the Renovation and relocation at 611 Walker 5th, 8th, and 9th floors, and 2805 McKinney – 10.94% under the original construction amount and under the approved 10% contingency.

SPECIFIC EXPLANATION: On December 19, 2018, by Ordinance No. 2018-1018, City Council awarded a Construction Manager at Risk (CMAR) contract to Times Construction, Inc., to provide pre-construction and construction phase services for the Renovation and relocation at 611 Walker 5th, 8th, and 9th floors, and for the 2805 McKinney Project and appropriated \$7,163,800.00 for pre-construction and construction phase services. On October 16, 2019, by Ordinance No. 2019-797, City Council approved an additional appropriation of \$1,733,331.00 to CMAR contract with Times Construction, Inc. to replace the HVAC system on level 2 and increase the inground detention at 2805 McKinney. On November 10, 2020, by Ordinance No. 2020-953, City Council approved a de-appropriation of \$450,000.00 from the CMAR contract with Times Construction, Inc. and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to renovate the 5th floor of 611 Walker to accommodate the Strategic Procurement Division. On February 23, 2021, by Ordinance No. 2021-133, City Council approved a de-appropriation of \$1,000,000.00 from the CMAR contract with Times Construction and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to delete the parking lot at 2805 McKinney from the CMAR contract with Times Construction, Inc. for other projects.

The General Services Department (GSD) and Times Construction, Inc. agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of \$3,796,767.96 for 611 Walker 8th and 9th floors, a GMP in the amount of \$2,643,354.64 for 2805 McKinney 2nd and 3rd floors, and a GMP for \$1,673,184.00 for the 2805 McKinney parking lot and elevator. The three GMPs total \$8,113,306.60. GSD recommends that City Council approve the final construction amount of \$7,225,708.22, or 10.94% under the original GMPs, accept the work and authorize final payment to Times Construction, Inc.

PROJECT LOCATION: 611 Walker St., Houston, TX 77002 and 2805 McKinney St., Houston, TX 77003

PROJECT DESCRIPTION: This project renovated the 8th and 9th floors at 611 Walker for the Houston Information Technology Services Department (HITS). It removed all water damaged materials due to a broken fire sprinkler and reconfigured the floor layout to increase the quantity of workstations. The project also renovated the 2nd and 3rd floors of 2805 McKinney for the 311 Call Center with a new elevator, administrative offices, breakroom, and conference room.

CONTRACT COMPLETION AND COST: The contractor completed the project within 483 days: the original contract time of 327 days, plus 156 days approved by Change Orders. The final cost of the project, including Change Orders is \$7,273,474.72, a decrease of \$887,598.38 under the original GMPs.

PREVIOUS CHANGE ORDERS:

611 Walker 8th and 9th floors: Change Order No. 1 included renovations to the ADA restrooms, complete replacement of the fire alarm system, revised the lighting plan for a credit, changed the building automation control system subcontractor, and replaced the plumbing lines in the restrooms. Change Order No. 2 included repairs to the existing ductwork, procurement for security equipment, electrical work for additional monitors, deleted white glass marker boards, architectural metal ceiling in break rooms, changed the toilet partition type, and added generator power for the SOC room equipment. Change Order No. 3 included moving services for donated furniture, Construction Administration services for the SOC room, Mecho shades for the windows, and deleted the unused CMAR contingency for a credit. Change Order No. 4 included matching Spinneybeck panel to the 9th floor, door locks at management doors, and ceiling panels in the elevator lobbies.

2805 McKinney 2nd and 3rd floors: Change Order No. 1 included plumbing changes and repairs to the existing damaged fireproofing to meet building codes. Change Order No. 2 included a door for security, replacing the existing mechanical piping, replacing the existing failed lighting contactors, new wall to conceal existing plumbing, additional security access items, electrical revisions in IT rooms, and relocation of mechanical room plumbing. Change Order No. 3 included credits for moving and project savings and an additional 100 days.

2805 Parking lot and elevator: Change Order No. 1 included additional security cameras. Change Orders No. 2 and 3 deleted the parking lot. Change Order No. 4 added 156 days.

CONSTRUCTION GOALS: The advertised M/WBE contract goals for this project were 18% MBE and 10% WBE (28% total). The M/W/SBE goals approved for this project were 18% MBE and 10% WBE (28% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 20.84% MBE and 16.23% WBE (37.07% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Outstanding for the following reasons: Times Construction, Inc. exceeded the MBE and WBE goals on this contract and made good faith efforts to utilize all goal credit subcontractors to full capacity. For the reasons listed, Times Construction, Inc. performance exceeded our expectations and meets the intent and the spirit of the City's MWSBE program.

WBS No: D-200002-0001-4

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:

C. J. Messiah, Jr.

5/10/2022

C. J. Messiah, Jr.

General Services Department

Carol Ellinger Haddock, P.E.
Houston Public Works

Prior Council Action:

Ordinance No. 2018-1018, Dated December 19, 2018
Ordinance No. 2019-797, Dated October 16, 2019
Ordinance No. 2020-953, Dated November 10, 2020
Ordinance No. 2021-133, Dated February 24, 2021

Amount and Source of Funding:

No Additional Funding Required

Previous Funding:

\$ 7,447,131.00 PWE – W&S System Consolidated Construction Fund (8500)

Contact Information

Enid M. Howard
Council Liaison

Phone: 832.393.8023

ATTACHMENTS:

Description

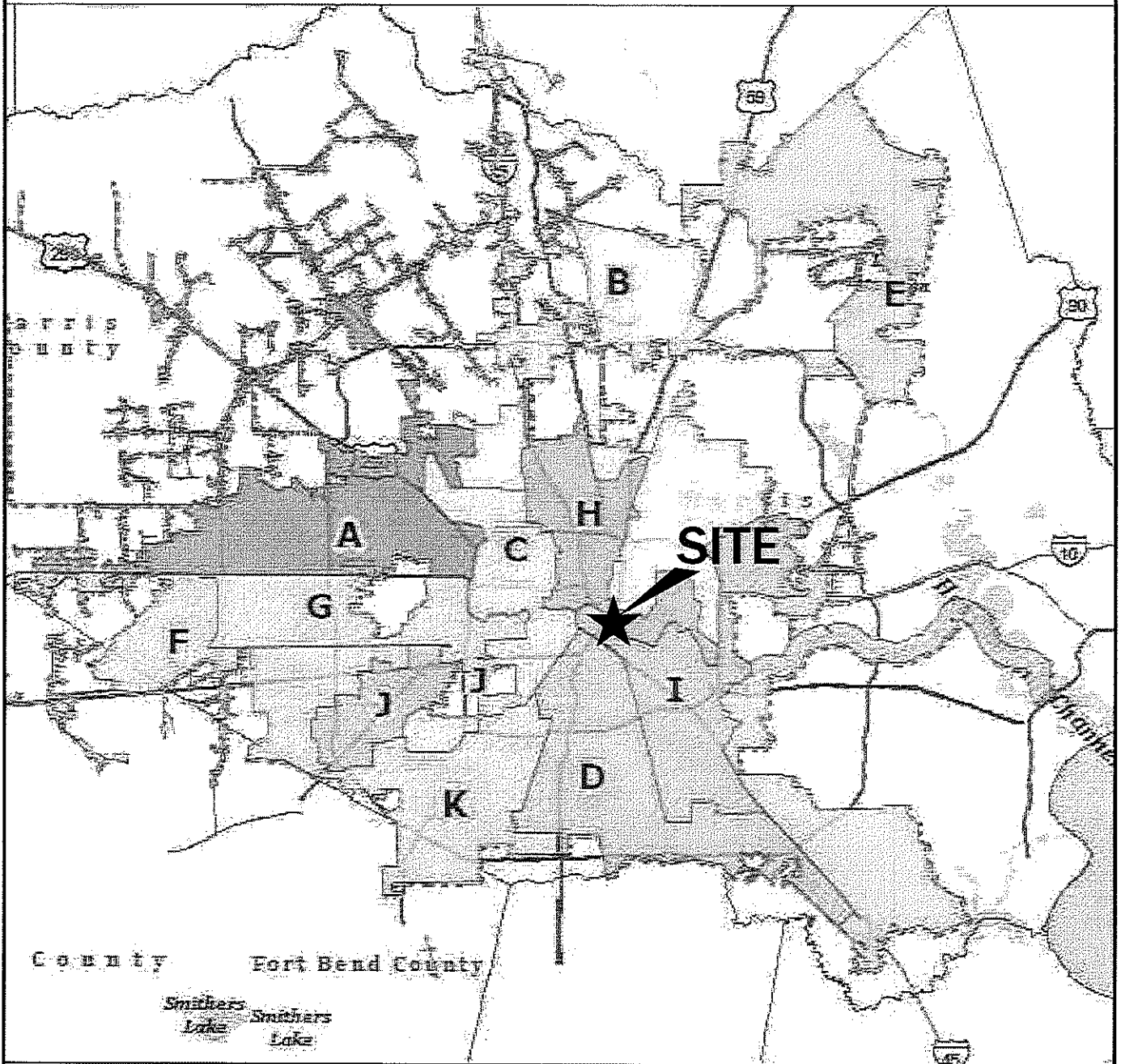
25CONS510 - Maps

Type

Backup Material

<u>25CONS510 - Tax Delinquent</u>	Backup Material
<u>25CONS510 - Previous RCA & Ordinances</u>	Backup Material
<u>25CONS510 - Change Orders</u>	Backup Material
<u>25CONS510 - OBO Clearance Letter</u>	Backup Material
<u>25CONS510 - Final Payment</u>	Backup Material
<u>25CONS510 - Consent of Surety</u>	Backup Material
<u>25CONS510 - Certificate of Final Completion</u>	Backup Material

**CITY OF HOUSTON
HARRIS COUNTY, TEXAS**



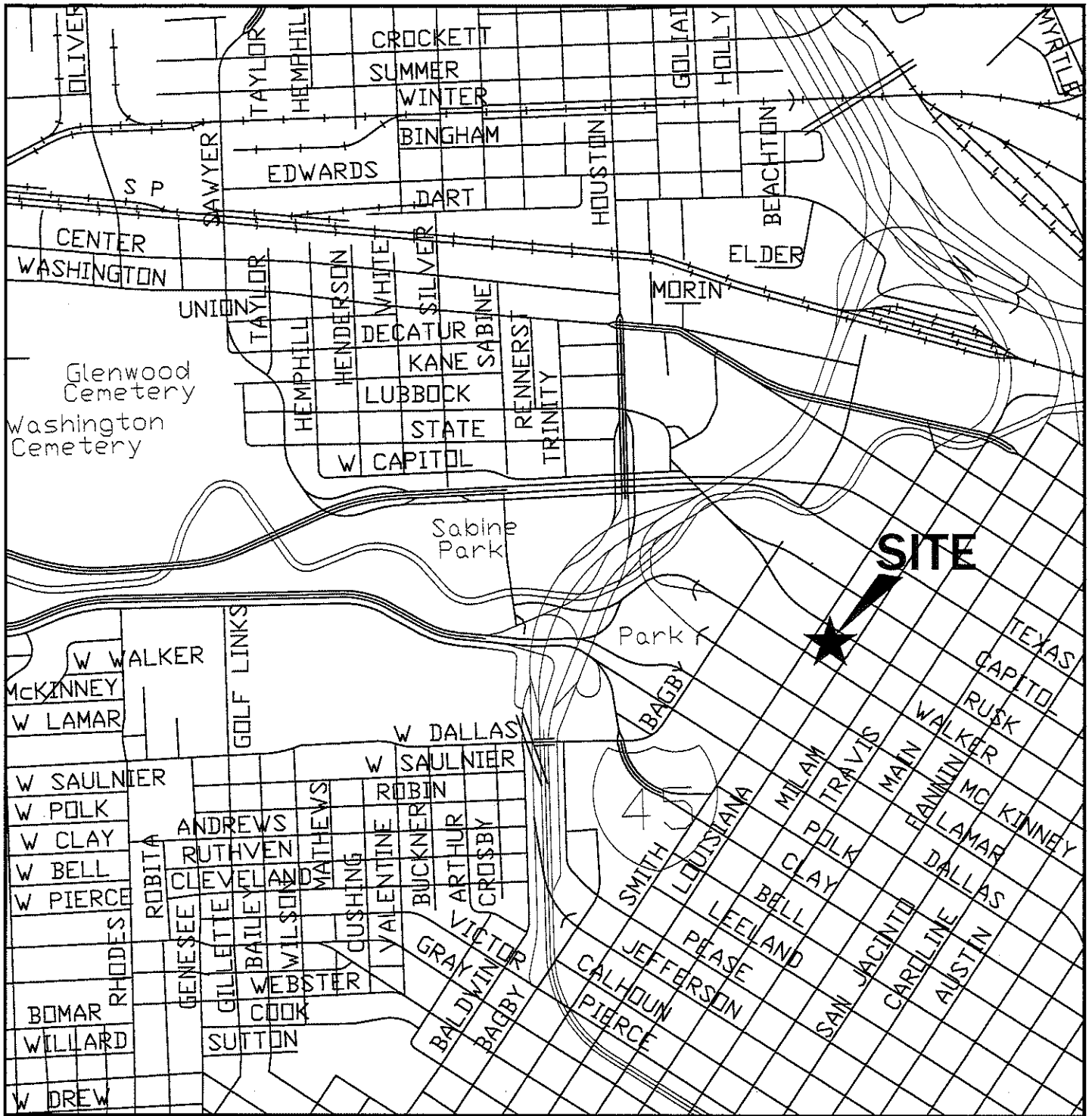
RENOVATION AND RELOCATION AT 611 WALKER 5TH, 8TH,
AND 9TH FLOORS AND 2805 MCKINNEY
2805 MCKINNEY ST. HOUSTON, TX 77003

COUNCIL DISTRICT "I"

KEY MAP NO. 493R



KEY MAP NO. 493R



611 WALKER ST.
HOUSTON, TX 77002

COUNCIL DISTRICT "J"

KEYMAP No. 493K



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

District I

Item Creation Date: 4/29/2022

25CONS510 – Accept Work – 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney -
Times Construction, Inc.

Agenda Item#: 5.

Summary:

NOT A REAL CAPTION

RECOMMENDATION from Director of General Services Department for approval of final contract amount of \$7,273,474.72 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for the Construction Manager at Risk contract with Times Construction, Inc., for the Renovation and relocation at 611 Walker 5th, 8th, and 9th floors, and 2805 McKinney - 10.35% under the original construction amount - **DISTRICT I - GALLEGOS**

Background:

RECOMMENDATION: The General Services Department recommends approval of a final contract amount of \$7,273,474.72 and acceptance of work on the Construction Manager at Risk contract with Times Construction, Inc., for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and 2805 McKinney – 10.35% under the original construction amount and under the approved 10% contingency.

SPECIFIC EXPLANATION: On December 19, 2018, by Ordinance No. 2018-1018, City Council awarded a Construction Manager at Risk (CMAR) contract to Times Construction, Inc., to provide pre-construction and construction phase services for the Renovation and Relocation at 611 Walker 5th, 8th, and 9th Floors, and for the 2805 McKinney Project and appropriated \$7,163,800.00 for pre-construction and construction phase services. On October 16, 2019, by Ordinance No. 2019-797, City Council approved an additional appropriation of \$1,733,331.00 to the CMAR contract with Times Construction, Inc. to replace the HVAC system on level 2 and increase the inground detention at 2805 McKinney. On November 10, 2020, by Ordinance No. 2020-953, City Council approved a de-appropriation of \$450,000.00 from the CMAR contract with Times Construction, Inc. and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to renovate the 5th Floor of 611 Walker to accommodate the Strategic Procurement Division. On February 24, 2021, by Ordinance No. 2021-133, City Council approved a de-appropriation of \$1,000,000.00 from the CMAR contract with Times Construction, Inc. and appropriated an equivalent amount to the Task Order and Job Order (TOC/JOC) Contracting Program to delete the parking lot at 2805 McKinney from the CMAR contract with Times Construction, Inc. for other projects.

The General Services Department (GSD) and Times Construction, Inc. agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of \$3,796,767.96 for 611 Walker 8th and 9th Floors, a GMP in the amount of \$2,643,354.64 for 2805 McKinney 2nd and 3rd Floors, and a GMP for \$1,673,184.00 for the 2805 McKinney parking lot and elevator. The three GMPs total \$8,113,306.60. GSD recommends that City Council approve the final construction amount of \$7,273,474.72, or 10.35% under the original GMPs (the original construction amount), accept the work and authorize final payment to Times Construction, Inc.

PROJECT LOCATION: 611 Walker St., Houston, Texas 77002 and 2805 McKinney St., Houston, Texas 77003

PROJECT DESCRIPTION: This project renovated the 8th and 9th Floors at 611 Walker for the Houston Information Technology Services Department (HITS). It removed all water damaged materials due to a broken fire sprinkler and reconfigured the floor layout to increase the quantity of workstations. The project also renovated the 2nd and 3rd Floors of 2805 McKinney for the 311 Call Center including a new elevator, administrative offices, breakroom, and conference room.

CONTRACT COMPLETION AND COST: The contractor completed the project within 483 days: the original contract time of 327 days, plus 156 days approved by Change Orders. The final cost of the project, including Change Orders is \$7,273,474.72, a decrease of \$839,831.88 under the original GMPs.

PREVIOUS CHANGE ORDERS:

611 Walker 8th and 9th Floors: Change Order No. 1 included renovations to the ADA restrooms, complete replacement of the fire alarm system, revised the lighting plan for a credit, changed the building automation control system subcontractor, and replaced the plumbing lines in the restrooms. Change Order No. 2 included repairs to the existing ductwork, procurement for security equipment, electrical work for additional monitors, deleted white glass marker boards, architectural metal ceiling in break rooms, changed the toilet partition type, and added generator power for the Security Operations Center (SOC) equipment. Change Order No. 3 included moving services for donated furniture, Construction Administration services for the SOC, Mecho shades for the windows, and deleted the unused CMAR contingency for a credit. Change Order No. 4 included matching Spinneybeck panel to the 9th floor, door locks at management doors, and ceiling panels in the elevator lobbies.


2805 McKinney 2nd and 3rd Floors: Change Order No. 1 included plumbing changes and repairs to the existing damaged fireproofing to meet building codes. Change Order No. 2 included a door for security, replacing the existing mechanical piping, replacing the existing failed lighting contactors, new wall to conceal existing plumbing, additional security access items, electrical revisions in IT rooms, and relocation of mechanical room plumbing. Change Order No. 3 included credits for moving and project savings and an additional 100 days.


2805 McKinney Parking Lot and Elevator: Change Order No. 1 added additional security cameras. Change Orders No. 2 and 3 deleted the parking lot scope of work. Change Order No. 4 added 156 days to the construction duration.

CONSTRUCTION GOALS: The advertised M/WBE contract goals for this project were 18% MBE and 10% WBE (28% total). The M/W/SBE goals approved for this project were 18% MBE and 10% WBE (28% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 20.84% MBE and 16.23% WBE (37.07% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Outstanding for the following reasons: Times Construction, Inc. exceeded the MBE and WBE goals on this contract and made good faith efforts to utilize all goal credit subcontractors to full capacity. For the reasons listed, Times Construction, Inc. performance exceeded expectations and meets the intent and the spirit of the City's MWSBE program.

WBS No: D-200002-0001-4

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:
 5/13/2022
 C. J. Messiah, Jr.
 General Services Department

DocuSigned by:
 5/17/2022
 Carol Ellinger Haddock, P.E.
 Houston Public Works

Prior Council Action:

Ordinance No. 2018-1018, Dated December 19, 2018
 Ordinance No. 2019-797, Dated October 16, 2019
 Ordinance No. 2020-953, Dated November 10, 2020
 Ordinance No. 2021-133, Dated February 24, 2021

Amount and Source of Funding:

No Additional Funding Required

Previous Funding:

\$ 7,447,131.00 PWE – W&S System Consolidated Construction Fund (8500)

Contact Information:

Enid M. Howard
 Council Liaison
 Phone: 832.393.8023

ATTACHMENTS:

Description	Type
Signed Coversheet	Signed Cover sheet
25CONS510 - Maps	Backup Material
25CONS510 - Tax Delinquent	Backup Material

[25CONS510 - Previous RCA & Ordinances](#)

[25CONS510 - Change Orders](#)

[25CONS510 - OBO Clearance Letter](#)

[25CONS510 - Final Payment](#)

[25CONS510 - Consent of Surety](#)

[25CONS510 - Certificate of Final Completion](#)

Backup Material

Backup Material

Backup Material

Backup Material

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Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District F

Item Creation Date: 3/3/2022

HPW – 20MEM45 Accept Work / BRH-Garver
Construction, L.P.

Agenda Item#: 6.

Summary:

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$15,496,027.46 and acceptance of work on contract with **BRH-GARVER CONSTRUCTION L.P.**, for Chelford City Diversion Package No. 1: 60-Inch Sanitary Sewer Along Westpark Drive from Dairy Ashford Road to Houston Center Boulevard - 3.11% under the original Contract Amount – **DISTRICT F - THOMAS**

Background:

SUBJECT: Accept Work for Chelford City Diversion Package No. 1: 60-inch Sanitary Sewer Along Westpark Drive from Dairy Ashford Road to Houston Center Boulevard.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$15,496,027.46 or 3.11% under the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Capital Improvement Plan for Wastewater Facilities and was required to control operations and maintenance and ensure regulatory compliance.

DESCRIPTION/SCOPE: This project consisted of the Facilities Consolidation and Diversion of Chelford City service area sewer flow to upper Braes Wastewater Treatment Plant service area. Hazen and Sawyer, P.C. designed the project with 680 calendar days allowed for construction. The project was awarded to BRH-Garver Construction, L.P. with an original Contract Amount of \$15,994,105.00.

LOCATION: The project area is generally bound by Richmond Avenue on the north, Westpark Tollway on the south, West Houston Center Boulevard on the east and Dairy Ashford Road on the west.

CONTRACT COMPLETION AND COST: The Contractor, BRH-Garver Construction, L.P., has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 95 days approved by Change Order Nos 4, 6, and 7. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 2, 3, and 5 – 7 is \$15,496,027.46, a decrease of

\$498,077.54 or 3.11% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities.

MWSBE PARTICIPATION: The advertised M/WBE contract goals for this project were 13% MBE and 7% WBE (20% total). The M/WBE goals approved for this project were 13% MBE and 7.00% WBE (20.00% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 13.40% MBE and 7.86% WBE (21.26% total). The standard for meeting MWBE participation goals is the demonstration of Good Faith Efforts. The Contractor's MWSBE performance on this project was rated Outstanding for the following reasons: The Contractor utilized all certified firms listed on this project and exceeded the M/WBE goals on this project. For the reasons listed, the Contractor's performance meets the intent and spirit of the City's MWSBE program.

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

WBS No. R-000536-024A-4

Prior Council Action:

Ordinance No. 2019-0614, dated 08-14-2019

Amount and Source of Funding:

No additional funding required.

Total (original) appropriation of \$19,529,828.00 from Fund 8500 Water and Sewer System Consolidated Construction Fund.

Contact Information:

R. Jeff Masek
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 F

Item Creation Date: 3/3/2022

HPW – 20MEM45 Accept Work / BRH-Garver Construction, L.P.

Agenda Item#:

Background:

SUBJECT: Accept Work for Chelford City Diversion Package No. 1: 60-inch Sanitary Sewer Along Westpark Drive from Dairy Ashford Road to Houston Center Boulevard.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$15,496,027.46 or 3.11% under the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Capital Improvement Plan for Wastewater Facilities and was required to control operations and maintenance and ensure regulatory compliance.

DESCRIPTION/SCOPE: This project consisted of the Facilities Consolidation and Diversion of Chelford City service area sewer flow to upper Braes Wastewater Treatment Plant service area. Hazen and Sawyer, P.C. designed the project with 680 calendar days allowed for construction. The project was awarded to BRH-Garver Construction, L.P. with an original Contract Amount of \$15,994,105.00.

LOCATION: The project area is generally bound by Richmond Avenue on the north, Westpark Tollway on the south, West Houston Center Boulevard on the east and Dairy Ashford Road on the west.

CONTRACT COMPLETION AND COST: The Contractor, BRH-Garver Construction, L.P., has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 95 days approved by Change Order Nos 4, 6, and 7. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 2, 3, and 5 – 7 is \$15,496,027.46, a decrease of \$498,077.54 or 3.11% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities.

M/WSBE PARTICIPATION: The advertised M/WBE contract goals for this project were 13% MBE and 7% WBE (20% total). The M/WBE goals approved for this project were 13% MBE and 7.00% WBE (20.00% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 13.40% MBE and 7.86% WBE (21.26% total). The standard for meeting M/WBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/WSBE performance on this project was rated Outstanding for the following reasons: The Contractor utilized all certified firms listed on this project and exceeded the M/WBE goals on this project. For the reasons listed, the Contractor's performance meets the intent and spirit of the City's M/WSBE program.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

5/17/2022

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

WBS No. R-000536-024A-4

Prior Council Action:

Ordinance No. 2019-0614, dated 08-14-2019

Amount and Source of Funding:

No additional funding required.

Total (original) appropriation of \$19,529,828.00 from Fund 8500 Water and Sewer System Consolidated Construction Fund.

Contact Information:

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

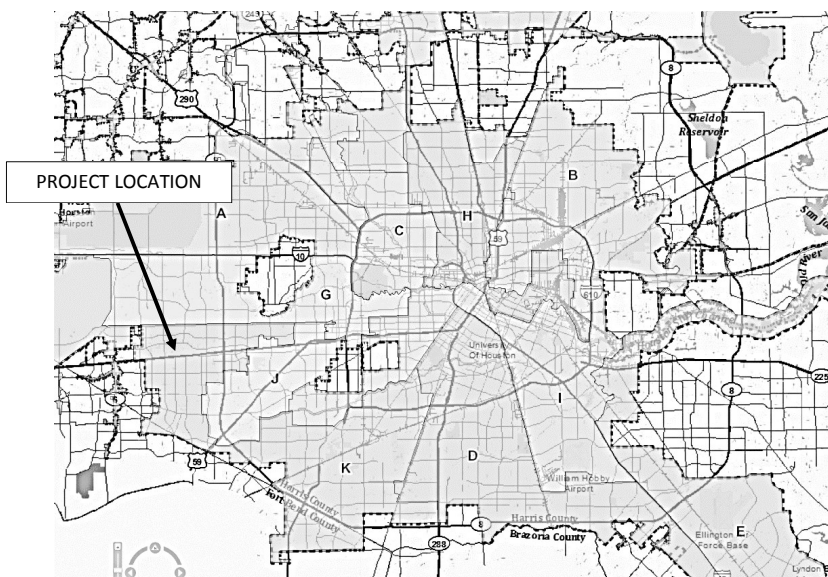
ATTACHMENTS:

Description

Maps
OBO
Ownership Information Form and Tax Report
Prior Council Action
Change Orders 1 - 7
Final Estimate

Type

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



**COUNCIL
DISTRICT
F**
Key Map Grids
488Y, 488Z, 489W
and 528C

N.T.S.

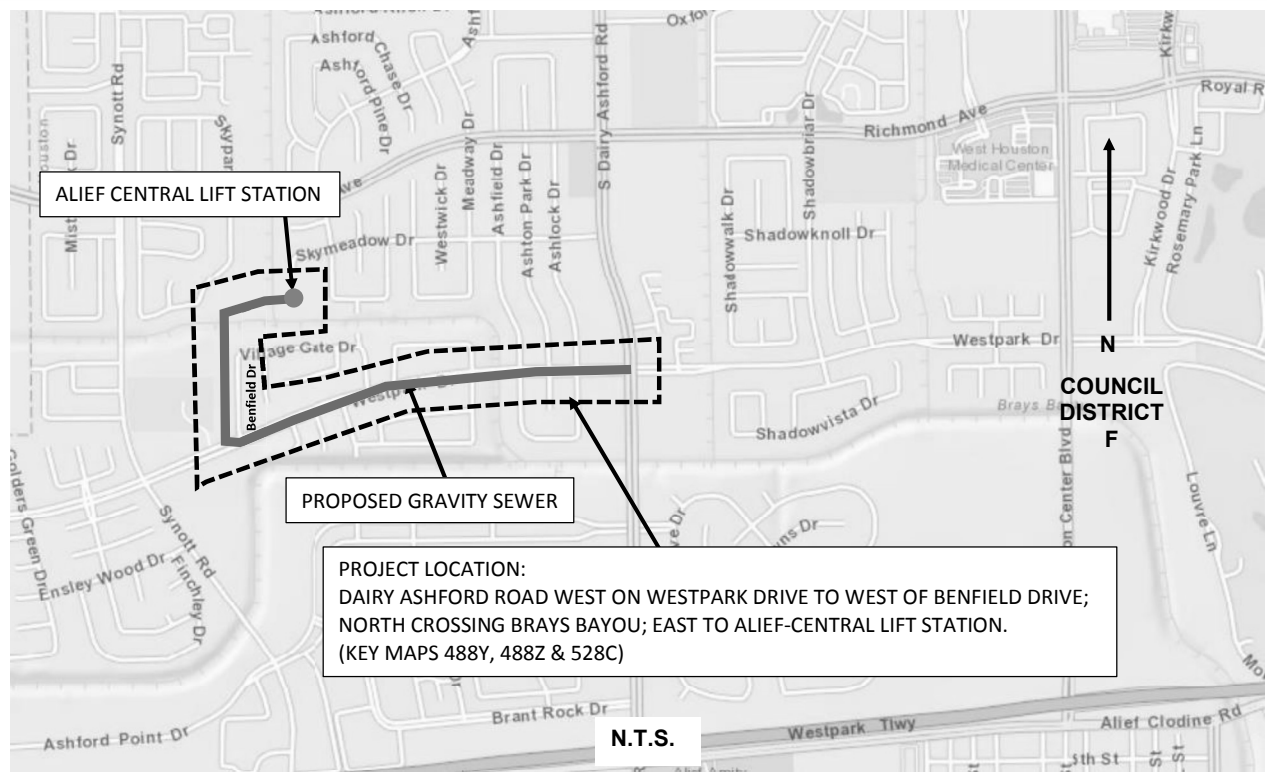
HAZEN AND SAWYER
Environmental Engineers & Scientists
FIRM REG. No. F-13618



CITY OF HOUSTON
WBS No. R-000536-0024-3

**FACILITIES CONSOLIDATION: CHELFORD
CITY DIVERSION PACKAGE No. 1**

**PROJECT LOCATION MAP
CITY COUNCIL DISTRICT: F**



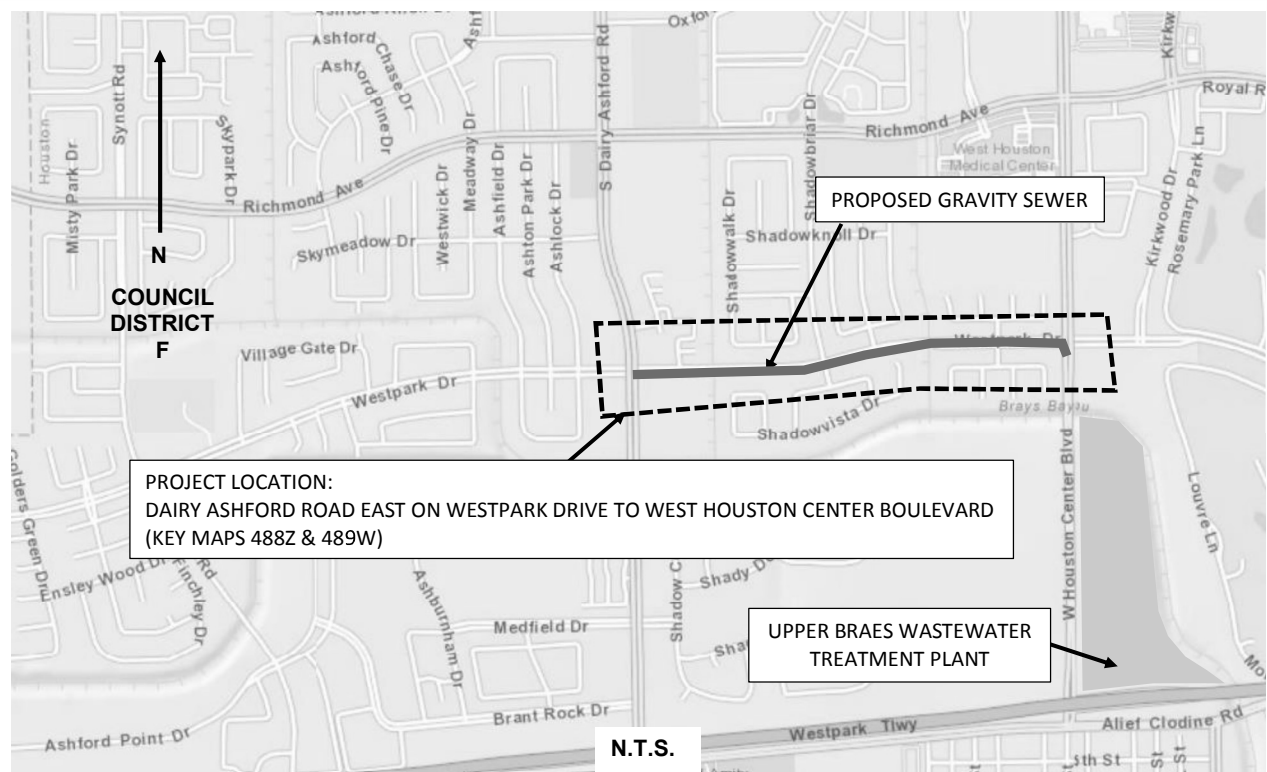
HAZEN AND SAWYER
Environmental Engineers & Scientists
FIRM REG. No. F-13618



CITY OF HOUSTON
WBS No. R-000536-0024-3

**CHELFORD CITY DIVERSION PACKAGE 1:
ABANDONMENT AND DIVERSION OF ALIEF
CENTRAL LIFT STATION**

**PROJECT VICINITY MAP
CITY COUNCIL DISTRICT: F**



HAZEN AND SAWYER
Environmental Engineers & Scientists
FIRM REG. No. F-13618



CITY OF HOUSTON
WBS No. R-000536-0024-3

**CHELFORD CITY DIVERSION PACKAGE 1: 60-INCH
SANITARY SEWER ALONG WESTPARK DRIVE FROM
DAIRY ASHFORD ROAD TO HOUSTON CENTER
BOULEVARD**

**PROJECT VICINITY MAP
CITY COUNCIL DISTRICT: F**



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District G

Item Creation Date: 3/16/2022

HPW – 20MEM47 Accept Work / Boyer, Inc.

Agenda Item#: 7.

Summary:

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$12,694,137.45 and acceptance of work on contract with **BOYER, INC** for Diversion and Abandonment of Kirkwood #3 Lift Station to New Harvest Moon Lift Station - 1.04% under the original Contract Amount - **DISTRICT G - HUFFMAN**

Background:

SUBJECT: Accept Work for Diversion and Abandonment of Kirkwood #3 Lift Station to New Harvest Moon Lift Station.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$12,694,137.45 or 1.04% under the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Capital Improvement Plan (GIP) for wastewater facilities and was required to improve the wastewater infrastructure by consolidating its wastewater lift station facilities.

DESCRIPTION/SCOPE: This project consisted of abandonment of existing Kirkwood #3 Lift Station in place and construction of 42- inch diameter gravity sewer lines and associated manholes to divert the flow from Kirkwood #3 to New Harvest Moon Lift Station. The scope also included traffic control in relation to the construction of the sanitary sewers. Arcadis U.S., Inc. designed the project with 520 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$12,827,888.00.

LOCATION: The project area is generally bound by Memorial Drive on the north, Briar Forest Drive on the south, Kirkwood Road on the east and Dairy Ashford Road on the west.

CONTRACT COMPLETION AND COST: The Contractor, Boyer, Inc., has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 191 days approved by Change Order Nos 2, 3, 5, 7 – 11. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 1 - 9 is \$12,694,137.45, a decrease of \$133,750.55 or 1.04% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities.

MWSBE PARTICIPATION: The advertised M/WBE contract goals for this project were 13% MBE and 7% WBE (20% total). The M/W/SBE goals approved for this project were 13.56% MBE and 7.33% WBE (20.89% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 17.88% MBE and 7.98% WBE (25.86% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Outstanding for the following reasons: The Prime exceeded the contractual goals for this project and made good faith efforts to utilize all goal credit subcontractors to full capacity. For the reasons listed, the Contractor's performance exceeded our expectations and meets the intent and the spirit of the City's MWSBE program.

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

WBS No. R-000536-0021-4

Prior Council Action:

Ordinance No. 2019-0613, dated 08-14-2019

Amount and Source of Funding:

No additional funding required.

\$15,615,231.00 - Fund No. 8500 Water and Sewer System Consolidated Construction Fund

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 G

Item Creation Date: 3/16/2022

HPW – 20MEM47 Accept Work / Boyer, Inc.

Agenda Item#:

Background:

SUBJECT: Accept Work for Diversion and Abandonment of Kirkwood #3 Lift Station to New Harvest Moon Lift Station.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$12,694,137.45 or 1.04% under the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Capital Improvement Plan (GIP) for wastewater facilities and was required to improve the wastewater infrastructure by consolidating its wastewater lift station facilities.

DESCRIPTION/SCOPE: This project consisted of abandonment of existing Kirkwood #3 Lift Station in place and construction of 42- inch diameter gravity sewer lines and associated manholes to divert the flow from Kirkwood #3 to New Harvest Moon Lift Station. The scope also included traffic control in relation to the construction of the sanitary sewers. Arcadis U.S., Inc. designed the project with 520 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$12,827,888.00.

LOCATION: The project area is generally bound by Memorial Drive on the north, Briar Forest Drive on the south, Kirkwood Road on the east and Dairy Ashford Road on the west.

CONTRACT COMPLETION AND COST: The Contractor, Boyer, Inc., has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 191 days approved by Change Order Nos 2, 3, 5, 7 – 11. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 1 - 9 is \$12,694,137.45, a decrease of \$133,750.55 or 1.04% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities.

MWSBE PARTICIPATION: The advertised M/WBE contract goals for this project were 13% MBE and 7% WBE (20% total). The M/W/SBE goals approved for this project were 13.56% MBE and 7.33% WBE (20.89% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 17.88% MBE and 7.98% WBE (25.86% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Outstanding for the following reasons: The Prime exceeded the contractual goals for this project and made good faith efforts to utilize all goal credit subcontractors to full capacity. For the reasons listed, the Contractor's performance exceeded our expectations and meets the intent and the spirit of the City's MWSBE program.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

5/17/2022

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Carol Ellinger Haddock, P.E., Director

Houston Public Works

WBS No. R-000536-0021-4

Prior Council Action:

Ordinance No. 2019-0613, dated 08-14-2019

Amount and Source of Funding:

No additional funding required.

\$15,615,231.00 - Fund No. 8500 Water and Sewer System Consolidated Construction Fund

Contact Information:

R. Jeff Masek, P.E., CCM

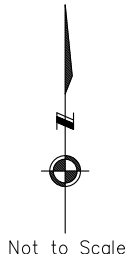
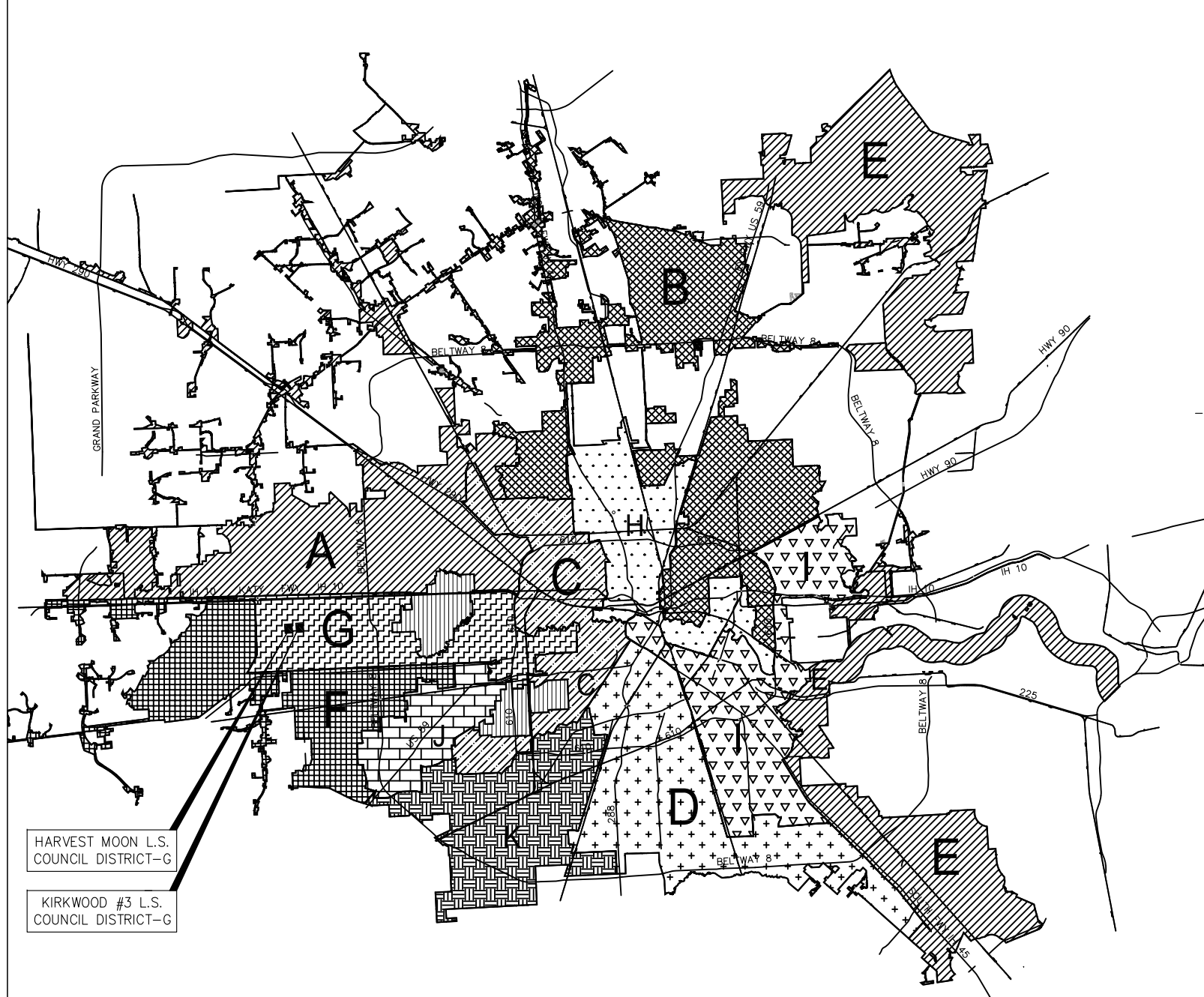
Assistant Director, Capital Projects

Phone: (832) 395-2387

ATTACHMENTS:

Description	Type
Maps	Backup Material
OBO	Backup Material
Ownership Information Form and Tax Report	Backup Material
Prior Council Action	Backup Material
Change Orders 1 - 11	Backup Material
Final Estimate	Backup Material

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION



KEY MAP

HARVEST MOON LS: 488M
KIRKWOOD #3 LS: 489J

HARVEST MOON L.S.
COUNCIL DISTRICT-G

KIRKWOOD #3 L.S.
COUNCIL DISTRICT-G

ARCADIS
2929 Briarpark Dr
Suite 300
Houston, TX 77042
Tel: 713-953-4800 Fax: 713-977-4620
www.arcadis-us.com

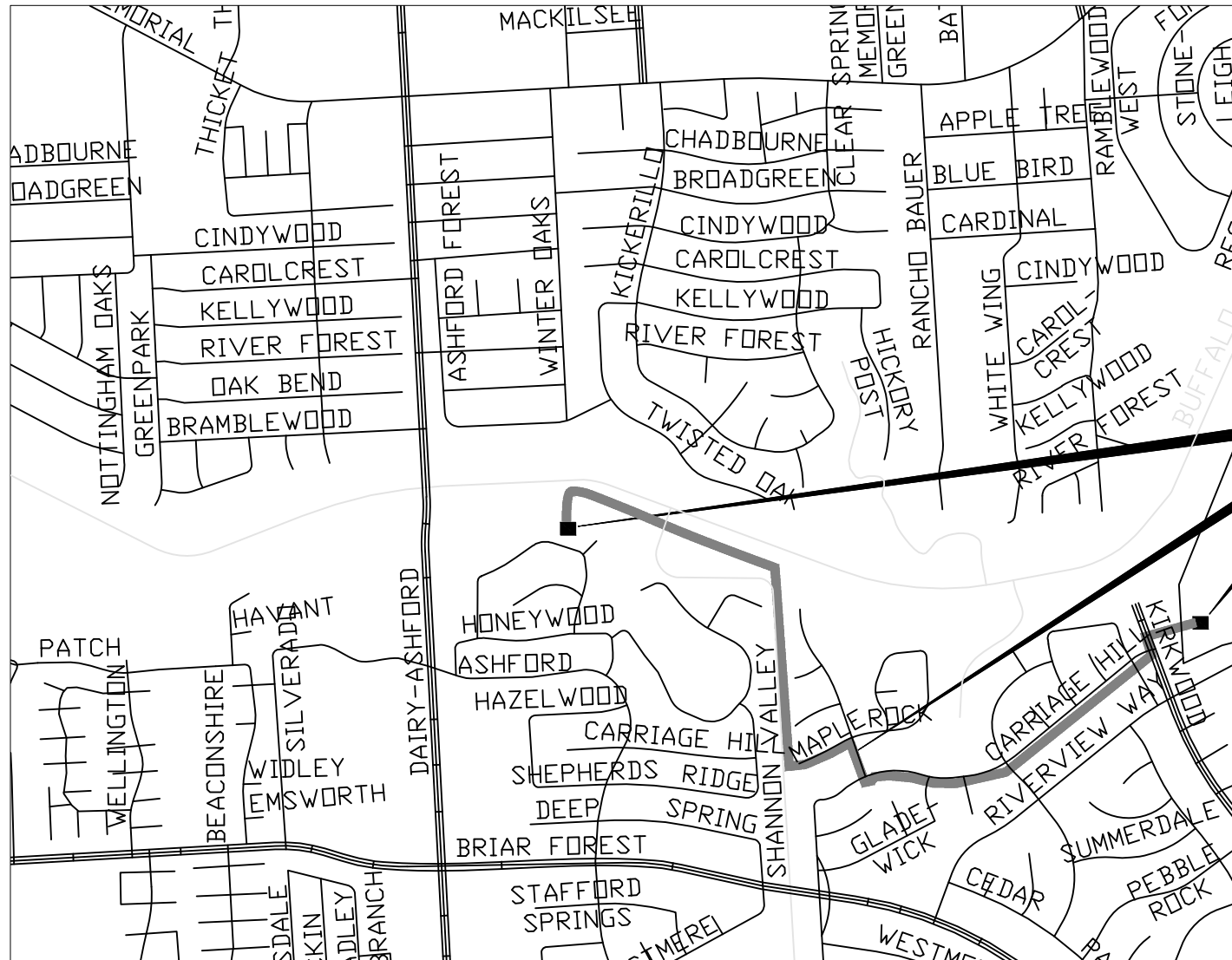


CITY OF HOUSTON

DIVERSION AND ABANDONMENT
KIRKWOOD #3 L.S. TO HARVEST MOON L.S.
WBS NO.: R-000536-0021-3

CITY COUNCIL DISTRICT MAP

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION



KEY MAP

HARVEST MOON L.S.: 488M
KIRKWOOD #3 L.S.: 489J

HARVEST MOON LIFT STATION

PROJECT ROUTE

KIRKWOOD #3 LIFT STATION

709 HARVEST MOON LANE



2929 Briarpark Dr
Suite 300
Houston, TX 77042
Tel: 713-953-4800 Fax: 713-977-4620
www.arcadis-us.com



CITY OF HOUSTON

DIVERSION AND ABANDONMENT
KIRKWOOD #3 L.S. TO HARVEST MOON L.S.
WBS NO.: R-000536-0021-3

VICINITY MAP
ITEM No. 8



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District B

Item Creation Date:

LGL – Parcel KY16-162; City of Houston v. VSD, LLC, et al.; Cause No. 1111523 Easement Acquisition for the 108-Inch Water Line from Vickery Drive to Milner Road Project; WBS/CIP No. S-000900-0164-2.

Agenda Item#: 8.

Summary:

RECOMMENDATION from City Attorney to settle the condemnation matter of City of Houston v. VSD, LLC, et al.; Cause No. 1111523, for an additional \$72,246.00 above the award of the Special Commissioners for a total compensation of \$130,000.00

Background:

The Project is part of the proposed Northeast Transmission Water Line (NETL), which will provide treated surface water throughout the City. The NETL will carry water produced by the planned expansion of the Northeast Water Purification Plant (NEWPP). The NETL and NEWPP expansion are needed to meet the region's projected 2060 water demand as estimated in the Water for Texas 2012 State Water Plan and are part of the City's long-range water supply plan. Additionally, the Project will aid in the City's water source conversion from primarily groundwater to surface water in order to comply with the Harris-Galveston Coastal Subsidence District's regulatory plan.

This eminent domain proceeding involves the acquisition of one waterline easement containing a total of 18,119 square feet of land. The parcel is located at the northwest corner of Vickery Drive and Cross Continents Drive in the City of Houston. The property is owned by VSD, LLC. Prior to sending the matter to the Legal Department, the City attempted to negotiate a purchase of the property, but those efforts were unsuccessful. The matter was then referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property.

A Petition in Condemnation was filed, a Special Commissioners' hearing was convened, and the Special Commissioners ordered an award of \$57,754.00 in an uncontested hearing. With Council approval, the City Attorney deposited this award into the registry of the court.

The Defendant then filed an Objection to the award of the special commissioners and the litigation was docketed for a jury trial setting. The court also ordered the parties to attend mediation. At mediation, the Defendant presented new Cost to Cure Damages totaling approximately \$51,000.00 that had not previously been disclosed. The new Cost to Cure Damage items stemmed from the Defendant's new development costs to alter its business development plans around the City's waterline easement. The City's appraiser deemed the new Cost to Cure Damage

items to be credible and would be added to his appraisal. At the conclusion of the mediation, the court-appointed mediator recommended a Mediator's Settlement Proposal. Both parties agreed to the proposal and the result was an increase of \$72,246.00 above the award of the special commissioners to fully settle the litigation, which resulted in a final compensation total of \$130,000.00 for the property condemned and Cost to Cure damages.

City's Valuation (with cost to cure items included):.....\$108,754.00

Landowner's Valuation:\$156,996.00

Award of the Special Commissioners' Hearing.\$57,754.00

Total Compensation Settlement Amount:\$130,000.00

Arturo G. Michel, City Attorney

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

Prior Council Action:

Ordinance No. 2016-468 passed 06/15/2016, Ordinance No. 2018-756 passed 09/19/2018, Motion No. 2021-131, passed 03/24/2021.

Amount and Source of Funding:

\$72,246.00

Funds previously appropriated under Ordinance No. 2018-756 out of the Water and Sewer System Consolidated Construction Fund 8500.

Department	Current FY	Out Years	Total
Public Works	\$72,246.00	\$0.00	\$72,246.00

Contact Information:

Steven Beard832-393-6295

Michelle Grossman ... 832-393-6216

Suzanne Chauvin..... 832-393-6219

ATTACHMENTS:

Description

Signed Cover sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B

Item Creation Date:

LGL – Parcel KY16-162; City of Houston v. VSD, LLC, et al.; Cause No. 1111523
Easement Acquisition for the 108-Inch Water Line from Vickery Drive to Milner Road
Project; WBS/CIP No. S-000900-0164-2.

Agenda Item#:

Summary:

Authorize the City Attorney, by Motion, to settle the condemnation matter of *City of Houston v. VSD LLC, et al*; Cause No.1111523, for an additional \$72,246.00 above the award of the special commissioners for a total compensation of \$130,000.00. Funding will be provided by a previously approved blanket appropriation ordinance.

Background:

The Project is part of the proposed Northeast Transmission Water Line (NETL), which will provide treated surface water throughout the City. The NETL will carry water produced by the planned expansion of the Northeast Water Purification Plant (NEWPP). The NETL and NEWPP expansion are needed to meet the region's projected 2060 water demand as estimated in the Water for Texas 2012 State Water Plan and are part of the City's long-range water supply plan. Additionally, the Project will aid in the City's water source conversion from primarily groundwater to surface water in order to comply with the Harris-Galveston Coastal Subsidence District's regulatory plan.

This eminent domain proceeding involves the acquisition of one waterline easement containing a total of 18,119 square feet of land. The parcel is located at the northwest corner of Vickery Drive and Cross Continents Drive in the City of Houston. The property is owned by VSD, LLC. Prior to sending the matter to the Legal Department, the City attempted to negotiate a purchase of the property, but those efforts were unsuccessful. The matter was then referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property.

A Petition in Condemnation was filed, a Special Commissioners' hearing was convened, and the Special Commissioners ordered an award of \$57,754.00 in an uncontested hearing. With Council approval, the City Attorney deposited this award into the registry of the court.

The Defendant then filed an Objection to the award of the special commissioners and the litigation was docketed for a jury trial setting. The court also ordered the parties to attend mediation. At mediation, the Defendant presented new Cost to Cure Damages totaling approximately \$51,000.00 that had not previously been disclosed. The new Cost to Cure Damage items stemmed from the Defendant's new development costs to alter its business development plans around the City's waterline easement. The City's appraiser deemed the new Cost to Cure Damage items to be credible and would be added to his appraisal. At the conclusion of the mediation, the court-appointed mediator recommended a Mediator's Settlement Proposal. Both parties agreed to the proposal and the result was an increase of \$72,246.00 above the award of the special commissioners to fully settle the litigation, which resulted in a final compensation total of \$130,000.00 for the property condemned and Cost to Cure damages.

City's Valuation (with cost to cure items included):.....\$108,754.00

Landowner's Valuation:\$156,996.00

Award of the Special Commissioners' Hearing.\$57,754.00

Total Compensation Settlement Amount:\$130,000.00

DocuSigned by:

Arturo Michel

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Arturo G. Michel, City Attorney

DocuSigned by:

Carol Haddock

5/9/2022

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

Prior Council Action:

Ordinance No. 2016-468 passed 06/15/2016, Ordinance No. 2018-756 passed 09/19/2018, Motion No. 2021-131, passed 03/24/2021.

Amount and Source of Funding:

\$72,246.00; Funds previously appropriated under Ordinance No. 2018-756 out of the Water and Sewer System Consolidated Construction Fund 8500.

Department	Current FY	Out Years	Total
Public Works	\$72,246.00	0	\$72,246.00

Contact Information:

Steven Beard832-393-6295

Michelle Grossman ... 832-393-6216

Suzanne Chauvin..... 832-393-6219



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 2/15/2022

S31221 - Bergkamp Replacement Parts - MOTION
(Kinloch Equipment & Supply, Inc.)

Agenda Item#: 9.

Summary:

KINLOCH EQUIPMENT & SUPPLY, INC for Bergkamp Replacement Parts for the Fleet Management Department - 3 Years with 2 one-year options - \$2,419,975.02 - Fleet Management Fund

Background:

Bids Received April 14, 2022 for S87-S31221 - Approve an award to Kinloch Equipment & Supply, Inc. in the amount not to exceed \$2,419,975.02 for Bergkamp replacement parts 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 award to **Kinloch Equipment & Supply, Inc.** on its bid in the amount not to exceed **\$2,419,975.02** for Bergkamp replacement parts. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six-month period with two one-year options**. This award consists of a price list for various Bergkamp replacement parts; which includes but are not limited to tack spray nozzles, hose reels, coupler sprockets, spray extensions, brass spray tips, thermocouplers and valve seal kits. These materials will be used by the FMD to repair and maintain Bergkamp FP5 pothole patcher units citywide.

This is a price list award. Relative to the price list, the best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the department. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, this recommendation is for the total estimated expenditures projected over the awarded term based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen (13) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below;

<u>Company</u>	<u>Sample Group 1 Total</u>
1. Kinloch Equipment & Supply, Inc.	\$6,776.20
2. SCM Consultants Inc.	\$7,069.77

- Due to the lack of responses from potential bidders on this bid, the Strategic Procurement Division (SPD) buyer contacted a potential supplier to discuss the scope of work for this procurement. During the discussion, the representative stated that they could not supply the brand requested in the bid specifications. The buyer also contacted **Kinloch Equipment & Supply, Inc.** and their representative stated that they the only authorized distributor to provide repair parts for Bergkamp equipment in the greater Houston area and surrounding counties and are able to provide all parts and services requested in the ITB. Based on the aforementioned, the SPD and the department are confident that the recommended company can provide the specified items and services for the price bid.

MWBE Subcontracting:

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

Hire Houston First:

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

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Estimated Spending Authority

Department	FY22	Out Years	Total
Fleet Management	\$437,761.57	\$1,982,213.45	\$2,419,975.02

Amount and Source of Funding:

\$2,419,975.02

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

signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 2/15/2022

S31221 - Bergkamp Replacement Parts - MOTION (Kinloch Equipment & Supply, Inc.)

Agenda Item#: 9.

Background:

Bids Received April 14, 2022 for S87-S31221 - Approve an award to Kinloch Equipment & Supply, Inc. in the amount not to exceed \$2,419,975.02 for Bergkamp replacement parts 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 award to **Kinloch Equipment & Supply, Inc.** on its bid in the amount not to exceed **\$2,419,975.02** for Bergkamp replacement parts. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six-month period with two one-year options**. This award consists of a price list for various Bergkamp replacement parts; which includes but are not limited to tack spray nozzles, hose reels, coupler sprockets, spray extensions, brass spray tips, thermocouplers and valve seal kits. These materials will be used by the FMD to repair and maintain Bergkamp FP5 pothole patcher units citywide.

This is a price list award. Relative to the price list, the best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the department. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, this recommendation is for the total estimated expenditures projected over the awarded term based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen (13) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below;

<u>Company</u>	<u>Sample Group 1 Total</u>
1. Kinloch Equipment & Supply, Inc.	\$6,776.20
2. SCM Consultants Inc.	\$7,069.77

- Due to the lack of responses from potential bidders on this bid, the Strategic Procurement Division (SPD) buyer contacted a potential supplier to discuss the scope of work for this procurement. During the discussion, the representative stated that they could not supply the brand requested in the bid specifications. The buyer also contacted **Kinloch Equipment & Supply, Inc.** and their representative stated that they the only authorized distributor to provide repair parts for Bergkamp equipment in the greater Houston area and surrounding counties and are able to provide all parts and services requested in the ITB. Based on the aforementioned, the SPD and the department are confident that the recommended company can provide the specified items and services for the price bid.

MWBE Subcontracting:

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

Hire Houston First:

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

Fiscal Note:

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

5/17/2022

DocuSigned by:

Jerry Adams

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

Department Approval Authority

Estimated Spending Authority

Department	FY22	Out Years	Total
Fleet Management	\$437,761.57	\$1,982,213.45	\$2,419,975.02

Amount and Source of Funding:
\$2,419,975.02
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	Type
S31221 - OBO Waiver 0% Goal	Backup Material
S31221 - Bid Tabulation	Backup Material
S31221 - Ownership Forms	Backup Material
S31221 - Conflict of Interest	Backup Material
S31221 - Form B	Backup Material
S31221 - Delinquent Tax Report	Backup Material
S31221 - Fiscal Form A	Financial Information
S31221 - Certification of Funds	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

S31217 - Reflective Vinyl Tape - MOTION (Global Electric Supply, Inc.)

Agenda Item#: 10.

Summary:

GLOBE ELECTRIC SUPPLY CO., INC for Reflective Vinyl Tape for Houston Public Works - 3 Years with 2 one-year options - \$440,370.00 - Enterprise Fund

Background:

Formal Bids Received March 31, 2022 for S92-S31217 - Approve an award to Globe Electric Supply Co., Inc. in the amount not to exceed \$440,370.00 for reflective vinyl tape for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **Globe Electric Supply Co., Inc.** on its low bid in the amount not to exceed **\$440,370.00** for reflective vinyl tape for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options**.

This award consists of reflective vinyl tape to be used by the Houston Water Division of Houston Public Works to mark fire hydrants with their Unique File Identification Data (UFID). This UFID is used by the Fire Department to identify fire hydrants in case of emergency. The tape is reflective so that fire crews can identify hydrants at night, and it is extremely durable.

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

	<u>Company</u>	<u>Line Item Total</u>
1.	Globe Electric Supply Co., Inc.	\$ 440,370.00
2.	216 Resources, Inc.	\$ 446,400.00
3.	Turtle & Hughes, Inc.	\$ 461,286.00
4.	Decoulant, Inc.	\$ 475,758.00
5.	Atomac, LTD	\$ 485,982.00

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

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

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 5,000.00	\$ 435,370.00	\$ 440,370.00

Amount and Source of Funding:

\$440,370.00

HPW - Water & Sewer System Operating Fund

Fund No.: 8300

Contact Information:

Desiree Heath	SPD (832) 393-8742
Lien-Huong Nguyen	SPD (832) 395-3666
Jedediah Greenfield	HPW (832) 395-3754

ATTACHMENTS:**Description**

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

S31217 - Reflective Vinyl Tape - MOTION (Global Electric Supply, Inc.)

Agenda Item#: 7.

Background:

Formal Bids Received March 31, 2022 for S92-S31217 - Approve an award to Globe Electric Supply Co., Inc. in the amount not to exceed \$440,370.00 for reflective vinyl tape for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **Globe Electric Supply Co., Inc.** on its low bid in the amount not to exceed **\$440,370.00** for reflective vinyl tape for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options**.

This award consists of reflective vinyl tape to be used by the Houston Water Division of Houston Public Works to mark fire hydrants with their Unique File Identification Data (UFID). This UFID is used by the Fire Department to identify fire hydrants in case of emergency. The tape is reflective so that fire crews can identify hydrants at night, and it is extremely durable.

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

	<u>Company</u>	<u>Line Item Total</u>
1.	Globe Electric Supply Co., Inc.	\$ 440,370.00
2.	216 Resources, Inc.	\$ 446,400.00
3.	Turtle & Hughes, Inc.	\$ 461,286.00
4.	Decoulant, Inc.	\$ 475,758.00
5.	Atomac, LTD	\$ 485,982.00

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

5/16/2022

DocuSigned by:

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Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

DocuSigned by:

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

5/17/2022

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 5,000.00	\$ 435,370.00	\$ 440,370.00

Amount and Source of Funding:

\$440,370.00

HPW - Water & Sewer System Operating Fund

Fund No.: 8300

Contact Information:

Desiree Heath	SPD (832) 393-8742
Lien-Huong Nguyen	SPD (832) 395-3666
Jedediah Greenfield	HPW (832) 395-3754

ATTACHMENTS:

Description	Type
S31217 - M/WBE	Backup Material
S31217 - BID TABULATION	Backup Material
S31217 - FORM B	Backup Material
S31217 - OWNERSHIP INFO.- GLOBE ELECTRIC SUPPLY CO., INC.	Backup Material
S31217 - TAX REPORT - GLOBE ELECTRIC SUPPLY CO., INC.	Backup Material
S31217 - FINANCIAL FORMA	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

S31218 - Traffic Signal Poles - MOTION (HOP Industries, Inc.)

Agenda Item#: 11.

Summary:

HOP INDUSTRIES, INC for Traffic Signal Poles for Houston Public Works - 3 Years with 2 one-year options - \$273,360.00 - Special Fund

Background:

Formal Bids Received March 24, 2022 for S92-S31218 - Approve an award to HOP Industries, Inc. in the amount not to exceed \$273,360.00 for traffic signal poles for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **HOP Industries, Inc.** on its low bid in the amount not to exceed **\$273,360.00** for traffic signal poles for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options**.

This award consists of traffic signal poles to be used by Houston Public Works to replace those damaged by traffic accidents and/or natural disasters.

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

	<u>Company</u>	<u>Line Item Total</u>
1.	HOP Industries, Inc.	\$ 273,360.00
2.	Decoulant, Inc.	\$ 381,000.00
3.	Facility Solutions Group	\$ 383,400.00
4.	Atomac LTD	\$ 648,000.00

- Due to the disparity between the bids, the Strategic Procurement Division (SPD) buyer contacted the potential supplier to discuss the scope of work for this procurement. During the discussion, HOP Industries, Inc. representative stated that its bid includes all costs associated with supplying the item requested in the bid specifications. Based on the aforementioned, the SPD and the department are confident that the recommended supplier

can provide the specified item for the price bid.

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

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

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

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 9,112.00	\$ 264,248.00	\$ 273,360.00

Amount and Source of Funding:

\$273,360.00

HPW- Dedicated Drainage and Street Renewal Fund – Metro-et-al
Fund No.: 2312

Contact Information:

Desiree Heath	SPD	(832) 393-8742
Lien-Huong Nguyen	SPD	(832) 395-3666
Jedediah Greenfield	HPW	(832) 395-3754

ATTACHMENTS:

Description

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

S31218 - Traffic Signal Poles - MOTION (HOP Industries, Inc.)

Agenda Item#: 8.

Background:

Formal Bids Received March 24, 2022 for S92-S31218 - Approve an award to HOP Industries, Inc. in the amount not to exceed \$273,360.00 for traffic signal poles for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **HOP Industries, Inc.** on its low bid in the amount not to exceed **\$273,360.00** for traffic signal poles for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options**.

This award consists of traffic signal poles to be used by Houston Public Works to replace those damaged by traffic accidents and/or natural disasters.

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

	<u>Company</u>	<u>Line Item Total</u>
1.	HOP Industries, Inc.	\$ 273,360.00
2.	Decoulant, Inc.	\$ 381,000.00
3.	Facility Solutions Group	\$ 383,400.00
4.	Atomac LTD	\$ 648,000.00

- Due to the disparity between the bids, the Strategic Procurement Division (SPD) buyer contacted the potential supplier to discuss the scope of work for this procurement. During the discussion, HOP Industries, Inc. representative stated that its bid includes all costs associated with supplying the item requested in the bid specifications. Based on the aforementioned, the SPD and the department are confident that the recommended supplier can provide the specified item for the price bid.

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

5/16/2022

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**

5/17/2022

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 9,112.00	\$ 264,248.00	\$ 273,360.00

DS
JG

Amount and Source of Funding:

\$273,360.00

HPW- Dedicated Drainage and Street Renewal Fund – Metro-et-al

Fund No.: 2312

Contact Information:

Desiree Heath	SPD	(832) 393-8742
Lien-Huong Nguyen	SPD	(832) 395-3666
Jedediah Greenfield	HPW	(832) 395-3754

ATTACHMENTS:

Description	Type
S31218-M/WBE	Backup Material
S31218 - BID TABULATION	Backup Material
S31218 - FORM B	Backup Material
S31218 - OWNERSHIP INFO. - HOP INDUSTRIES, INC.	Backup Material
S31218 - TAX REPORT - HOP INDUSTRIES, INC.	Backup Material
S31218 - FINANCIAL FORMA	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

S31219 - Level Measurement Devices - MOTION (Vega Americas, Inc.)

Agenda Item#: 12.

Summary:

VEGA AMERICAS, INC for Level Measurement Devices for Houston Public Works - 3 Years with 2 one-year options - \$323,850.00 - Enterprise Fund

Background:

Formal Bids Received April 07, 2022 for S92-S31219 - Approve an award to Vega Americas, Inc. in the amount not to exceed \$323,850.00 for level measurement devices for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **Vega Americas, Inc.** on its low bid in the amount not to exceed **\$323,850.00** for level measurement devices for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options.**

This award consists of level measurement devices and mounting brackets to be used by Houston Public Works in wastewater treatment plants and lift stations across the City to detect the level of liquid in various tanks, containers, etc. and to ensure tanks do not overflow as part of the wastewater treatment process. This process is required as part of the Texas Commission on Environmental Quality permit.

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

<u>Company</u>	<u>Line Item Total</u>
1. Vega Americas, Inc.	\$ 323,850.00
2. Kinetic Motorwerks LLC	\$ 376,500.00
3. Integral Logistic Corp.	\$ 497,250.00
4. LG Space Engineering Corp.	\$ 530,625.00

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

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

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

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 6,467.00	\$ 317,383.00	\$ 323,850.00

Amount and Source of Funding:

\$323,850.00

HPW - Water & Sewer System Operating Fund

Fund No.: 8300

Contact Information:

Desiree Heath	SPD (832) 393-8742
Lien-Huong Nguyen	SPD (832) 395-3666
Jedediah Greenfield	HPW (832) 395-3754

ATTACHMENTS:**Description**

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

S31219 - Level Measurement Devices - MOTION (Vega Americas, Inc.)

Agenda Item#: 6.

Background:

Formal Bids Received April 07, 2022 for S92-S31219 - Approve an award to Vega Americas, Inc. in the amount not to exceed \$323,850.00 for level measurement devices for Houston Public Works.

Specific Explanation:

The Director of Houston Public Works and the Chief Procurement Officer recommend that City Council approve an award to **Vega Americas, Inc.** on its low bid in the amount not to exceed **\$323,850.00** for level measurement devices for Houston Public Works. It is further requested that authorization be given to make purchases, as needed, for a **36-month period with two one-year options**.

This award consists of level measurement devices and mounting brackets to be used by Houston Public Works in wastewater treatment plants and lift stations across the City to detect the level of liquid in various tanks, containers, etc. and to ensure tanks do not overspill as part of the wastewater treatment process. This process is required as part of the Texas Commission on Environmental Quality permit.

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

	<u>Company</u>	<u>Line Item Total</u>
1.	Vega Americas, Inc.	\$ 323,850.00
2.	Kinetic Motorwerks LLC	\$ 376,500.00
3.	Integral Logistic Corp.	\$ 497,250.00
4.	LG Space Engineering Corp.	\$ 530,625.00

MWBE Participations:

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

Hire Houston First:

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

Fiscal Note:

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

5/16/2022

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

5/17/2022

DS
JG

Estimated Spending Authority

Department	FY22	Out Years	Total
Houston Public Works	\$ 6,467.00	\$ 317,383.00	\$ 323,850.00

Amount and Source of Funding:

\$323,850.00

HPW - Water & Sewer System Operating Fund

Fund No.: 8300

Contact Information:

Desiree Heath SPD (832) 393-8742
Lien-Huong Nguyen SPD (832) 395-3666

Jedediah Greenfield HPW (832) 395-3754

ATTACHMENTS:

Description	Type
S31219 - M/WBE	Backup Material
S31219 - BID TABULATION	Backup Material
S31219 - FORM B	Backup Material
S31219 - OWNERSHIP INFO. - VEGA AMERICAS, INC.	Backup Material
S31219 - TAX REPORT - VEGA AMERICAS	Backup Material
S31219 - FORM A	Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 5/19/2022

MYR - Democratic National Convention_2024

Agenda Item#: 13.

Summary:

RESOLUTION of Assurances of Support for the 2024 Democratic National Convention

Background:

Resolution supporting provisions of city services to the Democratic National Committee as part of a bid to host the 2024 Democratic National Convention.

Recommendation: Approve a resolution in support of providing certain city services to the Democratic National Committee in an effort to host the 2024 Democratic National Convention.

Houston First (HFC) works each and every day to create value and economic opportunity for Houstonians, which in turn enhances the quality-of-life for people and businesses across Houston. One way this happens is by aggressively pursuing large, signature events that can elevate Houston's destination appeal and draw a significant number of attendees to the city. Events such as these don't just benefit downtown, they benefit hotels, restaurants, and other businesses across the city because the sheer size means attendees will be spread out across Houston.

HFC is currently finalizing Houston's bid to host the 2024 Democratic National Convention. The bid must be returned to the DNC by May 27, with site visits to potential host cities this summer, and final selection of a host city either later this year or early in 2023. If selected as the host city, the convention will likely bring over 50,000 visitors to Houston in late August 2024.

On occasion, events the size and scale of national party conventions or the Super Bowl require an affirmative statement of support from the hosting municipality as part of the bid package. To that end, HFC, in partnership with the Mayor's Office of Special Events and the Chief Development Officer, is seeking Council's approval of a resolution of support for the City to provide certain services (special events, fire, police, public health, traffic, aviation, etc.) which are vital to a successful event.

As is customary with events of this scale, a Host Committee will be formed consisting of a representative group of Houstonians who'll provide leadership and fundraising for the 2024 DNC. If Houston is chosen as the host city, the Host Committee will enter into a city services agreement detailing the specific services needed to host a successful convention, along with the extent to which reimbursement will occur from the Host Committee to the City. Additionally, a significant amount of federal funding is provided to the host city, and the likelihood exists that federal assets put in place specifically for the event will be left in Houston for use by the appropriate public safety

departments upon conclusion of the event.

City Council is urged to approve this resolution expressing the City's commitment to support the 2024 Democratic National Convention should Houston be chosen as the host city.

Michael Heckman, President & CEO Houston First Corporation

Andy F. Icken, Chief Development Officer

Contact Information:

Tracy Prince
Houston First Corporation
(713) 853 - 8112

Jonathan Newport
Houston First Corporation
(713) 853 -8245

ATTACHMENTS:

Description

Signed coversheet
Frequently Asked Questions

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 5/19/2022

MYR - Democratic National Convention_2024

Agenda Item#:

Background:

Resolution supporting provisions of city services to the Democratic National Committee as part of a bid to host the 2024 Democratic National Convention.

Recommendation: Approve a resolution in support of providing certain city services to the Democratic National Committee in an effort to host the 2024 Democratic National Convention.

Houston First (HFC) works each and every day to create value and economic opportunity for Houstonians, which in turn enhances the quality-of-life for people and businesses across Houston. One way this happens is by aggressively pursuing large, signature events that can elevate Houston's destination appeal and draw a significant number of attendees to the city. Events such as these don't just benefit downtown, they benefit hotels, restaurants, and other businesses across the city because the sheer size means attendees will be spread out across Houston.

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On occasion, events the size and scale of national party conventions or the Super Bowl require an affirmative statement of support from the hosting municipality as part of the bid package. To that end, HFC, in partnership with the Mayor's Office of Special Events and the Chief Development Officer, is seeking Council's approval of a resolution of support for the City to provide certain services (special events, fire, police, public health, traffic, aviation, etc.) which are vital to a successful event.

As is customary with events of this scale, a Host Committee will be formed consisting of a representative group of Houstonians who'll provide leadership and fundraising for the 2024 DNC. If Houston is chosen as the host city, the Host Committee will enter into a city services agreement detailing the specific services needed to host a successful convention, along with the extent to which reimbursement will occur from the Host Committee to the City. Additionally, a significant amount of federal funding is provided to the host city, and the likelihood exists that federal assets put in place specifically for the event will be left in Houston for use by the appropriate public safety departments upon conclusion of the event.

City Council is urged to approve this resolution expressing the City's commitment to support the 2024 Democratic National Convention should Houston be chosen as the host city.

DocuSigned by:

A handwritten signature in black ink, reading "Michael Heckman".

Michael Heckman, President & CEO Houston First Corporation

DocuSigned by:

A handwritten signature in black ink, reading "Andy F. Joken".

Andy F. Joken, Chief Development Officer

Contact Information:

Tracy Prince
Houston First Corporation
(713) 853 - 8112

Jonathan Newport
Houston First Corporation
(713) 853 -8245

ATTACHMENTS:

ATTACHMENTS:

Description

Frequently Asked Questions

Type

Backup Material



Resolution of City support for bid to host 2024 Democratic National Convention Frequently Asked Questions

Q: What are you asking Council to approve?

A: Council is asked to approve a resolution showing the City's commitment to provide services necessary for a successful Democratic National Convention in Houston.

Q: When did the City last host a Democratic or Republican Convention?

A: Houston hosted the Democratic National Convention in 1928 and the Republican National Convention in 1992.

Q: When did the city last bid to host either the Democratic or Republican Convention?

A: A bid was submitted in 2018 to host the 2020 Democratic National Convention.

Q: Will the City also bid to host the Republican National Convention in the future?

A: HFC management met with Republican National Committee (RNC) leadership earlier this year to discuss Houston as a possible host city for the 2024 Republican National Convention. Unfortunately, the dates provided by the RNC for the 2024 Republican National Convention conflicted with other events at a convention venue.

Q: When and where will the 2024 DNC be held?

A: The event will take place in late August 2024 with the bulk of activity being hosted by the Toyota Center and the George R. Brown Convention Center

Q: How will the City benefit?

A: The average total economic impact from the 2016 Convention in Philadelphia, the last convention for which attendance wasn't limited by COVID-19, was estimated to be \$230.9 Million. In addition, over 54,000 visitors attended, resulting in 87,000 room nights. The convention media coverage resulted in 26.2 million national and international media impressions for the host city.

Q: Does this obligate the City to spend money to support the convention should Houston be chosen as the host city?

A: No. Should Houston be selected as the host city, a city services agreement will be executed between the City and the Host Committee detailing the specific city services needed and the mechanism by which the City's costs will be covered. Additionally, there exists the possibility of significant grant funding to cover some costs of hosting the event.

Q: Who will be responsible for the private fundraising?

A: A Host Committee will be tasked to fundraise for the event.

Q: What are the next steps?

A: This bid is due to the DNC offices on May 27. The DNC will then select a short list of cities for site survey visits later this summer, with an announcement of a host city in late 2022 or early 2023.



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 3/31/2022

HCD22-37 Goodwill 3rd Amendment

Agenda Item#: 14.

Summary:

ORDINANCE approving and authorizing third amendment to contract between City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** to extend term of contract and provide additional Housing Opportunities for Persons With AIDS Funds for the continuing operation of a Job Services Program including Supportive Services - \$175,000.00 - Grant Fund

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Third Amendment to the Contract between the City of Houston (City) and Goodwill Industries of Houston (Goodwill), providing up to \$175,000.00 in federal Housing Opportunities for Persons with AIDS (HOPWA) funds to support the continued operation of a job services program with supportive services for a minimum of 125 low-to moderate- income households affected by HIV and AIDS.

All program participants will receive wrap-around case management and referral services including, but not limited to, life skills training, transportation, and referrals for child-care, medical/mental health, education, meals/nutritional services, legal services, and housing.

FUNDING SOURCE	AMOUNT	Percent
Supportive Services	\$175,000.00	100%
Administration	\$0.00	0%
Total	\$175,000.00	100%

HCDD conducted a Notice of Funding Availability (NOFA) for HOPWA contracts for fiscal year 2019 with subsequent renewal periods. The initial contract period was June 1, 2019 through May 31, 2020. The First Amendment provided funding through May 31, 2021 and was administratively extended through November 30, 2021. The second amendment provided funding through April 30, 2022 and was administratively extended through June 30, 2022. This Third Amendment will provide funding through June 30, 2023.

As of February 2022 Goodwill has expended approximately 67% of funds and achieved 67% of the client goal. There were no findings on their annual compliance monitoring.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on April 19, 2022.

Keith W. Bynam, Director

Prior Council Action:

5-22-19 (O) 2019-385; 6-24-20 (O) 2020-549; 11-10-21 (O) 2021-0951

Amount and Source of Funding:

\$175,000.00 Federal Government - Grant Fund (5000)

Contact Information:

Roxanne Lawson
832-394-6307

ATTACHMENTS:

Description	Type
Cover Sheet	Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/18/2022

ALL

Item Creation Date: 3/31/2022

HCD22-37 Goodwill 3rd Amendment

Agenda Item#: 17.

Summary:

NOT A REAL CAPTION

ORDINANCE authorizing a Third amendment to the Contract between the City of Houston and **GOODWILL INDUSTRIES OF HOUSTON**, providing up to \$175,000.00 in federal Housing Opportunities for Persons with AIDS (HOPWA) funds to support the continued operation of a job services program with supportive services for a minimum of 125 low-to-moderate households affected by HIV and AIDS

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Third Amendment to the Contract between the City of Houston (City) and Goodwill Industries of Houston (Goodwill), providing up to \$175,000.00 in federal Housing Opportunities for Persons with AIDS (HOPWA) funds to support the continued operation of a job services program with supportive services for a minimum of 125 low-to moderate- income households affected by HIV and AIDS.

All program participants will receive wrap-around case management and referral services including, but not limited to, life skills training, transportation, and referrals for child-care, medical/mental health, education, meals/nutritional services, legal services, and housing.

FUNDING SOURCE	AMOUNT	Percent
Supportive Services	\$175,000.00	100%
Administration	\$0.00	0%
Total	\$175,000.00	100%

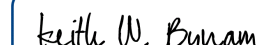
HCDD conducted a Notice of Funding Availability (NOFA) for HOPWA contracts for fiscal year 2019 with subsequent renewal periods. The initial contract period was June 1, 2019 through May 31, 2020. The First Amendment provided funding through May 31, 2021 and was administratively extended through November 30, 2021. The second amendment provided funding through April 30, 2022 and was administratively extended through June 30, 2022. This Third Amendment will provide funding through June 30, 2023.

As of February 2022 Goodwill has expended approximately 67% of funds and achieved 67% of the client goal. There were no findings on their annual compliance monitoring.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on April 19, 2022.

Decided by:


Keith W. Bynam, Director

Prior Council Action:

5-22-19 (O) 2019-385; 6-24-20 (O) 2020-549; 11-10-21 (O) 2021-0951

Amount and Source of Funding:

\$175,000.00 Federal Government - Grant Fund (5000)

Contact Information:

Roxanne Lawson
832-394-6307

ATTACHMENTS:

Description

Budget
Public notice

Type

Budget/CM Amendment
Public Notice



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 3/31/2022

HCD22-38 The Women's Home 3rd Amendment

Agenda Item#: 15.

Summary:

ORDINANCE approving and authorizing third amendment to contract between City of Houston and **THE WOMEN'S HOME**, extending term of contract and providing additional Community Development Block Grant Funds for the continuing administration and operation of a Homeless Services Program - \$924,744.71 - Grant Fund

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Third Amendment to the Contract between the City of Houston and The Women's Home, extending the term of the contract and providing up to \$924,744.71 in Community Development Block Grant (CDBG) funds to support transportation and case management services for approximately 475 homeless women.

The Women's Home will provide Counseling and Case Management services for homeless Houston area women to improve their access to essential services (primary healthcare appointments, grocery shopping, etc.), while residing in transitional or permanent supportive housing. Through these services, The Women's Home will help participants stabilize and transition away from homelessness.

FUNDING SOURCE	AMOUNT	Percent
Program Services	\$837,308.45	90.5%
Administration	\$87,436.26	9.5%
Total	\$924,744.71	100%

HCDD conducted a Request for Proposals (RFP) for CDBG contracts for fiscal year 2019 with a one-year renewal option for fiscal year 2020. The initial contract period was March 1, 2019 through February 29, 2020. The First Amendment was March 1, 2020 through February 28, 2021 and was administratively extended through June 30, 2021. The Second Amendment provided funding through May 31, 2022. This Third Amendment provides funding through May 31, 2023.

As of February 2022, The Women's Home has expended approximately 72% of funds and achieved 78% of their client goal.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on April 19, 2022.

Keith W. Bynam, Director

Prior Council Action:

2-20-2019 (O) 2019-105; 2-25-2020 (O) 2020-164; 6-23-2021 (O) 2021-0521

Amount and Source of Funding:

\$924,744.71 Federal Government - Grant Fund (5000)

Contact Information:

Roxanne Lawson
832-394-6307

ATTACHMENTS:

Description

Cover Sheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/18/2022

ALL

Item Creation Date: 3/31/2022

HCD22-38 The Women's Home 3rd Amendment

Agenda Item#: 19.

Background:

The Housing and Community Development Department (HCDD) recommends Council approval of an Ordinance authorizing a Third Amendment to the Contract between the City of Houston and The Women's Home, extending the term of the contract and providing up to \$924,744.71 in Community Development Block Grant (CDBG) funds to support transportation and case management services for approximately 475 homeless women.

The Women's Home will provide Counseling and Case Management services for homeless Houston area women to improve their access to essential services (primary healthcare appointments, grocery shopping, etc.), while residing in transitional or permanent supportive housing. Through these services, The Women's Home will help participants stabilize and transition away from homelessness.

FUNDING SOURCE	AMOUNT	Percent
Program Services	\$837,308.45	90.5%
Administration	\$87,436.26	9.5%
Total	\$924,744.71	100%

HCDD conducted a Request for Proposals (RFP) for CDBG contracts for fiscal year 2019 with a one-year renewal option for fiscal year 2020. The initial contract period was March 1, 2019 through February 29, 2020. The First Amendment was March 1, 2020 through February 28, 2021 and was administratively extended through June 30, 2021. The Second Amendment provided funding through May 31, 2022. This Third Amendment provides funding through May 31, 2023.

As of February 2022, The Women's Home has expended approximately 72% of funds and achieved 78% of their client goal.

No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on April 19, 2022.

DocuSigned by:

Keith W. Bynam

Keith W. Bynam, Director

Prior Council Action:

2-20-2019 (O) 2019-105; 2-25-2020 (O) 2020-164; 6-23-2021 (O) 2021-0521

Amount and Source of Funding:

\$924,744.71 Federal Government - Grant Fund (5000)

Contact Information:

Roxanne Lawson
832-394-6307

ATTACHMENTS:

Description

Public notice
Budget

Type

Public Notice
Budget/CM Amendment



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District B, District E, District I

Item Creation Date: 4/28/2022

HAS - Additional Appropriation to the Construction Contract
with Flatiron Constructors, Inc. for Airfield Pavement Repairs
at IAH, HOU, and EFD; Project No. 460C

Agenda Item#: 16.

Summary:

ORDINANCE appropriating \$15,656,686.00 out of Airports Renewal and Replacement Fund as additional appropriation to Construction Contract between City of Houston and **FLATIRON CONSTRUCTORS, INC** for Airfield Pavement Repairs at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Airport; (Project 460C) - **DISTRICTS B - JACKSON, E - MARTIN and I - GALLEGOS**

Background:

RECOMMENDATION:

Enact an ordinance appropriating an additional \$15,656,686.00 to the Construction Contract with Flatiron Constructors, Inc. for Airfield Pavement Repairs at IAH, HOU, and EFD. (Project No. 460C)

SPECIFIC EXPLANATION:

On August 5, 2020, City Council enacted Ordinance 2020-675, awarding a Construction Contract to Flatiron Constructors, Inc. for Airfield Pavement Repairs at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU), and Ellington Airport (EFD). These repairs are necessary to maintain safe passageways for air traffic and to meet Federal Aviation Regulation (FAR) Part 139 certification criteria. On August 4, 2021, City Council enacted Ordinance 2021-657, which corrected clerical errors in the initial Ordinance 2020-675.

Ordinance 2020-675 appropriated \$15,656,686.00 to fund the first phase of Airfield Pavement Repairs, and the previous RCA indicated that it would be necessary to appropriate the same amount for the second phase of repairs during FY22. Thus, it is now requested that City Council enact an ordinance authorizing an additional appropriation of \$15,656,686.00 for the remaining project costs associated with the second phase of Airfield Pavement Repairs at IAH, HOU, and EFD. The scope of services includes intermediate full depth concrete panel and asphalt replacements, spall repairs, joint sealant replacement, saw cutting, lighting, drainage facilities, signage, pavement markings, security, safety, and demolition/disposal throughout the airfields.

FY22 Project Costs:

\$13,606,436.00	Construction
\$ 1,269,000.00	Contingency

\$ 500,000.00	Quality Control/Material Testing
\$ 281,250.00	Safety Cash Allowances
\$15,656,686.00	FY2022 TOTAL

Testing Services:

Material Testing Services will be performed by Gorrondona Engineering Services, Inc. under Outline Agreement No. 4600016494.

M/WBE Participation:

The MWBE goal for this project is 34%. Flatiron Constructors, Inc. is achieving 19.69% participation toward the goal. Flatiron Constructors, Inc. had two MWBE firms request to be removed due to staffing and pandemic related issues, and those two firms represented a large percentage of anticipated MWBE participation. Flatiron Constructors, Inc. is working to replace the firms in order to meet the MWBE goal. The HAS Office of Business Opportunity will continue to monitor this contract in accordance with its procedures.

CIP Fiscal Note:

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

Director's Signature:

Mario C. Diaz
Houston Airport System

Andy Icken
Chief Development Officer

Prior Council Action:

08/05/20 (O) 2020-675

08/04/21 (O) 2021-657

Amount and Source of Funding:

\$15,656,686.00

HAS Renewal & Replacement Fund

Fund 8010

Contact Information:

Todd Curry 281/233-1896

Jarrett Simmons 281/233-1675

ATTACHMENTS:

Description

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District B, District E, District I
Item Creation Date: 4/28/2022

HAS - Additional Appropriation to the Construction Contract with Flatiron Constructors, Inc.
for Airfield Pavement Repairs at IAH, HOU, and EFD; Project No. 460C

Agenda Item#:

Background:

RECOMMENDATION:

Enact an ordinance appropriating an additional \$15,656,686.00 to the Construction Contract with Flatiron Constructors, Inc. for Airfield Pavement Repairs at IAH, HOU, and EFD. (Project No. 460C)

SPECIFIC EXPLANATION:

On August 5, 2020, City Council enacted Ordinance 2020-675, awarding a Construction Contract to Flatiron Constructors, Inc. for Airfield Pavement Repairs at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU), and Ellington Airport (EFD). These repairs are necessary to maintain safe passageways for air traffic and to meet Federal Aviation Regulation (FAR) Part 139 certification criteria. On August 4, 2021, City Council enacted Ordinance 2021-657, which corrected clerical errors in the initial Ordinance 2020-675.

Ordinance 2020-675 appropriated \$15,656,686.00 to fund the first phase of Airfield Pavement Repairs, and the previous RCA indicated that it would be necessary to appropriate the same amount for the second phase of repairs during FY22. Thus, it is now requested that City Council enact an ordinance authorizing an additional appropriation of \$15,656,686.00 for the remaining project costs associated with the second phase of Airfield Pavement Repairs at IAH, HOU, and EFD. The scope of services includes intermediate full depth concrete panel and asphalt replacements, spall repairs, joint sealant replacement, saw cutting, lighting, drainage facilities, signage, pavement markings, security, safety, and demolition/disposal throughout the airfields.

FY22 Project Costs:

\$13,606,436.00	Construction
\$ 1,269,000.00	Contingency
\$ 500,000.00	Quality Control/Material Testing
\$ 281,250.00	Safety Cash Allowances
\$15,656,686.00	FY2022 TOTAL

Testing Services:

Material Testing Services will be performed by Gorrondona Engineering Services, Inc. under Outline Agreement No. 4600016494.

M/WBE Participation:

The MWBE goal for this project is 34%. Flatiron Constructors, Inc. is achieving 19.69% participation toward the goal. Flatiron Constructors, Inc. had two MWBE firms request to be removed due to staffing and pandemic related issues, and those two firms represented a large percentage of anticipated MWBE participation. Flatiron Constructors, Inc. is working to replace the firms in order to meet the MWBE goal. The HAS Office of Business Opportunity will continue to monitor this contract in accordance with its procedures.

CIP Fiscal Note:

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

Director's Signature:

DocuSigned by:

Mario Diaz

Mario Diaz

Houston Airport System

Andy Icken
Chief Development Officer

Prior Council Action:

08/05/20 (O) 2020-675
08/04/21 (O) 2021-657

Amount and Source of Funding:

\$15,656,686.00

HAS - Additional Appropriation to the Construction Contract with Flatiron Constructors, Inc. for Airfield Pavement Repairs at IAH, HOU, and EFD; Project No. 460C

HAS Renewal & Replacement Fund
Fund 8010

Contact Information:

Todd Curry	281/233-1896
Jarrett Simmons	281/233-1675



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 4/26/2022

HFD Equipment Acquisition

Agenda Item#: 17.

Summary:

ORDINANCE appropriating \$127,960.00 out of Equipment Acquisition Consolidated Fund for Equipment and Other Purchases for the Houston Fire Department

Background:

Approve an ordinance authorizing the appropriation of \$127,960.00 from the Equipment Acquisition Consolidated Fund (1800) for equipment/other purchase for the Houston Fire Department (HFD).

Specific Explanation:

The Chief Business Officer/Director of Finance recommends that City Council approve an ordinance authorizing the appropriation of \$127,960.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800).

The appropriation will cover:

- 100 Self-Contained Breathing Apparatus (SCBA) Cylinders for firefighting operations.

SPD will come back to council as needed in accordance with city procurement procedures.

Fiscal Note:

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

Tantri Emo
Chief Business Officer and Director of Finance
Finance Department

Amount and Source of Funding:

\$127,960.00
Equipment Acquisition Consolidated Fund
Fund 1800

Contact Information:

Chief Russell C. Fristch - HFD (832) 394-6715
Christopher Gonzales - FIN (832) 393-9072

ATTACHMENTS:

Description	Type
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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

HR-Master Classification Plan Amend 2022-245

Agenda Item#: 18.

Summary:

ORDINANCE amending the City's Master Classification Plan (City of Houston Ordinance No. 1998-834, as most recently amended by City of Houston Ordinance No. 2022-245); to add two (2) classifications and deleting/delimiting three (3) job classifications; providing a repealer

Background:

The Human Resources Department recommends the following revisions to the civilian Master Classification Listing by adding 2 job classifications and deleting/delimiting 3 job classifications. We ask Council to approve these changes in the interests of updating our classification and compensation programs to better support departmental operations. No positions will be added as a result of these changes. This RCA is for the purpose of establishing the titles as authorized classifications. Use of these titles in the future for budgeted positions will be subject to separate review.

Funding for this item is adopted in the FY 2022 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

A. Add Job Classifications

<u>New Job Title</u>	<u>New Grade</u>
Mechanic IV	21
Senior Division Manager	30

B. Delete/Delimit Classifications

Deleted/Delimited Job Title

Plant Operator Trainee
Plant Operator
Senior Plant Operator

Jane E. Cheeks
Human Resources Director

Prior Council Action:

Rev. to Ord. 98-834 as amended by Ord. 2022-245

Contact Information:

Bob Johnson 832-393-6083

Arilynn Ceasar 832-393-8036

ATTACHMENTS:**Description**

Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

Item Creation Date:

HR-Master Classification Plan Amend 2022-245

Agenda Item#: 38.

Summary:

An ordinance amending the City's Master Classification Plan (City of Houston Ordinance No. 1998-834, as most recently amended by City of Houston Ordinance No. 2022-245); to add two (2) classifications and deleting/delimiting three (3) job classifications; providing a repealer; providing for severability; and declaring an emergency.

Background:

The Human Resources Department recommends the following revisions to the civilian Master Classification Listing by adding 2 job classifications and deleting/delimiting 3 job classifications. We ask Council to approve these changes in the interests of updating our classification and compensation programs to better support departmental operations. No positions will be added as a result of these changes. This RCA is for the purpose of establishing the titles as authorized classifications. Use of these titles in the future for budgeted positions will be subject to separate review.

Funding for this item is adopted in the FY 2022 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

A. Add Job Classifications

<u>New Job Title</u>	<u>New Grade</u>
Mechanic IV	21
Senior Division Manager	30

B. Delete/Delimit Classifications

Deleted/Delimited Job Title

Plant Operator Trainee
Plant Operator
Senior Plant Operator

DocuSigned by:

Jane E. Cheeks

Human Resources Director

Prior Council Action:

Rev. to Ord. 98-834 as amended by Ord. 2022-245

Contact Information:

Bob Johnson 832-393-6083
Arlynn Ceasar 832-393-8036

ATTACHMENTS:

Description

Exhibit A
Prior Council Action

Type

Contract/Exhibit
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District I

Item Creation Date: 5/2/2022

25DSGN131 – Appropriate Additional Funds to
Professional Architectural Services Contract Rey de la Reza
Architects, Inc. – City Hall Basement Restoration (Hurricane
Harvey)

Agenda Item#: 19.

Summary:

ORDINANCE appropriating \$50,000.00 out of Miscellaneous Capital Projects/Acquisitions CP Series E Fund as an additional appropriation to Professional Architectural Services Contract with **REY DE LA REZA ARCHITECTS, INC** for City Hall Basement Restoration (Hurricane Harvey) (Approved by Ordinance No. 2019-0317) - **DISTRICT I - GALLEGOS**

Background:

RECOMMENDATION: Appropriate additional funds for the project.

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate an additional \$50,000.00 to the existing professional architectural services contract with Rey de la Reza Architects, Inc. to perform additional architectural services at City Hall.

PROJECT LOCATION: 901 Bagby, Houston, TX 77002

PROJECT DESCRIPTION: The project involves the complete restoration of the basement level of City Hall including restrooms, training rooms, swing spaces, conference rooms, and a wellness center. The scope of work also includes new finishes, as well as new mechanical and electrical systems.

In May 2021, during construction, two air handling units that are located in the City Hall basement and that service multiple floors in City Hall were rendered inoperable. An emergency directive was given to install temporary air handling units until the fabrication and installation of the replacement units were completed. To properly operate the temporary units, an extensive ducting system was routed through the construction areas of the City Hall Basement Restoration project. This disrupted construction in several areas for 205 days. This unforeseen condition required the project to be completed in multiple phases which significantly delayed the contract completion date. This appropriation of \$50,000 will cover the additional length of time required for these services.

PREVIOUS HISTORY AND PROJECT SCOPE: On May 1, 2019, by Ordinance No. 2019-317, City Council approved a professional architectural services contract with Rey de la Reza

Architects, Inc. to perform design and construction phase services to restore the City Hall to pre-Hurricane Harvey conditions.

MWBE INFORMATION: The original contract and this additional appropriation have a 31% M/WBE goal. To date, the architect has achieved 37% participation.

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

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

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

WBS No: D-HARVEY-7382-4-01-1E

DIRECTOR'S SIGNATURE/DATE:

C. J. Messiah, Jr.
General Services Department

Prior Council Action:

Ordinance 2019-317; Dated: May 1, 2019

Amount and Source of Funding:

\$ 50,000.00 Miscellaneous Capital Projects/Acquisitions CP Series E (4039)

Previous Funding:

\$ 304,887.00 Miscellaneous Capital Projects/Acquisitions CP Series E (4039)

Contact Information:

Enid M. Howard
Council Liaison
Phone: 832.393.8023

ATTACHMENTS:

Description	Type
25DSGN131 - Coversheet	Backup Material
25DSGN131 - Maps	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

District I

Item Creation Date: 5/2/2022

25DSGN131 – Appropriate Additional Funds to Professional Architectural Services
Contract Rey de la Reza Architects, Inc. – City Hall Basement Restoration (Hurricane
Harvey)

Agenda Item#: 20.

Background:

RECOMMENDATION: Appropriate additional funds for the project.

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate an additional \$50,000.00 to the existing professional architectural services contract with Rey de la Reza Architects, Inc. to perform additional architectural services at City Hall.

PROJECT LOCATION: 901 Bagby, Houston, TX 77002

PROJECT DESCRIPTION: The project involves the complete restoration of the basement level of City Hall including restrooms, training rooms, swing spaces, conference rooms, and a wellness center. The scope of work also includes new finishes, as well as new mechanical and electrical systems.

In May 2021, during construction, two air handling units that are located in the City Hall basement and that service multiple floors in City Hall were rendered inoperable. An emergency directive was given to install temporary air handling units until the fabrication and installation of the replacement units were completed. To properly operate the temporary units, an extensive ducting system was routed through the construction areas of the City Hall Basement Restoration project. This disrupted construction in several areas for 205 days. This unforeseen condition required the project to be completed in multiple phases which significantly delayed the contract completion date. This appropriation of \$50,000 will cover the additional length of time required for these services.

PREVIOUS HISTORY AND PROJECT SCOPE: On May 1, 2019, by Ordinance No. 2019-317, City Council approved a professional architectural services contract with Rey de la Reza Architects, Inc. to perform design and construction phase services to restore the City Hall to pre-Hurricane Harvey conditions.

MWBE INFORMATION: The original contract and this additional appropriation have a 31% M/WBE goal. To date, the architect has achieved 37% participation.

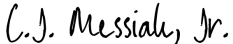
DISASTER RECOVERY NOTE: This item is related to the impact of Hurricane Harvey DR4332, and it is the City's intent to seek reimbursement from the Federal Emergency Management Agency ("FEMA") and other eligible sources for such expenditures.

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

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

WBS No: D-HARVEY-7382-4-01-1E

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:
 5/12/2022
1E174AD77D5841F...
C. J. Messiah, Jr.
General Services Department

Prior Council Action:

Ordinance 2019-317; Dated: May 1, 2019

Amount and Source of Funding:

\$ 50,000.00 Miscellaneous Capital Projects/Acquisitions CP Series E (4039)

Previous Funding:

\$ 304,887.00 Miscellaneous Capital Projects/Acquisitions CP Series E (4039)

Contact Information:

Enid M. Howard
Council Liaison
Phone: 832.393.8023

DS


ATTACHMENTS:

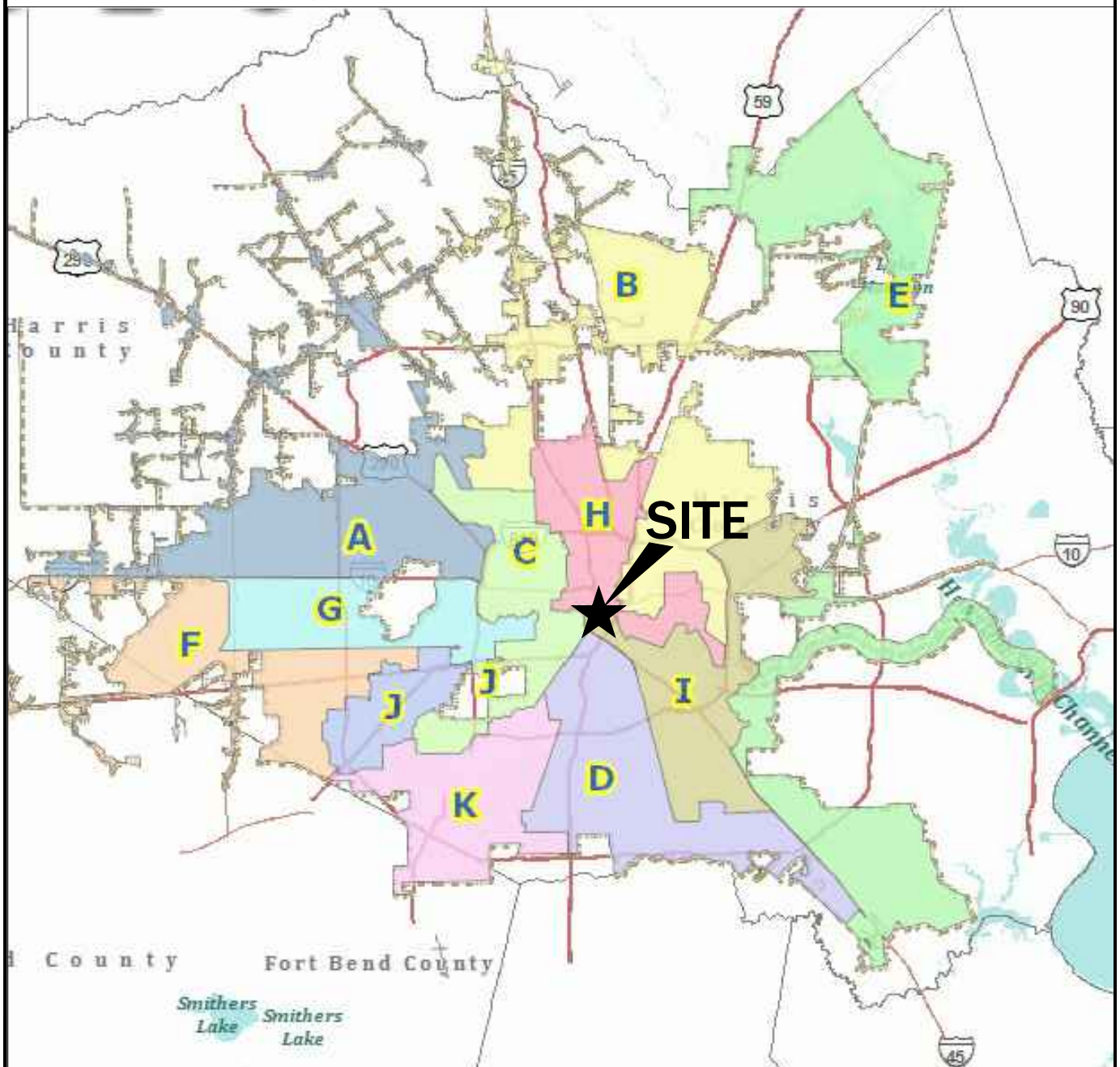
Description

[25DSGN131 - Maps](#)
[25DSGN131 - Previous RCA & Ordinance](#)
[25DSGN131 - CIP Form A](#)
[25DSGN131 - Tax Delinquent Report](#)

Type

Backup Material
Backup Material
Backup Material
Backup Material

**CITY OF HOUSTON
HARRIS COUNTY, TEXAS**



**CITY HALL RESTORATION (HARVEY)
901 BAGBY ST. HOUSTON, TX 77002**

COUNCIL DISTRICT "I"

KEYMAP No. 493K



KEYMAP No. 493K



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

L26461.A1 - Moving and Storage of Household Goods -
ORDINANCE (APMS of Houston, LLC dba All Points
Moving and Storage)

Agenda Item#: 20.

Summary:

ORDINANCE approving and authorizing first amendment to agreement for Moving and Storage of Household Goods between City of Houston and **APMS OF HOUSTON, LLC dba ALL POINTS MOVING AND STORAGE** for the Houston Housing and Community Development Department

Background:

S19-L26461.A1 – Approve an ordinance authorizing a first amendment to contract number 4600014798 between the City of Houston and APMS of Houston, LLC dba All Points Moving and Storage (approved by Ord. No. 2018-0407 on May 16, 2018) to amend Exhibit "B" Scope of Services & Specification and the Exhibit "F" Fee Schedule for Moving and Storage of Household Goods for the Housing and Community Development Department (HCDD).

Specific Explanation:

The Director of the Housing and Community Development Department 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 **APMS of Houston, LLC dba All Points Moving and Storage**. This request is to amend Exhibit "B" Scope of Services & Specification and the Exhibit "F" (Fee Schedule) with additional unit costs. Further, this will change the weight limit up to 30,000 pounds, and provide the homeowner written notice of seventy-two (72) hours of move and provide payment of a cancellation fee of \$350.00 if the homeowner does not show up within sixty (60) minutes of a scheduled move for the Moving and Storage of Household Goods.

The contract was awarded on May 16, 2018, by Ordinance No. 2018-0407, for a one (1) year term, with four (4) one-year options in an amount not to exceed \$1,845,660.00. Expenditures as of May 12, 2022 totaled \$1,178,032.12. No additional funds are required through the term of the agreement.

The scope of work requires the contractor to provide all labor, supervision, materials, equipment, tools, storage facilities and transportation necessary to provide moving and storage of household goods for HCDD's clients. The moving and storage of household goods will be provided to clients as part of HCDD's Temporary Relocation Assistance Program, where the client's household goods will be temporarily moved to a storage facility. After the client's home has been repaired or reconstructed, the contractor will be required to move the client's household goods from storage

back into the residence.

M/WBE Subcontracting:

The contract was awarded with a 11% M/WBE participation goal. APMS of Houston, LLC dba All Points Moving and Storage is currently achieving 10.17% of the required M/WBE goal.

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.

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

Department Approval Authority

Prior Council Action:

Ordinance 2018-0407, Passed 5-16-2018

Amount and Source of Funding:

No Funding Required

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Roy Korthals, Sr. Procurement Specialist	FIN/SPD	832.393.8734
Roxanne Lawson, Division Manager	HCDD	832.394.6307

ATTACHMENTS:

Description

signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

L26461.A1 - Moving and Storage of Household Goods - ORDINANCE (APMS of Houston, LLC dba All Points Moving and Storage)

Agenda Item#: 44.

Background:

S19-L26461.A1 – Approve an ordinance authorizing a first amendment to contract number 4600014798 between the City of Houston and APMS of Houston, LLC dba All Points Moving and Storage (approved by Ord. No. 2018-0407 on May 16, 2018) to amend Exhibit "B" Scope of Services & Specification and the Exhibit "F" Fee Schedule for Moving and Storage of Household Goods for the Housing and Community Development Department (HCDD).

Specific Explanation:

The Director of the Housing and Community Development Department 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 **APMS of Houston, LLC dba All Points Moving and Storage**. This request is to amend Exhibit "B" Scope of Services & Specification and the Exhibit "F" (Fee Schedule) with additional unit costs. Further, this will change the weight limit up to 30,000 pounds, and provide the homeowner written notice of seventy-two (72) hours of move and provide payment of a cancellation fee of \$350.00 if the homeowner does not show up within sixty (60) minutes of a scheduled move for the Moving and Storage of Household Goods.

The contract was awarded on May 16, 2018, by Ordinance No. 2018-0407, for a one (1) year term, with four (4) one-year options in an amount not to exceed \$1,845,660.00. Expenditures as of May 12, 2022 totaled \$1,178,032.12. No additional funds are required through the term of the agreement.

The scope of work requires the contractor to provide all labor, supervision, materials, equipment, tools, storage facilities and transportation necessary to provide moving and storage of household goods for HCDD's clients. The moving and storage of household goods will be provided to clients as part of HCDD's Temporary Relocation Assistance Program, where the client's household goods will be temporarily moved to a storage facility. After the client's home has been repaired or reconstructed, the contractor will be required to move the client's household goods from storage back into the residence.

M/WBE Subcontracting:

The contract was awarded with a 11% M/WBE participation goal. APMS of Houston, LLC dba All Points Moving and Storage is currently achieving 10.17% of the required M/WBE goal.

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:

Jerry Adams

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5/16/2022

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

Prior Council Action:

Ordinance 2018-0407, Passed 5-16-2018

Amount and Source of Funding:

No Funding Require

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Roy Korthals, Sr. Procurement Specialist	FIN/SPD	832.393.8734
Roxanne Lawson, Division Manager	HCDD	832.394.6307

ATTACHMENTS:**Description**

First Amendment
Contract 4600014798 - Part A
Contract 4600014798 - Part B
Previous Ordinance 2018-0407
Previous RCA L26461
Ownership Information Form
Tax Clearance Report

Type

Backup Material
Contract/Exhibit
Contract/Exhibit
Ordinance/Resolution/Motion
Backup Material
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 4/26/2022

L31224 - Parts Immersion Cleaning Services -
ORDINANCE (Heritage-Crystal Clean, LLC)

Agenda Item#: 21.

Summary:

ORDINANCE approving and awarding contract between City of Houston and **HERITAGE-CRYSTAL CLEAN, LLC** for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$791,888.37 - General, Enterprise and Other Funds

Background:

Formal Bids received February 24, 2022, for S74-L31224 – Approve an ordinance awarding a contract to Heritage-Crystal Clean, LLC, on its sole bid in an amount not to exceed \$791,888.37 for parts immersion cleaning services for various departments.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three (3) year contract with two one-year options to Heritage-Crystal Clean, LLC**, on its sole bid meeting specifications for parts immersion cleaning services in an amount not to exceed **\$791,888.37** for various departments.

The scope of work requires the contractor to provide parts immersion cleaning equipment, schedule inspections, maintenance, cleaning of tanks, and schedule disposal of spent waste materials used to degrease automotive and bicycle parts at various locations/shops throughout the City. The scope of work requires the contractor to provide all labor, materials, supervision, tools, equipment, and transportation necessary to provide the parts immersion cleaning services, including the chemical solvent, rental of parts cleaner tanks, and paint spray gun cleaners. The Texas Commission on Environmental Quality classifies these chemical solvents as hazardous waste and requires their disposal in accordance with the Environmental Protection Agency regulations.

This project was advertised in accordance with the requirement of the State of Texas bid laws.

Nine prospective bidders downloaded the solicitation document from the Strategic Procurement Division's e-bidding website, and as a result, one bid was received. Prior to issuing the solicitation, the Strategic Procurement Division canvassed the City's registered vendor database, as well as the market, to identify potential bidders who could possibly provide the services needed. As a result, seventy-three (73) potential bidders were identified and notified of the Invitation to Bid

(ITB). Subsequent to the receipt of the bid, potential bidders were contacted to determine the reason for the limited response to the ITB; potential bidders advised they did not have the necessary resources to meet the scope of work requirements specified in the ITB, or they were not interested in submitting a bid.

M/WBE Participation:

The ITB was issued as a goal-oriented contract with a 11% M/WBE participation level. Heritage-Crystal Clean, LLC has designated the below-named company as its certified M/WBE subcontractor:

Name of M/WBE	Type of Work	Dollar Amount	Percentage
Saxon Fleet Services	Truck and Trailer Repair/Maintenance	\$87,107.72	11%

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 Heritage-Crystal Clean, LLC. will provide 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 and supports job creation. In this case, Heritage-Crystal Clean, LLC. does not meet the requirements for HHF designation; no HHF firm was within three percent.

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

Gary Glasscock, Director
Fleet Management Department

Estimated Spending Authority:

Department	FY 2022	Out Years	Total
Fleet Management Department	\$57,420.00	\$616,272.59	\$673,692.59
Houston Public Works	\$ 2,000.00	\$106,703.14	\$108,703.14
Houston Police Department	\$ 1,898.52	\$ 7,594.12	\$ 9,492.64
TOTAL	\$61,318.52	\$730,569.85	\$791,888.37

Amount and Source of Funding:

\$673,692.59 – Fleet Management Fund (1005)

\$108,703.14 – Water & Sewer System Operating Fund (8300)

\$ 9,492.64 – General Fund (1000)

\$791,888.37 - TOTAL

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Elnora Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-0209
Barbara Fisher, Purchasing Manager	FIN/SPD	(832) 393-9127
Terrance York, Division Manager	FMD	(832) 393-0960

ATTACHMENTS:**Description**

Coversheet

Coversheet

Type

Signed Cover sheet

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/26/2022

L31224 - Parts Immersion Cleaning Services - ORDINANCE (Heritage-Crystal Clean, LLC)

Agenda Item#:

Background:

Formal Bids received February 24, 2022, for S74-L31224 – Approve an ordinance awarding a contract to Heritage-Crystal Clean, LLC, on its sole bid in an amount not to exceed \$791,888.37 for parts immersion cleaning services for various departments.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three (3) year contract with two one-year options to Heritage-Crystal Clean, LLC**, on its sole bid meeting specifications for parts immersion cleaning services in an amount not to exceed **\$791,888.37** for various departments.

The scope of work requires the contractor to provide parts immersion cleaning equipment, schedule inspections, maintenance, cleaning of tanks, and schedule disposal of spent waste materials used to degrease automotive and bicycle parts at various locations/shops throughout the City. The scope of work requires the contractor to provide all labor, materials, supervision, tools, equipment, and transportation necessary to provide the parts immersion cleaning services, including the chemical solvent, rental of parts cleaner tanks, and paint spray gun cleaners. The Texas Commission on Environmental Quality classifies these chemical solvents as hazardous waste and requires their disposal in accordance with the Environmental Protection Agency regulations.

This project was advertised in accordance with the requirement of the State of Texas bid laws. Nine prospective bidders downloaded the solicitation document from the Strategic Procurement Division's e-bidding website, and as a result, one bid was received. Prior to issuing the solicitation, the Strategic Procurement Division canvassed the City's registered vendor database, as well as the market, to identify potential bidders who could possibly provide the services needed. As a result, seventy-three (73) potential bidders were identified and notified of the Invitation to Bid (ITB). Subsequent to the receipt of the bid, potential bidders were contacted to determine the reason for the limited response to the ITB; potential bidders advised they did not have the necessary resources to meet the scope of work requirements specified in the ITB, or they were not interested in submitting a bid.

M/WBE Participation:

The ITB was issued as a goal-oriented contract with a 11% M/WBE participation level. Heritage-Crystal Clean, LLC has designated the below-named company as its certified M/WBE subcontractor:

Name of M/WBE	Type of Work	Dollar Amount	Percentage
Saxon Fleet Services	Truck and Trailer Repair/Maintenance	\$87,107.72	11%

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 Heritage-Crystal Clean, LLC. will provide 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 and supports job creation. In this case, Heritage-Crystal Clean, LLC. does not meet the requirements for HHF designation; no HHF firm was within three percent.

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:

Jerry Adams

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

DocuSigned by:

Gary Glasscock

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**Gary Glasscock, Director
Fleet Management Department**

5/3/2022

5/3/2022

Estimated Spending Authority:

Department	FY 2022	Out Years	Total
Fleet Management Department	\$57,420.00	\$616,272.59	\$673,692.59
Houston Public Works	\$ 2,000.00	\$106,703.14	\$108,703.14
Houston Police Department	\$ 1,898.52	\$ 7,594.12	\$ 9,492.64
TOTAL	\$61,318.52	\$730,569.85	\$791,888.37

Amount and Source of Funding:

\$673,692.59 – Fleet Management Fund (1005)

\$108,703.14 – Water & Sewer System Operating Fund (8300)

\$ 9,492.64 – General Fund (1000)

\$791,888.37 - TOTAL

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Elnora Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-0209
Barbara Fisher, Purchasing Manager	FIN/SPD	(832) 393-9127
Terrance York, Division Manager	FMD	(832) 393-0960

ATTACHMENTS:

Description	Type
Ownership Information Form	Backup Material
Drug Forms	Backup Material
POP Forms	Backup Material
FMD Funding Information	Financial Information
HPW Funding Information	Financial Information
HPD Funding Information	Financial Information
MWBE Plan	Backup Material
OBO Goal Approval	Backup Material
Tax Report	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/26/2022

L31224 - Parts Immersion Cleaning Services - ORDINANCE (Heritage-Crystal Clean, LLC)

Agenda Item#:

Background:

Formal Bids received February 24, 2022, for S74-L31224 – Approve an ordinance awarding a contract to Heritage-Crystal Clean, LLC, on its sole bid in an amount not to exceed \$791,888.37 for parts immersion cleaning services for various departments.

Specific Explanation:

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **three (3) year contract with two one-year options to Heritage-Crystal Clean, LLC**, on its sole bid meeting specifications for parts immersion cleaning services in an amount not to exceed **\$791,888.37** for various departments.

The scope of work requires the contractor to provide parts immersion cleaning equipment, schedule inspections, maintenance, cleaning of tanks, and schedule disposal of spent waste materials used to degrease automotive and bicycle parts at various locations/shops throughout the City. The scope of work requires the contractor to provide all labor, materials, supervision, tools, equipment, and transportation necessary to provide the parts immersion cleaning services, including the chemical solvent, rental of parts cleaner tanks, and paint spray gun cleaners. The Texas Commission on Environmental Quality classifies these chemical solvents as hazardous waste and requires their disposal in accordance with the Environmental Protection Agency regulations.

This project was advertised in accordance with the requirement of the State of Texas bid laws. Nine prospective bidders downloaded the solicitation document from the Strategic Procurement Division's e-bidding website, and as a result, one bid was received. Prior to issuing the solicitation, the Strategic Procurement Division canvassed the City's registered vendor database, as well as the market, to identify potential bidders who could possibly provide the services needed. As a result, seventy-three (73) potential bidders were identified and notified of the Invitation to Bid (ITB). Subsequent to the receipt of the bid, potential bidders were contacted to determine the reason for the limited response to the ITB; potential bidders advised they did not have the necessary resources to meet the scope of work requirements specified in the ITB, or they were not interested in submitting a bid.

M/WBE Participation:

The ITB was issued as a goal-oriented contract with a 11% M/WBE participation level. Heritage-Crystal Clean, LLC has designated the below-named company as its certified M/WBE subcontractor:

Name of M/WBE	Type of Work	Dollar Amount	Percentage
Saxon Fleet Services	Truck and Trailer Repair/Maintenance	\$87,107.72	11%

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 Heritage-Crystal Clean, LLC. will provide 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 and supports job creation. In this case, Heritage-Crystal Clean, LLC. does not meet the requirements for HHF designation; no HHF firm was within three percent.

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:

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**

JS6

5/3/2022

Estimated Spending Authority:

Department	FY 2022	Out Years	Total
Fleet Management Department	\$57,420.00	\$616,272.59	\$673,692.59
Houston Public Works	\$ 2,000.00	\$106,703.14	\$108,703.14
Houston Police Department	\$ 1,898.52	\$ 7,594.12	\$ 9,492.64
TOTAL	\$61,318.52	\$730,569.85	\$791,888.37

Amount and Source of Funding:

\$673,692.59 – Fleet Management Fund (1005)

\$108,703.14 – Water & Sewer System Operating Fund (8300)

\$ 9,492.64 – General Fund (1000)

\$791,888.37 - TOTAL

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Elnora Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-0209
Barbara Fisher, Purchasing Manager	FIN/SPD	(832) 393-9127
Terrance York, Division Manager	FMD	(832) 393-0960

ATTACHMENTS:

Description	Type
Ownership Information Form	Backup Material
Drug Forms	Backup Material
POP Forms	Backup Material
FMD Funding Information	Financial Information
HPW Funding Information	Financial Information
HPD Funding Information	Financial Information
MWBE Plan	Backup Material
OBO Goal Approval	Backup Material
Tax Report	Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

L30011 - Lease of Ice Machines and Combination Ice Machines/Water Dispensers -
ORDINANCE (Easy Ice, LLC)

Agenda Item#: 22.

Summary:

ORDINANCE awarding contract to **EASY ICE, LLC** for the lease of Ice Machines and Combination Ice Machines/Water Dispensers for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$3,532,743.36 - General, Enterprise and Other Funds

Background:

Formal Bids Received January 6, 2022 for S19-L30011 – Approve an ordinance awarding a contract to Easy Ice, LLC in an amount not to exceed \$3,532,743.36 for the lease of ice machines and combination ice machines/water dispensers for Various Departments.

Specific Explanation:

The Chief Procurement Officer recommends that City Council approve an ordinance awarding a **three-year contract with two one-year options to Easy Ice, LLC** on its low bid meeting specifications for the lease of ice machines and combination ice machines/water dispensers in the total amount not to exceed **\$3,532,743.36** for Various Departments.

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

Company	Total Amount
1. Easy Ice, LLC	\$ 3,532,743.36
2. TCG Home & Commercial Solutions, LLC	\$ 6,298,320.00
3. Quench USA, Inc.	\$11,177,460.00

The scope of work requires the contractor to furnish all labor, supervision, personnel, management, parts, tools, materials, equipment, supplies, tools, permits, transportation, and insurance necessary for the lease of ice machines and/or combination ice machines / water dispensers for use at various City facilities. The services to be provided include, but are not limited to the furnishing of new ice machines and/or combination ice machines / water dispensers, warranty, preventive maintenance services, repairs, parts, delivery and pick-up, and the training of department personnel in the routine daily maintenance procedures.

M/WBE Participation:

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

Pay or Play Program:

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, Easy Ice, LLC provides 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, Easy Ice, LLC does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

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

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Estimated Spending Authority			
DEPARTMENT	FY2022	OUT YEARS	TOTAL
Houston Public Works	\$88,110.66	\$1,219,789.14	\$1,307,899.80

General Services Department	\$10,000.00	\$1,016,220.08	\$1,026,220.08
Houston Airport System	\$5,305.08	\$153,847.08	\$159,152.16
Parks and Recreation	\$4,000.00	\$318,426.80	\$322,426.80
Houston Police Department	\$20,000.00	\$269,996.20	\$289,996.20
Solid Waste Management	\$17,000.00	\$162,759.04	\$179,759.04
Fleet Management Department	\$23,000.00	\$151,598.56	\$174,598.56
Houston Information Technology Services	\$744.00	\$14,493.12	\$15,237.12
Department of Neighborhoods	\$4,586.76	\$18,897.48	\$23,484.24
Controller's Office	\$1,488.00	6,130.56	\$7,618.56
Legal Department	\$3,635.02	\$15,097.22	\$18,732.24
Mayor's Office	\$372.00	\$7,246.56	\$7,618.56
Totals	\$178,241.52	\$3,354,501.84	\$3,532,743.36

Amount and Source of Funding:

\$1,052,981.26 – Water and Sewer System Operating Fund (8300)
 \$ 40,736.34 – Building Inspection Fund (2301)
 \$ 106,800.54 – Stormwater Fund (2302)
 \$ 107,381.66 – Dedicated Drainage and Street Renewal Fund – Metro EI AI (2312)
 \$1,819,855.72 – General Fund (1000)
 \$ 159,152.16 – HAS Revenue Fund (8001)
 \$ 56,000.00 – Parks Special Revenue Fund (2100)
 \$ 174,598.56 – Fleet Management Fund (1005)
 \$ 15,237.12 – Central Service Fund (1002)
\$3,532,743.36 - Total

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Roy Kothals, Sr. Procurement Specialist	FIN/SPD	832.393.8734
Jed Greenfield, Assistant Director	HPW	832.395.3754

ATTACHMENTS:

Description

signed Coversheet
 Coversheet

Type

Signed Cover sheet
 Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date:

L30011 - Lease of Ice Machines and Combination Ice Machines/Water Dispensers -
ORDINANCE (Easy Ice, LLC)

Agenda Item#:

Background:

Formal Bids Received January 6, 2022 for S19-L30011 – Approve an ordinance awarding a contract to Easy Ice, LLC in an amount not to exceed \$3,532,743.36 for the lease of ice machines and combination ice machines/water dispensers for Various Departments.

Specific Explanation:

The Chief Procurement Officer recommends that City Council approve an ordinance awarding a **three-year contract with two one-year options to Easy Ice, LLC** on its low bid meeting specifications for the lease of ice machines and combination ice machines/water dispensers in the total amount not to exceed **\$3,532,743.36** for Various Departments.

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

<u>Company</u>	<u>Total Amount</u>
1. Easy Ice, LLC	\$ 3,532,743.36
2. TCG Home & Commercial Solutions, LLC	\$ 6,298,320.00
3. Quench USA, Inc.	\$11,177,460.00

The scope of work requires the contractor to furnish all labor, supervision, personnel, management, parts, tools, materials, equipment, supplies, tools, permits, transportation, and insurance necessary for the lease of ice machines and/or combination ice machines / water dispensers for use at various City facilities. The services to be provided include, but are not limited to the furnishing of new ice machines and/or combination ice machines / water dispensers, warranty, preventive maintenance services, repairs, parts, delivery and pick-up, and the training of department personnel in the routine daily maintenance procedures.

M/WBE Participation:

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

Pay or Play Program:

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, Easy Ice, LLC provides 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, Easy Ice, LLC does not meet the requirements for HHF designation; no HHF firms were within three percent.

Fiscal Note:

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

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Jerry Adams
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4/26/2022

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Estimated Spending Authority			
DEPARTMENT	FY2022	OUT YEARS	TOTAL
Houston Public Works	\$88,110.66	\$1,219,789.14	\$1,307,899.80
General Services Department	\$10,000.00	\$1,016,220.08	\$1,026,220.08
Houston Airport System	\$5,305.08	\$153,847.08	\$159,152.16
Parks and Recreation	\$4,000.00	\$318,426.80	\$322,426.80
Houston Police Department	\$20,000.00	\$269,996.20	\$289,996.20
Solid Waste Management	\$17,000.00	\$162,759.04	\$179,759.04
Fleet Management Department	\$23,000.00	\$151,598.56	\$174,598.56
Houston Information Technology Services	\$744.00	\$14,493.12	\$15,237.12

Department of Neighborhoods	\$4,586.76	\$18,897.48	\$23,484.24
Controller's Office	\$1,488.00	6,130.56	\$7,618.56
Legal Department	\$3,635.02	\$15,097.22	\$18,732.24
Mayor's Office	\$372.00	\$7,246.56	\$7,618.56
Totals	\$178,241.52	\$3,354,501.84	\$3,532,743.36

Amount and Source of Funding:

\$1,052,981.26 – Water and Sewer System Operating Fund (8300)
 \$ 40,736.34 – Building Inspection Fund (2301)
 \$ 106,800.54 – Stormwater Fund (2302)
 \$ 107,381.66 – Dedicated Drainage and Street Renewal Fund – Metro EI AI (2312)
 \$1,819,855.72 – General Fund (1000)
 \$ 159,152.16 – HAS Revenue Fund (8001)
 \$ 56,000.00 – Parks Special Revenue Fund (2100)
 \$ 174,598.56 – Fleet Management Fund (1005)
 \$ 15,237.12 – Central Service Fund (1002)
\$3,532,743.36 - Total

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Barbara Fisher, Purchasing Manager	FIN/SPD	832.393.8722
Roy Kothals, Sr. Procurement Specialist	FIN/SPD	832.393.8734
Jed Greenfield, Assistant Director	HPW	832.395.3754

ATTACHMENTS:**Description**

Ownership Information Form
 Conflict of Interest Questionnaire
 Certificate of Interested Parties
 Resolution of Contractor
 POP 1
 POP 2
 Secretary of State (SOS)
 Tax Clearance Report
 Zero-Percent MWBE OBO Approval
 Drug Policy Forms
 COI and Endorsements
 Contract
 Signed Coversheet
 Bid Tabulation for L30011
 Funding Information

Type

Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Backup Material
 Contract/Exhibit
 Signed Cover sheet
 Backup Material
 Financial Information



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 5/5/2022

L30018 - Television Production Equipment Repairs and Maintenance Services -
ORDINANCE (Ford Audio-Video System, LLC)

Agenda Item#:

Background:

S78-L30018: Approve an ordinance authorizing a derivative agreement with Ford Audio-Video System, LLC for television production equipment repairs and maintenance services through the Interlocal Agreement for Cooperative Purchasing with TipsUSA in the total amount of \$200,000.00 for Houston Television (Municipal Channel).

Specific Explanation:

The Director of HTV (Municipal Channel) and the Chief Procurement Officer recommend that City Council approve and authorize a derivative agreement with **Ford Audio-Video System, LLC** in an amount not to exceed **\$200,000.00** for a **sixty-month period** through the Interlocal Agreement for Cooperative Purchasing with TipsUSA .

The scope of work requires the contractor to provide all maintenance and repair work required for television production equipment, to include replacement parts and all minor component parts necessary to ensure optimum performance and minimize downtime. This maintenance and repair work is critical because the equipment is heavily used for recorded and live productions for the City of Houston.

This recommendation is made pursuant to subsection 271.102(c) of the Texas Local Code, which provides that "a local government that purchase 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 goods or services."

M/WBE Participation:

M/WBE Zero Percentage Goal 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/Cooperative Purchasing Agreement for this purchase.

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
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Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

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Department Approval Authority

5/19/2022

5/19/2022

Estimated Spending Authority

Department	FY2022	Out Years	Total
HTV Municipal Channel	\$40,000.00	\$160,000.00	\$200,000.00

Amount and Source of Funding:

\$200,000.00

State Cable TV

Fund No.: 2428

Contact Information:

NAME:	DEPARTMENT/DIVISIO	PHONE NO
Barbara Fisher, Purchasing Manager	FIN/SPD	(832) 393-8722
Katie Moore, Sr. Procurement Specialist	FIN/SPD	(832) 393-8710

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date: 4/22/2022

T29687-Construction Code Modernization - ORDINANCE
(Jensen Hughes, Inc.)

Agenda Item#: 23.

Summary:

ORDINANCE approving and authorizing agreement for Professional Planning Services between City of Houston and **JENSEN HUGHES, INC** to provide Hurricane Harvey Community Development Block Grant – Disaster Recovery Funds for Professional Planning Services to facilitate the modernization of the City's Construction Code; setting a maximum contract amount – 2 Years with 1 one-year option - \$2,098,533.00 - Grant Fund

Background:

Request for Proposals received May 27, 2021 for S83-T29687 – Approve an Ordinance awarding a contract to Jensen Hughes, Inc. in the maximum contract amount of \$2,098,533.00 in Hurricane Harvey Community Development Block Grant—Disaster Recovery (CDBG-DR17) Funds for the Houston Public Works and the Housing Community Development Department for professional planning services to facilitate the modernization of the City's Construction Code.

Specific Explanation:

The Directors of the Houston Public Works (HPW) and Housing Community Development Department (HCDD) and the Chief Procurement Officer (CPO) recommend that City Council approve an ordinance awarding a contract for professional planning services with a **two (2) year term, with one (1) one-year option to renew to Jensen Hughes, Inc.** ("Consultant") in the maximum contract amount of **\$2,098,533.00** to facilitate the proposed modernization of the City's Construction Code. The Directors of HPW and HCDD may terminate the contract at any time by giving thirty (30) days written notice to the Consultant, with a copy of the notice to the CPO.

The scope of work requires the contractor to facilitate the proposed modernization of the City's Construction Code. This will involve a collaborative process open to residents, business owners, and other interested stakeholders; each will have the opportunity to work with City leadership and organizational staff from HPW, the Houston Permitting Center, the City Building Official, the City Engineer, the Building Code Enforcement Group, and the Green Building Resource Center. Additionally, other adjacent City departments such as the General Services Department, the Parks Department, the Office of Resilience and Sustainability, and the Office of Recovery will play a role. The process will culminate in a fully updated and modern Houston Construction Code as well as new standard operating procedures for review, updating, and adoption. The Consultant shall facilitate updating the Houston Construction Code in a format agreed upon by the City departments

and officials identified above and any agents they deem appropriate. In the updating of the Houston Construction Code and development of supporting process documentation, the Consultant will address several items, including but not limited to:

1. Update definitions, terminology, and land uses, as well as graphics and tables to illustrate regulations and increase accessibility across audiences to ensure ease of use.
2. Address inconsistencies and duplicative efforts.
3. Implement the recommendations of the Resilient Houston strategy by incorporating resilient development and construction practices that exceed internationally published minimum codes and standards.
4. Address antiquated, redundant, confusing, and conflicting building standards.

The Request for Proposals (RFP) was advertised in accordance with the State of Texas bid laws. Twenty-three (23) prospective proposers downloaded the solicitation document on the Strategic Procurement Division's (SPD) e-bidding website, and as a result, four (4) proposals were received from:

1. House & Robertson Architects
2. IBTS
3. Jensen Hughes, Inc.
4. Vidaris of Florida

The evaluation committee (EC) consisted of employees from HPW and the City of Houston Mayor's Office (MYR).

The proposals were evaluated based upon the following criteria:

1. Proposer's Background and Experience Providing Similar Services
2. Management Approach and Understanding of Scope Requirements
3. Background and Experience of Key Personnel
4. Price Proposal

Jensen Hughes, Inc. received the highest overall score and was deemed the best qualified to perform the requirements as outlined in the RFP.

M/WBE Participation:

The RFP was advertised with a 24% goal for M/WBE participation. Jensen Hughes, Inc. submitted a Good Faith Effort to the Office of Business Opportunity, which was approved for 14% MWBE goal. Therefore, Jensen Hughes, Inc. has designated the below-named companies as its certified M/WBE subcontractors.

Company	Type of Work	Percentage	Total Amount
Delmet Services, LLC	Administrative Staffing Services	3%	\$62,955.99
Knudson	Permitting Services	11%	\$230,838.63
	TOTAL	14%	\$293,794.62

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, Jensen Hughes, Inc., has elected to play and will provide health benefits to eligible employees in compliance with City policy.

Hire Houston First:

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

Fiscal Note:

No Fiscal Note required on grant items.

Jerry Adams, Chief Procurement Officer
Finance/Strategic Procurement Division

Department Approval Authority

ESTIMATED SPENDING AUTHORITY

Department	FY2022	Out-Years	Amount
HCDD	\$1,800,000.00	\$298,533.00	\$2,098,533.00

Amount and Source of Funding:

\$2,098,533.00

Federal/State/Local-Pass Through Fund

Fund:5030

Contact Information:

NAME	DEPARTMENT/DIVISION	PHONE NO
Yesenia Chuca, Division Manager	FIN/SPD	(832) 393-8727
Yvette Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8765
Roxanne Lawson, Division Manager	HCDD	(832) 394-6307
Carol Haddock, Director	HPW	(832) 395-2500

ATTACHMENTS:**Description**

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/22/2022

T29687-Construction Code Modernization - ORDINANCE (Jensen Hughes, Inc.)

Agenda Item#:

Background:

Request for Proposals received May 27, 2021 for S83-T29687 – Approve an Ordinance awarding a contract to Jensen Hughes, Inc. in the maximum contract amount of \$2,098,533.00 in Hurricane Harvey Community Development Block Grant—Disaster Recovery (CDBG-DR17) Funds for the Houston Public Works and the Housing Community Development Department for professional planning services to facilitate the modernization of the City's Construction Code.

Specific Explanation:

The Directors of the Houston Public Works (HPW) and Housing Community Development Department (HCDD) and the Chief Procurement Officer (CPO) recommend that City Council approve an ordinance awarding a contract for professional planning services with a **two (2) year term, with one (1) one-year option to renew to Jensen Hughes, Inc.** ("Consultant") in the maximum contract amount of **\$2,098,533.00** to facilitate the proposed modernization of the City's Construction Code. The Directors of HPW and HCDD may terminate the contract at any time by giving thirty (30) days written notice to the Consultant, with a copy of the notice to the CPO.

The scope of work requires the contractor to facilitate the proposed modernization of the City's Construction Code. This will involve a collaborative process open to residents, business owners, and other interested stakeholders; each will have the opportunity to work with City leadership and organizational staff from HPW, the Houston Permitting Center, the City Building Official, the City Engineer, the Building Code Enforcement Group, and the Green Building Resource Center. Additionally, other adjacent City departments such as the General Services Department, the Parks Department, the Office of Resilience and Sustainability, and the Office of Recovery will play a role. The process will culminate in a fully updated and modern Houston Construction Code as well as new standard operating procedures for review, updating, and adoption. The Consultant shall facilitate updating the Houston Construction Code in a format agreed upon by the City departments and officials identified above and any agents they deem appropriate. In the updating of the Houston Construction Code and development of supporting process documentation, the Consultant will address several items, including but not limited to:

1. Update definitions, terminology, and land uses, as well as graphics and tables to illustrate regulations and increase accessibility across audiences to ensure ease of use.
2. Address inconsistencies and duplicative efforts.
3. Implement the recommendations of the Resilient Houston strategy by incorporating resilient development and construction practices that exceed internationally published minimum codes and standards.
4. Address antiquated, redundant, confusing, and conflicting building standards.

The Request for Proposals (RFP) was advertised in accordance with the State of Texas bid laws. Twenty-three (23) prospective proposers downloaded the solicitation document on the Strategic Procurement Division's (SPD) e-bidding website, and as a result, four (4) proposals were received from:

1. House & Robertson Architects
2. IBTS
3. Jensen Hughes, Inc.
4. Vidaris of Florida

The evaluation committee (EC) consisted of employees from HPW and the City of Houston Mayor's Office (MYR).

The proposals were evaluated based upon the following criteria:

1. Proposer's Background and Experience Providing Similar Services
2. Management Approach and Understanding of Scope Requirements
3. Background and Experience of Key Personnel
4. Price Proposal

Jensen Hughes, Inc. received the highest overall score and was deemed the best qualified to perform the requirements as outlined in the RFP.

The RFP was advertised with a 24% goal for M/WBE participation. Jensen Hughes, Inc. submitted a Good Faith Effort to the Office of Business Opportunity, which was approved for 14% MWBE goal. Therefore, Jensen Hughes, Inc. has designated the below-named companies as its certified M/WBE subcontractors.

Company	Type of Work	Percentage	Total Amount
Delmet Services, LLC	Administrative Staffing Services	3%	\$62,955.99
Knudson	Permitting Services	11%	\$230,838.63
	TOTAL	14%	\$293,794.62

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, Jensen Hughes, Inc., has elected to play and will provide health benefits to eligible employees in compliance with City policy.

Hire Houston First:

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

Fiscal Note:

No Fiscal Note required on grant items.

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Jerry Adams

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DocuSigned by:

Carol Faddock

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5/10/2022

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

Department Approval Authority

5/10/2022

DS
LWB

ESTIMATED SPENDING AUTHORITY

Department	FY2022	Out-Years	Amount
HCDD	\$1,800,000.00	\$298,533.00	\$2,098,533.00

Amount and Source of Funding:

\$2,098,533.00

Federal/State/Local-Pass Through Fund
Fund:5030

Contact Information:

NAME	DEPARTMENT/DIVISION	PHONE NO
Yesenia Chuca, Division Manager	FIN/SPD	(832) 393-8727
Yvette Smith, Sr. Procurement Specialist	FIN/SPD	(832) 393-8765
Roxanne Lawson, Division Manager	HCDD	(832) 394-6307
Carol Haddock, Director	HPW	(832) 395-2500

ATTACHMENTS:

Description	Type
COF	Financial Information
Ownership Information Form	Backup Material
Form 1295 JH	Backup Material
POP 2	Backup Material
Sam. Gov Check	Backup Material
Tax Log	Backup Material
Drug Forms	Backup Material
MWBE-LOI & Good Faith Effort	Backup Material

OBO Contract Specific
Secretary of State
Award Recommendation
State Debarment Check
POP 1
Approved OBO GFE
Certificate of Insurance
Anti-Lobbying
Debarment Certification
Conflict of Interest
RCA Backup

[illegible]



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

HPD - Mobile Crisis Outreach Teams

Agenda Item#: 24.

Summary:

ORDINANCE amending Ordinance No. 2022-271 to increase the maximum contract amount and approving and authorizing first amendment to agreement between City of Houston and **THE HARRIS CENTER FOR MENTAL HEALTH AND IDD** for the creation and operation of a Crisis Call Diversion and Mobile Crisis Outreach Team Rapid Response Program for the Houston Police Department; providing a maximum contract amount - \$1,433,793.00 - ARPA Recovery Fund

Background:

The Chief of Police for the Houston Police Department (HPD) recommends City Council approve the First Amended Subrecipient Agreement between the City of Houston and The Harris Center for Mental Health and IDD (The Harris Center) for Partnership in Operating the Crisis Call Diversion and Mobile Crisis Outreach Team Rapid Response Program to increase the maximum contract amount from \$12,637,309.20 to \$14,071,102.20 which represents an increase of \$1,433,793.00. The term of this agreement is for twelve consecutive months following the effective date and will be automatically renewed for three (3) one-year terms and a fifth term from the fourth anniversary of the Countersignature Date until November 30, 2026 on the same terms and conditions

The Mayor's Task Force on Policing Reform recommended utilizing funds from the American Rescue Plan Act (ARPA) of 2021 to expand HPD's partnership with mental health professionals to lessen the burden on officers when responding to vulnerable populations, such as those experiencing mental health crises. On April 13, 2022, the Mayor and City Council approved a Subrecipient Agreement between the City of Houston and The Harris Center to provide funding for eighteen (18) Mobile Crisis Outreach Teams to work with HPD to provide the MCOT Rapid Response program in the City of Houston (Ordinance 2022-0271).

The City of Houston and The Harris Center desire to enter into this First Amendment to further expand the MCOT Rapid Response program in the City of Houston by adding two (2) additional MCOT Rapid Response teams. As there are two members per team, this would allow The Harris Center to assign 40 MCOT personnel to 20 Rapid Response teams. The cost for two additional MCOT teams is \$1,433,793.00 to be paid using ARPA funds.

The members of the MCOT Rapid Response Teams will include Licensed Professionals of the Healing Arts, Master level clinicians and care coordinators. The Harris Center will use personnel assigned to the 911 CCD Program to identify eligible calls for service involving persons experiencing mental health issues. The personnel assigned to CCD Program will coordinate with HPD dispatchers to divert eligible

calls-for-service to MCOT Personnel for handling.

As background on February 17, 2022, The Harris Center gave a presentation to the Public Safety and Homeland Security Committee regarding the expansion of the MCOT Program in the City of Houston. The presentation material can be obtained on the portal below:

<http://www.houstontx.gov/council/committees/publicsafety.html>

The City of Houston determined the funds the City is providing to The Harris Center under this Agreement are reasonable and necessary expenditures to address the COVID-19 public health emergency and such funds were not included in the City's approved FY 2022 Budget.

	FY22 Year 1	FY23 Year 2	FY24 Year 3	TOTAL
Additional MCOT Teams	\$477,931.00	\$477,931.00	\$477,931.00	\$ 1,433,793.00
TOTAL Requested:				\$ 1,433,793.00

Fiscal Note:

No Fiscal Note is required on grant items.

Troy Finner
Chief of Police

Prior Council Action:

Ordinance
2022-271
April 13, 2022

Amount and Source of Funding:

\$1,433,793.00
ARPA Recovery Fund
Fund 5309

Contact Information:

Rhonda Smith, CFO & Deputy Director, HPD 713.308.1708
Sonja O'Dat, Council Liaison, HPD 713.308.1728

ATTACHMENTS:

Description

Signed RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

Item Creation Date:

HPD - Mobile Crisis Outreach Teams

Agenda Item#: 42.

Background:

The Chief of Police for the Houston Police Department (HPD) recommends City Council approve the First Amended Subrecipient Agreement between the City of Houston and The Harris Center for Mental Health and IDD (The Harris Center) for Partnership in Operating the Crisis Call Diversion and Mobile Crisis Outreach Team Rapid Response Program to increase the maximum contract amount from \$12,637,309.20 to \$14,071,102.20 which represents an increase of \$1,433,793.00. The term of this agreement is for twelve consecutive months following the effective date and will be automatically renewed for three (3) one-year terms and a fifth term from the fourth anniversary of the Countersignature Date until November 30, 2026 on the same terms and conditions

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The City of Houston and The Harris Center desire to enter into this First Amendment to further expand the MCOT Rapid Response program in the City of Houston by adding two (2) additional MCOT Rapid Response teams. As there are two members per team, this would allow The Harris Center to assign 40 MCOT personnel to 20 Rapid Response teams. The cost for two additional MCOT teams is \$1,433,793.00 to be paid using ARPA funds.

The members of the MCOT Rapid Response Teams will include Licensed Professionals of the Healing Arts, Master level clinicians and care coordinators. The Harris Center will use personnel assigned to the 911 CCD Program to identify eligible calls for service involving persons experiencing mental health issues. The personnel assigned to CCD Program will coordinate with HPD dispatchers to divert eligible calls-for-service to MCOT Personnel for handling.

As background on February 17, 2022, The Harris Center gave a presentation to the Public Safety and Homeland Security Committee regarding the expansion of the MCOT Program in the City of Houston. The presentation material can be obtained on the portal below:

<http://www.houstontx.gov/council/committees/publicsafety.html>

The City of Houston determined the funds the City is providing to The Harris Center under this Agreement are reasonable and necessary expenditures to address the COVID-19 public health emergency and such funds were not included in the City's approved FY 2022 Budget.

	FY22 Year 1	FY23 Year 2	FY24 Year 3	TOTAL
Additional MCOT Teams	\$477,931.00	\$477,931.00	\$477,931.00	\$ 1,433,793.00
TOTAL Requested:				\$ 1,433,793.00

Fiscal Note:

No Fiscal Note is required on grant items.

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RS Troy Finner
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Troy Finner
Chief of Police

Prior Council Action:

Ordinance
2022-271
April 13, 2022

Amount and Source of Funding:

\$1,433,793.00

ARPA Recovery Fund

Fund 5309

Contact Information:

Rhonda Smith, CFO & Deputy Director, HPD 713.308.1708

Sonja O'Dat, Council Liaison, HPD 713.308.1728



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date:

HPD - Joint Processing Center - 1st Amendment

Agenda Item#: 25.

Summary:

ORDINANCE approving and authorizing first amendment to Interlocal Agreement between City of Houston and **HARRIS COUNTY** relating to construction and operation of the Joint Processing Center; (Approved by Ordinance No. 2015-0896)

Background:

The Chief of Police for the Houston Police Department (HPD) requests City Council approval of the First Amendment to the Interlocal Agreement between Harris County and the City of Houston relating to the Construction and Operation of the Joint Processing Center (First Amendment). On April 26, 2022, Harris County Commissioner's Court approved the First Amendment.

As background, HPD transferred all City jail operations to the Harris County Joint Processing Center (JPC) at the end of March 2019. Pursuant to the Interlocal Agreement entered into in 2015 (Ordinance No. 2015-0896), a true-up process is conducted annually at the beginning of the County's fiscal year (March 1st) to make adjustments based on the JPC's actual costs for the previous 12-months of JPC operations. The true-up process also takes into account the volume of City Class C prisoners arrested by HPD and housed by the JPC.

HPD met with the County to discuss costs regarding the JPC operations. As a result of these meetings with County officials, the County has lowered the City's annual cost to a *flat rate of \$14M* for JPC operational costs for Year-3 (period March 2021 – February 2022) and \$14M in Year-4 (period March 2022 – February 2023). This First Amendment will provide:

- a fixed fee of \$14M for the period March 1, 2021 to February 28, 2022, and
- a second fixed fee of \$14M for the period March 1, 2022 to February 28, 2023.

Once the First Amendment is finalized by both parties, the County will issue a refund to the City within 60 days in the amount of \$1,728,205.00 which constitutes the amount already paid by the City to the County in excess of the \$14M.

The City and County will negotiate revised terms for future years in-line with current and expected prisoner volumes and will bring a second amendment back for consideration at a later date.

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.

Troy Finner
Chief of Police

Prior Council Action:

Ordinance
2015-0896
9/22/2015

Amount and Source of Funding:

No funding required

Contact Information:

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

ATTACHMENTS:

Description

Signed RCA

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

Item Creation Date:

HPD - Joint Processing Center - 1st Amendment

Agenda Item#:

Background:

The Chief of Police for the Houston Police Department (HPD) requests City Council approval of the First Amendment to the Interlocal Agreement between Harris County and the City of Houston relating to the Construction and Operation of the Joint Processing Center (First Amendment). On April 26, 2022, Harris County Commissioner's Court approved the First Amendment.

As background, HPD transferred all City jail operations to the Harris County Joint Processing Center (JPC) at the end of March 2019. Pursuant to the Interlocal Agreement entered into in 2015 (Ordinance No. 2015-0896), a true-up process is conducted annually at the beginning of the County's fiscal year (March 1st) to make adjustments based on the JPC's actual costs for the previous 12-months of JPC operations. The true-up process also takes into account the volume of City Class C prisoners arrested by HPD and housed by the JPC.

HPD met with the County to discuss costs regarding the JPC operations. As a result of these meetings with County officials, the County has lowered the City's annual cost to a *flat rate of \$14M* for JPC operational costs for Year-3 (period March 2021 – February 2022) and \$14M in Year-4 (period March 2022 – February 2023). This First Amendment will provide:

- a fixed fee of \$14M for the period March 1, 2021 to February 28, 2022, and
- a second fixed fee of \$14M for the period March 1, 2022 to February 28, 2023.

Once the First Amendment is finalized by both parties, the County will issue a refund to the City within 60 days in the amount of \$1,728,205.00 which constitutes the amount already paid by the City to the County in excess of the \$14M.

The City and County will negotiate revised terms for future years in-line with current and expected prisoner volumes and will bring a second amendment back for consideration at a later date.

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.

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RS

Troy Finner

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Troy Finner

Chief of Police

Prior Council Action:

Ordinance
2015-0896
9/22/2015

Amount and Source of Funding:

\$14,000,000.00
Fund 1000
(General Fund)

Contact Information:

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

ATTACHMENTS:

Description

Type

Ordinance 2015

Ordinance/Resolution/Motion



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ETJ

Item Creation Date:

PLN - Annexation of 38.566 Acres of Land to Fort Bend
County Municipal Management District No. 1

Agenda Item#: 26.

Summary:

ORDINANCE consenting to the addition of 38.566 acres of land to **FORT BEND COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**, for inclusion in its district

Background:

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

Fort Bend County Municipal Management District No. 1 was authorized by the 83rd Legislature in 2013, with the creation area both being inside and outside Houston's Extra Territorial Jurisdiction (ETJ). In 2014, the City of Houston consented to the creation of the Management District. This was followed by the city consent to the addition of 4.188 acres of land in the ETJ to the District. The Board of Directors of this district has now submitted a petition requesting the City's consent to the annexation of 38.566 acres of land to the District. The consent to annexation is necessary to provide authority to issue bonds and to impose assessments, fees or taxes for the purchase, construction, extension, improvement, maintenance and operation of waterworks and sanitary sewer system and drainage facilities for the health and welfare of the future inhabitants of the district. This District is located entirely in Fort Bend County outside Houston's corporate limits. The annexation area will be improved for detention, recreation, and the development of a water tower.

A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release Fort Bend County or the City of Houston from its obligations to provide services to the areas; nor does it require additional services from the City. The City assumes no liability for the debts, obligations, or liabilities of the district.

The Planning and Development Department recommends City Council to consent to the addition of the 38.566-acres of land to Fort Bend County Municipal Management District No. 1.

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

Prior Council Action:

2016-601: Consent to Annexation of 4.188 Acres of Land
2014-235: Consent to Creation

Contact Information:

Anna Sedillo, Council Liaison
832-393-6578

Rupesh Koshy, Principal Planner
832-393-6552

ATTACHMENTS:

Description

RCA

Type

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Item Creation Date:

Agenda Item#: 5.

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Proposed Land Use Map

Management District Site Plan

Fort Bend County Drainage District Approval 1

Fort Bend County Drainage District Approval 2

Flood Plain Map

Backup Material

Backup Material

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Backup Material

Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District E, ETJ

Item Creation Date:

PLN - Consent to Creation of East Lake Houston
Management District

Agenda Item#: 27.

Summary:

ORDINANCE consenting to the creation of **EAST LAKE HOUSTON MANAGEMENT DISTRICT**, and the inclusion of 434.036 acres of land into the district

Background:

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

East Lake Houston Management District was authorized by the 85th Legislature in 2017, with the creation area both being in Houston's city limit and in the ETJ. The Board of Directors of this district has now submitted a resolution requesting the City of Houston's consent to the creation of the District. The consent to creation is necessary to provide authority to issue bonds and to impose assessments, fees or taxes for the purchase, construction, extension, improvement, maintenance and operation of waterworks and sanitary sewer system and drainage facilities for the health and welfare of the future inhabitants of the district. This District is located entirely in Harris County and part of the creation area falls within Houston's corporate limits. The area will be developed for mostly single-family land use.

A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release Harris County or the City of Houston from its obligations to provide services to the areas; nor does it require additional services from the City. The City assumes no liability for the debts, obligations, or liabilities of the district.

The Planning and Development Department recommends City Council to consent to the creation of the 434.036-acre East Lake Houston Management District.

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

Contact Information:

Anna Sedillo, Council Liaison
832-393-6578

Rupesh Koshy
832-393-6552

ATTACHMENTS:

Description

RCA

Type

Signed Cover sheet

Item Creation Date:

Agenda Item#: 7.

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CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District D

Item Creation Date: 4/13/2022

HPW - 20WR358 – First Amendment to Utility Functions
and Services Allocation Agreement – Harris County MUD
390 (1 of 2)

Agenda Item#: 28.

Summary:

ORDINANCE approving and authorizing first amendment to Utility Functions and Services Agreement between City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390** (Approved by Ordinance No. 2002-0764) to limit City of Houston's Rebate obligation relating to Harris County Municipal Utility District No. 390's land expansion - **DISTRICT D - EVANS-SHABAZZ**

Background:

SUBJECT: An Ordinance authorizing the execution of the First Amendment to the Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal District No. 390.

RECOMMENDATION: Approve an ordinance authorizing the Mayor to execute the First Amendment to the Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 390.

SPECIFIC EXPLANATION: The City Council previously approved a Utility Functions and Services Allocation Agreement (the "Agreement") between the City of Houston (the "City") and Harris County Municipal Utility District No. 390 (the "District") by Ordinance No. 2002-0764 on August 21, 2002.

The Agreement establishes the terms and conditions which govern the services provided. In accordance with Article IV of the Agreement, the City is required to make to the District an Annual Payment and a Monthly Revenue Payment (collectively, referred to as the "Rebates") to assist in amortizing the bonds issued to finance water, wastewater and storm drainage facilities improvements. The Agreement also provides for incremental adjustments/reductions of the Rebates once the combined total District debt service tax rate plus the City's current ad valorem tax rate falls below \$1.28.

This First Amendment will limit the City's Rebates obligation to 652.8267 acres of land (the "Fixed Acreage") described in Exhibit A. Property annexed into the District after July 15, 2020 and any future annexations will not be eligible for the Rebates.

Houston Public Works recommends that the First Amendment be approved.

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

Prior Council Action:

(O) 2002-0764; Dated: August 21, 2002

Contact Information:

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

ATTACHMENTS:

Description

Signed Coversheet
1. Maps

Type

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Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District D

Item Creation Date: 4/13/2022

HPW - 20WR358 – First Amendment to Utility Functions and Services Allocation Agreement – Harris County MUD 390

Agenda Item#:

Background:

SUBJECT: An Ordinance authorizing the execution of the First Amendment to the Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal District No. 390.

RECOMMENDATION: Approve an ordinance authorizing the Mayor to execute the First Amendment to the Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 390.

SPECIFIC EXPLANATION: The City Council previously approved a Utility Functions and Services Allocation Agreement (the "Agreement") between the City of Houston (the "City") and Harris County Municipal Utility District No. 390 (the "District") by Ordinance No. 2002-0764 on August 21, 2002.

The Agreement establishes the terms and conditions which govern the services provided. In accordance with Article IV of the Agreement, the City is required to make to the District an Annual Payment and a Monthly Revenue Payment (collectively, referred to as the "Rebates") to assist in amortizing the bonds issued to finance water, wastewater and storm drainage facilities improvements. The Agreement also provides for incremental adjustments/reductions of the Rebates once the combined total District debt service tax rate plus the City's current ad valorem tax rate falls below \$1.28.

This First Amendment will limit the City's Rebates obligation to 652.8267 acres of land (the "Fixed Acreage") described in Exhibit A. Property annexed into the District after July 15, 2020 and any future annexations will not be eligible for the Rebates.

Houston Public Works recommends that the First Amendment be approved.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock is written over a horizontal line.

5/5/2022

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Carol Ellinger Haddock, P. E.

Director

Houston Public Works

Prior Council Action:

(O) 2002-0764; Dated: August 21, 2002

Contact Information:

Sharon Citino, J.D.

Planning Director

Houston Water

Phone: (832) 395-2712

ATTACHMENTS:

Description

1. Maps
2. First Amendment to Utility Functions and Services Allocation Agreement
3. Prior Council Action

Type

Backup Material
Backup Material
Backup Material

MAP REF: KEY MAP 572R & 573N
GIMS MAP: 5351-A & 5351-B
ZIP CODE: 77047



LEGEND

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SECTION 114

SECTION 115

SECTION 116

SECTION 117

SECTION 118

SECTION 119

SECTION 120

SECTION 121

SECTION 122

SECTION 123

SECTION 124

SECTION 125

SECTION 126

SECTION 127

SECTION 128

SECTION 129

SECTION 130

SECTION 131

SECTION 132

SECTION 133

SECTION 134

SECTION 135

SECTION 136

SECTION 137

SECTION 138

SECTION 139

SECTION 140

SECTION 141

SECTION 142

SECTION 143

SECTION 144

SECTION 145

SECTION 146

SECTION 147

SECTION 148

SECTION 149

SECTION 150

SECTION 151

SECTION 152

SECTION 153

SECTION 154

SECTION 155

SECTION 156

SECTION 157

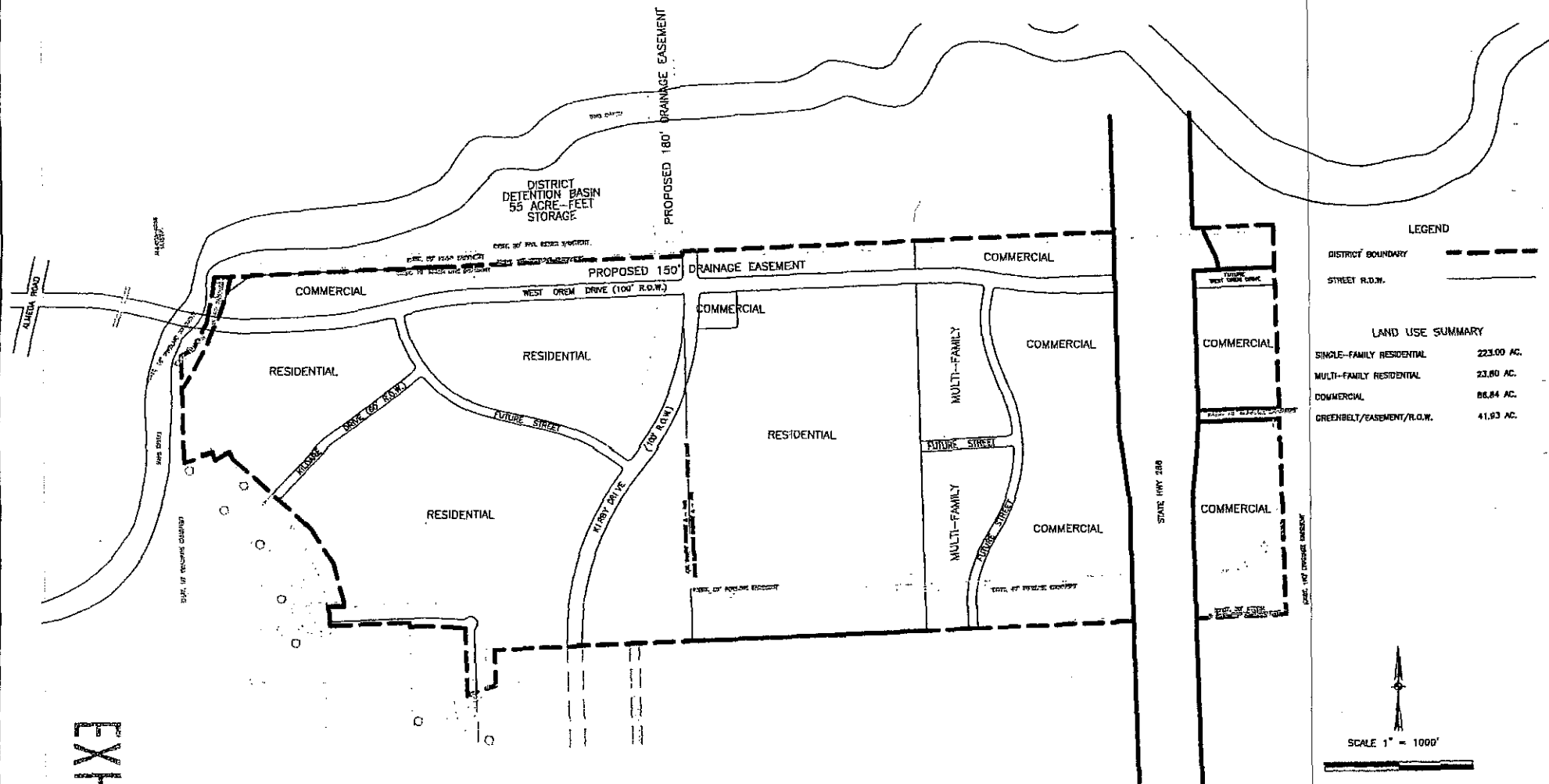
SECTION 158

SECTION 159

SECTION 160

SECTION 1

EXHIBIT "B"



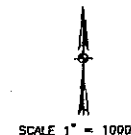
LEGEND

DISTRICT BOUNDARY

STREET R.O.W.

LAND USE SUMMARY

SINGLE-FAMILY RESIDENTIAL	223.00 AC.
MULTI-FAMILY RESIDENTIAL	23.80 AC.
COMMERCIAL	88.84 AC.
GREENBELT/EASEMENT/R.O.W.	41.83 AC.



ENGINEERING REPORT FOR
THE CREATION OF
HARRIS COUNTY MUD NO.390

PROPOSED LAND USE PLAN

Turner Collier & Braden Inc.
Engineers • Planners • Project Managers

Unit: LAND DIST. DRAIN.	Scale: 1"=1000'	Date: JUNE 2008
Drawn: DFB	FILE	Job No: 08297000.0100

EXHIBIT "G"

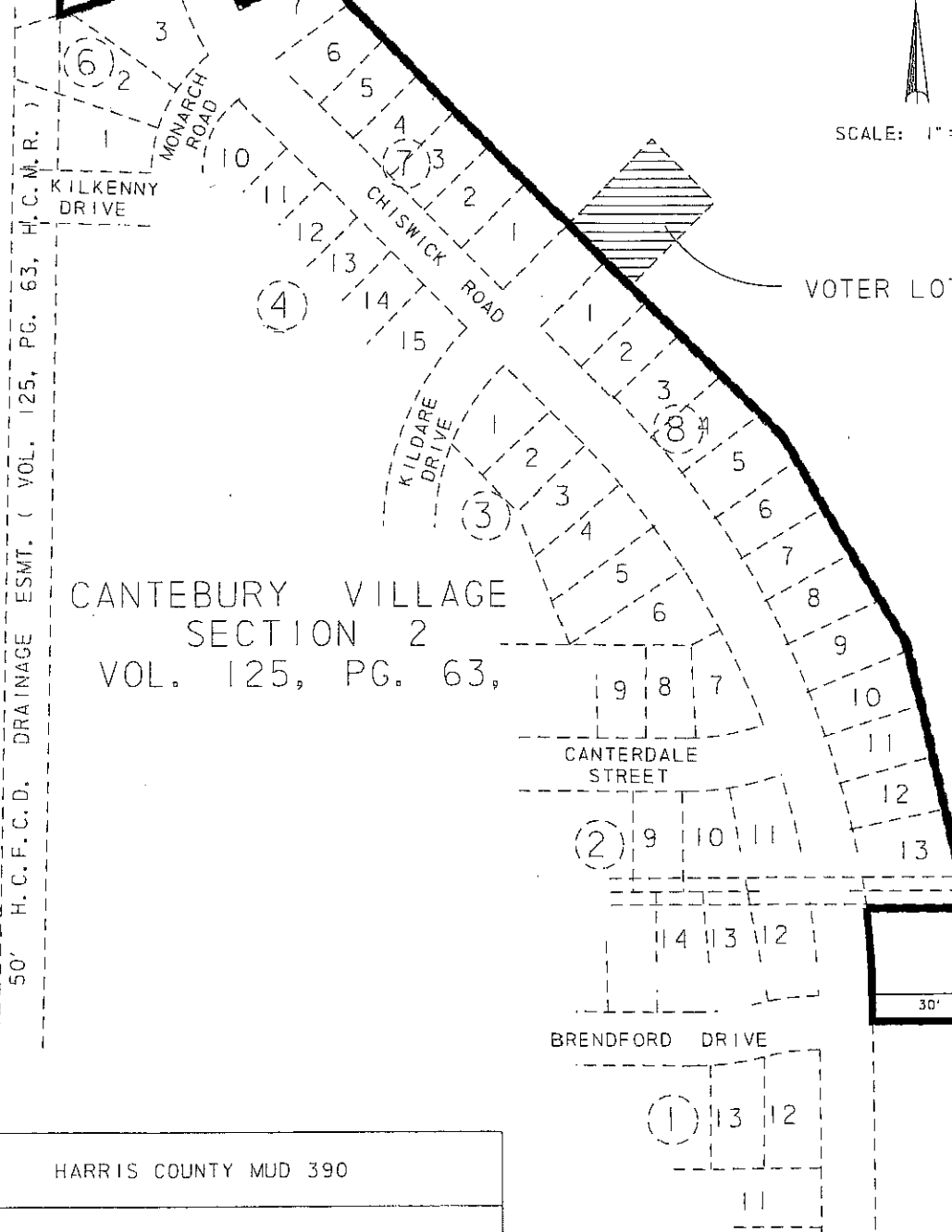
VOTER LOT #2

PROPOSED MUD 390



SCALE: 1" = 200'

VOTER LOT #1



CANTEBURY VILLAGE
SECTION 2
VOL. 125, PG. 63,

50' H.C.F.C.D. DRAINAGE ESMT. (VOL. 125, PG. 63, H.C.M.R.)

30' ROAD R.O.W. VOL. 2861, PG. 298

HARRIS COUNTY MUD 390

VOTER LOT LOCATIONS

TurnerCollie & Braden Inc.
Engineers • Planners • Project Managers



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District D

Item Creation Date: 12/30/2021

HPW - 20WR325 – Petition Addition (55.352) Harris County
Municipal Utility District No. 390 (2 of 2)

Agenda Item#: 29.

Summary:

ORDINANCE consenting to the addition of 55.352 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390**, for inclusion in its district - **DISTRICT D - EVANS-SHABAZZ**

This item should only be considered after passage of Item 28 above

Background:

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 55.352 acres to Harris County Municipal Utility District No. 390.

RECOMMENDATION: Petition for the City's consent to the addition of two (2) tracts of land totaling 55.352 acres to Harris County Municipal Utility District No. 390 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 390 (the "District") was created through the TCEQ in 2003, and currently consists of 811.9807 acres within Harris County. The District is within the corporate limits of the City of Houston (the "City") and has petitioned the City for consent to add two (2) tracts of land totaling 55.352 acres, proposed to be developed as single family residential property, to the District. The proposed annexation tracts are located in the vicinity of Orem Drive, Furman Road, Sims Bayou, and Scott Street.

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 is provided with wastewater treatment by the City of Houston Sims Wastewater Treatment Plant. Potable water is provided by the City.

The nearest major drainage facility for Harris County Municipal Utility District No. 390 is Sims Bayou, which flows into the Houston Ship Channel. The proposed annexation tracts are not within the 100 year floodplain, but partially within the 500 year floodplain (55%).

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
1. Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District D

Item Creation Date: 12/30/2021

HPW - 20WR325 – Petition Addition (55.352) Harris County Municipal Utility District No. 390

Agenda Item#:

Background:

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 55.352 acres to Harris County Municipal Utility District No. 390.

RECOMMENDATION: Petition for the City's consent to the addition of two (2) tracts of land totaling 55.352 acres to Harris County Municipal Utility District No. 390 be approved.

SPECIFIC EXPLANATION: Harris County Municipal Utility District No. 390 (the "District") was created through the TCEQ in 2003, and currently consists of 811.9807 acres within Harris County. The District is within the corporate limits of the City of Houston (the "City") and has petitioned the City for consent to add two (2) tracts of land totaling 55.352 acres, proposed to be developed as single family residential property, to the District. The proposed annexation tracts are located in the vicinity of Orem Drive, Furman Road, Sims Bayou, and Scott Street.

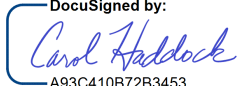
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The District is provided with wastewater treatment by the City of Houston Sims Wastewater Treatment Plant. Potable water is provided by the City.

The nearest major drainage facility for Harris County Municipal Utility District No. 390 is Sims Bayou, which flows into the Houston Ship Channel. The proposed annexation tracts are not within the 100 year floodplain, but partially within the 500 year floodplain (55%).

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.

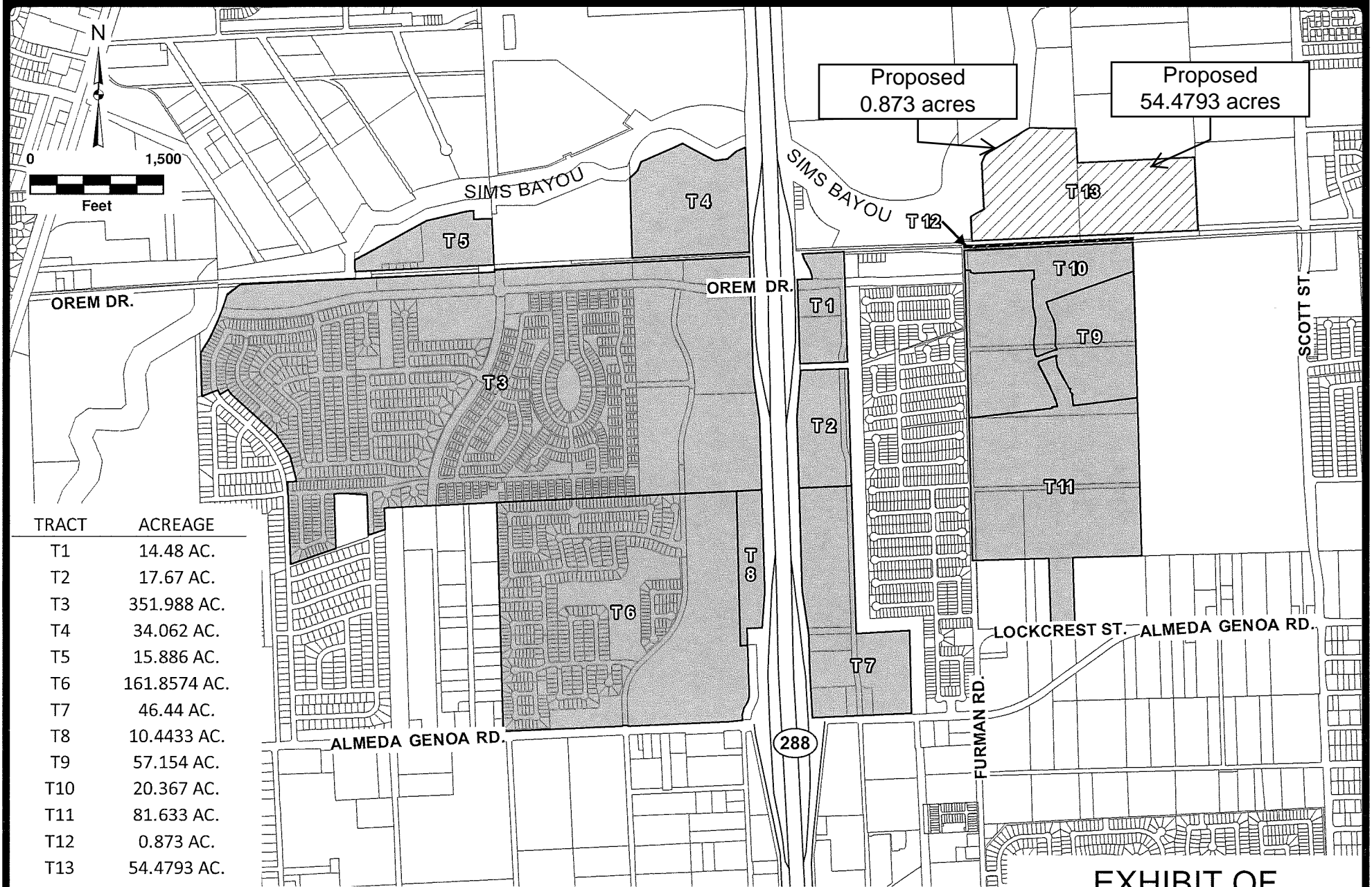
DocuSigned by:
 4/15/2022
A93C410B72B3453
Carol Ellinger Haddock, P. E.
Director
Houston Public Works

Contact Information:

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

ATTACHMENTS:

Description	Type
1. Maps	Backup Material
2. Application	Backup Material
3. Petition	Backup Material
4. Backup Material	Backup Material
Fact Sheet	Backup Material
5.Drainage Study	Backup Material



TRACT	ACREAGE
T1	14.48 AC.
T2	17.67 AC.
T3	351.988 AC.
T4	34.062 AC.
T5	15.886 AC.
T6	161.8574 AC.
T7	46.44 AC.
T8	10.4433 AC.
T9	57.154 AC.
T10	20.367 AC.
T11	81.633 AC.
T12	0.873 AC.
T13	54.4793 AC.



HOUSTON | SAN ANTONIO | AUSTIN | DALLAS | FORT WORTH
 10350 RICHMOND AVE, STE 200 | HOUSTON, TX 77042 | 713.428.2400
 TSPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10193974

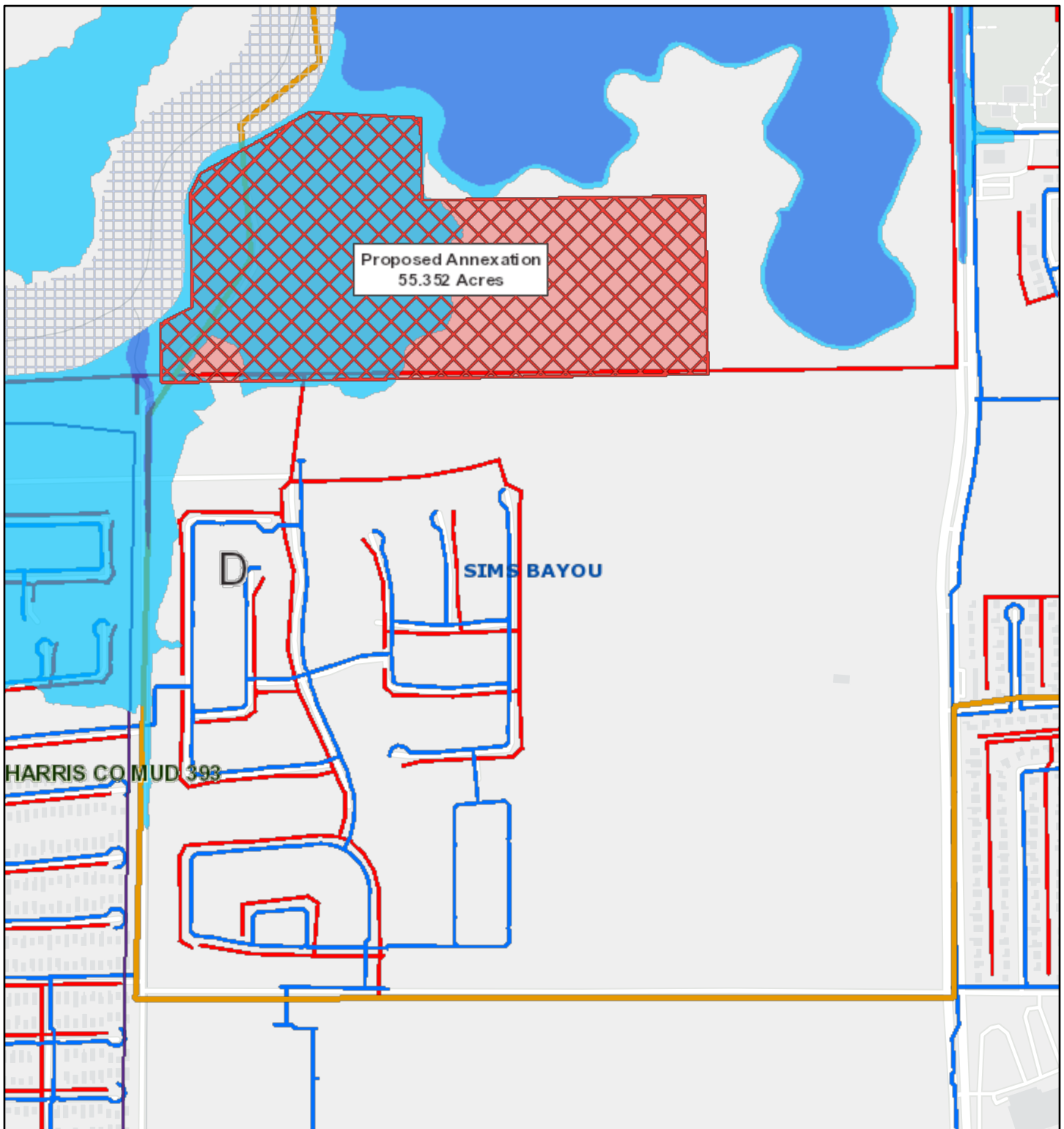
LEGEND

- EXISTING DISTRICT BOUNDARY
- TRACTS TO BE ANNEXED

Key Map 573K

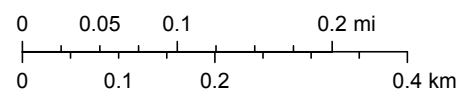
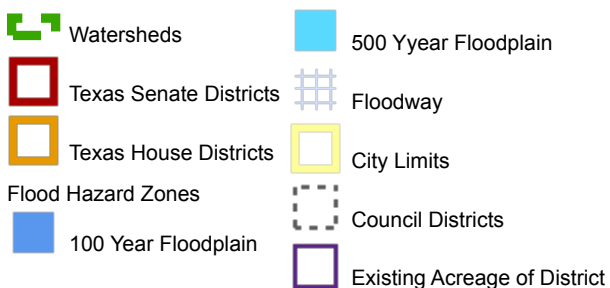
EXHIBIT OF
HARRIS COUNTY MUNICIPAL
UTILITY DISTRICT NO. 390
POLITICAL SUBDIVISION
HARRIS COUNTY, TEXAS

Harris County MUD 390 (55.352 acres)



12/16/2021, 12:15:02 PM

1:9,028



Kirt Arthur | GIS Supervisor | Houston Public Works | Houston Water, Kirt Arthur | GIS Supervisor | Houston Public Works | Houston Water GIS



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ETJ

Item Creation Date: 4/18/2022

HPW - 20WR356 – Groundwater Reduction Plan
Wholesale Agreement – Harris County MUD No. 525

Agenda Item#: 30.

Summary:

ORDINANCE approving and authorizing Groundwater Reduction Plan Wholesale Agreement between City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 525** to achieve Harris-Galveston Subsidence District Compliance

Background:

SUBJECT: Approve a Groundwater Reduction Plan Wholesale Agreement between the City of Houston and Harris County Municipal Utility District No. 525

RECOMMENDATION: Approve an ordinance authorizing the Mayor to execute a Groundwater Reduction Plan Wholesale Agreement between the City of Houston and Harris County Municipal Utility District No. 525

SPECIFIC EXPLANATION: The Harris-Galveston Subsidence District (HGSD) regulations require groundwater well permit holders in Area 3 to have a Groundwater Reduction Plan (GRP) or participate in a GRP, which describes how the permit holders will achieve 30% surface water conversion currently, 60% conversion by 2025, and 80% conversion by 2035. The City of Houston (Houston) has an approved GRP for Area 3 and has other groundwater permit holders (Participants) in Houston's GRP in order to maintain overall compliance with HGSD regulations.

Harris County Municipal Utility District No. 525 (the "District") is an undeveloped district on the east side of Lake Houston that is located in the vicinity of Foley Road, Saddle Creek Farms Drive and FM 2100. There are currently not any surface water facilities that can provide the District with surface water. Therefore, the District has requested to enter into a Groundwater Reduction Plan Wholesale Agreement (the "Agreement") with Houston to achieve HGSD regulatory compliance.

The Agreement sets forth the terms and conditions for membership which includes connection to Houston's system if required to do so, and paying a monthly fee for groundwater withdrawals in accordance with the contract rates for GRP participation as specified in the City of Houston Code of Ordinances, Section 47-61.

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

Contact Information:

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

ATTACHMENTS:

Description

Signed Coversheet
1. Maps

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 4/18/2022

HPW - 20WR356 – Groundwater Reduction Plan Wholesale Agreement – Harris County
MUD No. 525

Agenda Item#:

Background:

SUBJECT: Approve a Groundwater Reduction Plan Wholesale Agreement between the City of Houston and Harris County Municipal Utility District No. 525

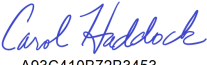
RECOMMENDATION: Approve an ordinance authorizing the Mayor to execute a Groundwater Reduction Plan Wholesale Agreement between the City of Houston and Harris County Municipal Utility District No. 525

SPECIFIC EXPLANATION: The Harris-Galveston Subsidence District (HGSD) regulations require groundwater well permit holders in Area 3 to have a Groundwater Reduction Plan (GRP) or participate in a GRP, which describes how the permit holders will achieve 30% surface water conversion currently, 60% conversion by 2025, and 80% conversion by 2035. The City of Houston (Houston) has an approved GRP for Area 3 and has other groundwater permit holders (Participants) in Houston's GRP in order to maintain overall compliance with HGSD regulations.

Harris County Municipal Utility District No. 525 (the "District") is an undeveloped district on the east side of Lake Houston that is located in the vicinity of Foley Road, Saddle Creek Farms Drive and FM 2100. There are currently not any surface water facilities that can provide the District with surface water. Therefore, the District has requested to enter into a Groundwater Reduction Plan Wholesale Agreement (the "Agreement") with Houston to achieve HGSD regulatory compliance.

The Agreement sets forth the terms and conditions for membership which includes connection to Houston's system if required to do so, and paying a monthly fee for groundwater withdrawals in accordance with the contract rates for GRP participation as specified in the City of Houston Code of Ordinances, Section 47-61.

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5/5/2022

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

Contact Information:

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

ATTACHMENTS:

Description

1. Maps
2. GRP Agreement

Type

Backup Material
Backup Material

Harris-Galveston Subsidence District Regulatory Area 3



Area 3

**CITY OF HOUSTON
HOUSTON WATER
WATER INFRASTRUCTURE PLANNING**
Date: 03/22/2022

Exhibit 1

Legend

 HGSD Regulatory Area





CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District H

Item Creation Date: 4/19/2022

HPW20DOB9796/Abandonment and sale of East Parker
Road/SY18-051 and DY18-028

Agenda Item#: 31.

Summary:

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of East Parker Road right of way at the intersection of Airline Drive; abandoning the easement to Louis Macey, Trustee and Fountainview Partnership #1, Tenants in common and the abutting property owners, in exchange for a cash payment of \$43,640.00 and conveyance to the City of a 25-foot-wide sanitary sewer easement, all easements being situated in the H.&T.C.R.R. Survey, Abstract No. 429, Harris County, Texas, and other good and valuable consideration - **DISTRICT H - CISNEROS**

Background:

SUBJECT: Abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**

RECOMMENDATION: It is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of cash consideration of \$43,640.00 and a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**

SPECIFIC EXPLANATION: Stephanie Macey, 1717 St. James Place #118, Houston, Texas, 77056, on behalf of Louis Macey, Trustee for Macey Family Properties, Ltd., and Fountainview Partnership #1, a Texas general partnership, as tenants in common requested the abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. The property owners plan to use the subject right-of-way to provide additional parking for the adjacent shopping facility. The Joint Referral Committee reviewed and approved this request.

Macey Family Properties, Ltd., and Fountainview Partnership #1 have completed the transaction requirements, have accepted the City's offer, and have rendered payment in full.

The City will sell to Macey Family Properties, Ltd., and Fountainview Partnership #1:

Parcel SY18-051

5,177 square feet of street easement
Valued at \$11.75 per square foot x 100%

\$60,830.00 (R)

TOTAL ABANDONMENT AND SALE

\$60,830.00

In exchange, Macey Family Properties, Ltd., and Fountainview Partnership #1 have paid:

Cash

\$43,640.00

Plus Macey Family Properties, Ltd., and Fountainview Partnership #1 will convey to the City:

Parcel DY18-028

2,926 square feet of sanitary sewer easement
Valued at \$11.75 per square foot x 50%

\$17,190.00 (R)

TOTAL CASH AND CONVEYANCE

\$60,830.00

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of cash consideration of \$43,640.00 and a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429.

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
General Fund
Fund 1000

Contact Information:

Marjorie L. Cox, Assistant Director-Real Estate
Houston Public Works Department

Phone: (832) 395-3130

ATTACHMENTS:

Description

Signed Coversheet
Aerial Parcel Map
Council District Map

Type

Signed Cover sheet
Backup Material
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District H

Item Creation Date: 4/19/2022

HPW20DOB9796/Abandonment and sale of East Parker Road/SY18-051 and DY18-028

Agenda Item#:

Background:

SUBJECT: Abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**

RECOMMENDATION: It is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of cash consideration of \$43,640.00 and a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**

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Valued at \$11.75 per square foot x 100%

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\$60,830.00

In exchange, Macey Family Properties, Ltd., and Fountainview Partnership #1 have paid:

Cash

\$43,640.00

Plus Macey Family Properties, Ltd., and Fountainview Partnership #1 will convey to the City:

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2,926 square feet of sanitary sewer easement
Valued at \$11.75 per square foot x 50%

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TOTAL CASH AND CONVEYANCE

\$60,830.00

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of cash consideration of \$43,640.00 and a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429.

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:

5/9/2022

A93C410B72B3453

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

Budget Form
Aerial Parcel Map
Council District Map

Type

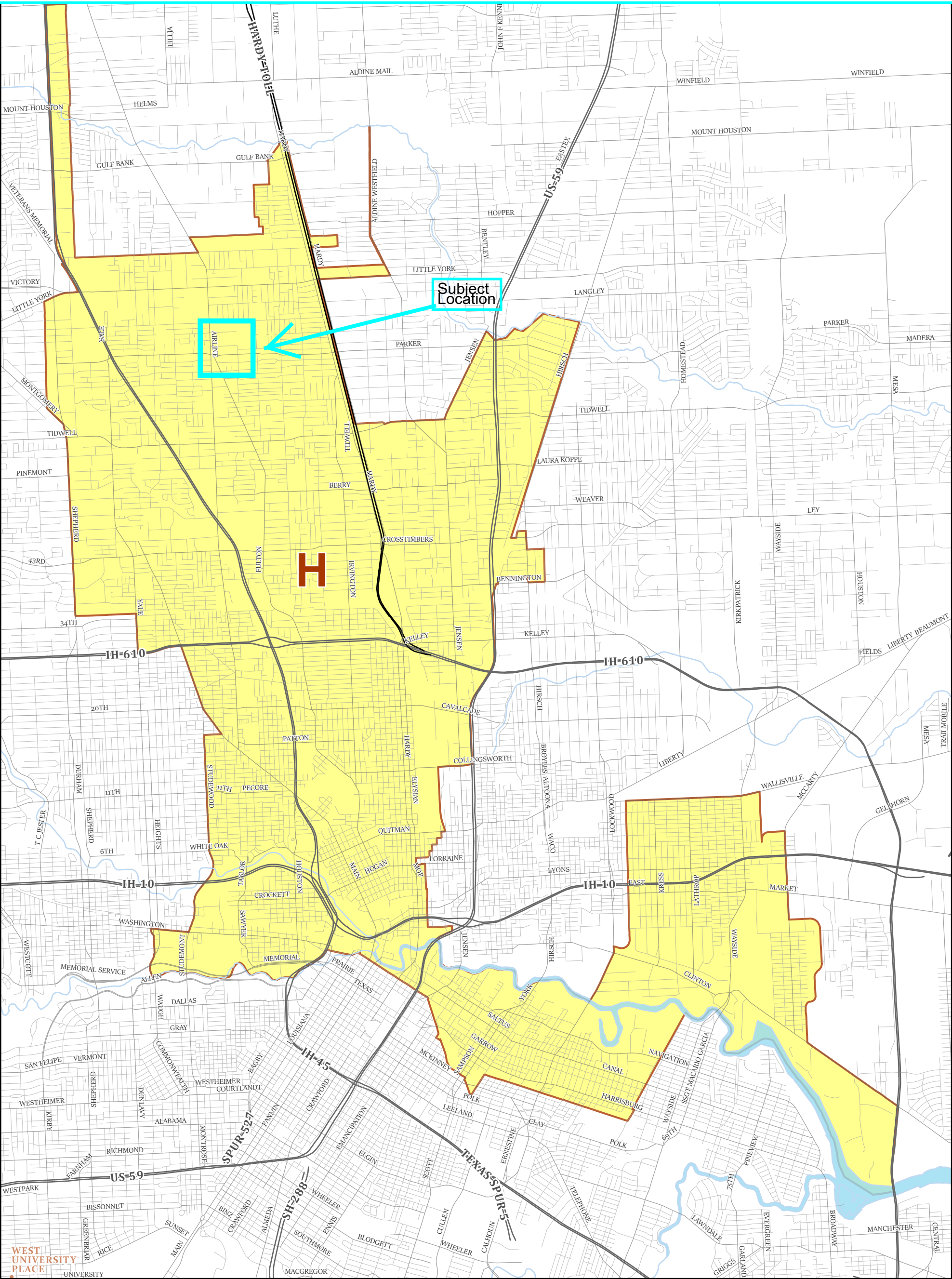
Financial Information
Backup Material
Backup Material

AERIAL PARCEL MAP

Subject: Abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**



Subject: Abandonment and sale of a portion of East Parker Road right-of-way at the intersection of Airline Drive, in exchange for conveyance to the City of a 25 foot-wide sanitary sewer easement, both out of the H.&T.C.R.R. Survey, A-429. **Parcels SY18-051 and DY18-028**



City of Houston

Council District H - Karla Cisneros



Source: COHGIS Database
Date: January 2020
Reference: PJ20952_H



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: 5/24/2022

District C

Item Creation Date: 4/8/2022

HPW – 20INA81 Interlocal Agreement / Uptown
Development Authority

Agenda Item#: 32.

Summary:

ORDINANCE appropriating \$5,326,200.00 out of Metro Projects Construction DDSRF Funds; approving and authorizing Interlocal Agreement between City of Houston, Texas, and **UPTOWN DEVELOPMENT AUTHORITY** for Memorial Drive Panel Replacement Project - **DISTRICT C - KAMIN**

Background:

C. Background box:

SUBJECT: Interlocal Agreement between the City of Houston (City) and Uptown Development Authority (Authority) for Memorial Drive Panel Replacement.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston (City) and Uptown Development Authority (Authority) for Memorial Drive Panel Replacement and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This is a joint project between the City and the Authority, whereas both parties find that it is in the public interest to enter into this Interlocal Agreement to improve Memorial Drive between IH-610 and Westcott Street.

DESCRIPTION: This project consists of panel replacement improvements being made on Memorial Drive and Woodway Drive from IH-610 to Westcott Street.

LOCATION: The project area is generally bound by Memorial Drive on the north, Buffalo Bayou on the south, Westcott Street on the east and IH-610 on the west.

SCOPE OF THE AGREEMENT AND FEE: The agreement between the City and the Authority entails street improvements along Memorial Drive including but not limited to removing/replacing the subgrade, curb and pavement, striping and signs and back-of-curb restoration. The City will be funding the project and the Authority will advertise, award, and manage the construction. The total cost of the project is \$4,842,000.00.

The total requested amount of \$5,326,200.00 is to be appropriated as follows: \$4,842,000.00 for cost of the project and \$484,200.00 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(s). N-321040-0061-3

Amount and Source of Funding:

\$5,326,200.00 - Fund No. 4040 - METRO Projects Construction DDSRF

Contact Information:

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

ATTACHMENTS:

Description

Signed Coversheet
Map

Type

Signed Cover sheet
Backup Material



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 4/8/2022

HPW – 201NA81 Interlocal Agreement / Uptown Development Authority

Agenda Item#:

Background:

C. Background box:

SUBJECT: Interlocal Agreement between the City of Houston (City) and Uptown Development Authority (Authority) for Memorial Drive Panel Replacement.

RECOMMENDATION: Adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston (City) and Uptown Development Authority (Authority) for Memorial Drive Panel Replacement and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This is a joint project between the City and the Authority, whereas both parties find that it is in the public interest to enter into this Interlocal Agreement to improve Memorial Drive between IH-610 and Westcott Street.

DESCRIPTION: This project consists of panel replacement improvements being made on Memorial Drive and Woodway Drive from IH-610 to Westcott Street.

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The total requested amount of \$5,326,200.00 is to be appropriated as follows: \$4,842,000.00 for cost of the project and \$484,200.00 for CIP Cost Recovery.

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

DocuSigned by:

 5/10/2022

A93C418B72B3453

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

WBS No(s). N-321040-0061-3

Amount and Source of Funding:

\$5,326,200.00 - Fund No. 4040 - METRO Projects Construction DDSRF

Contact Information:

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

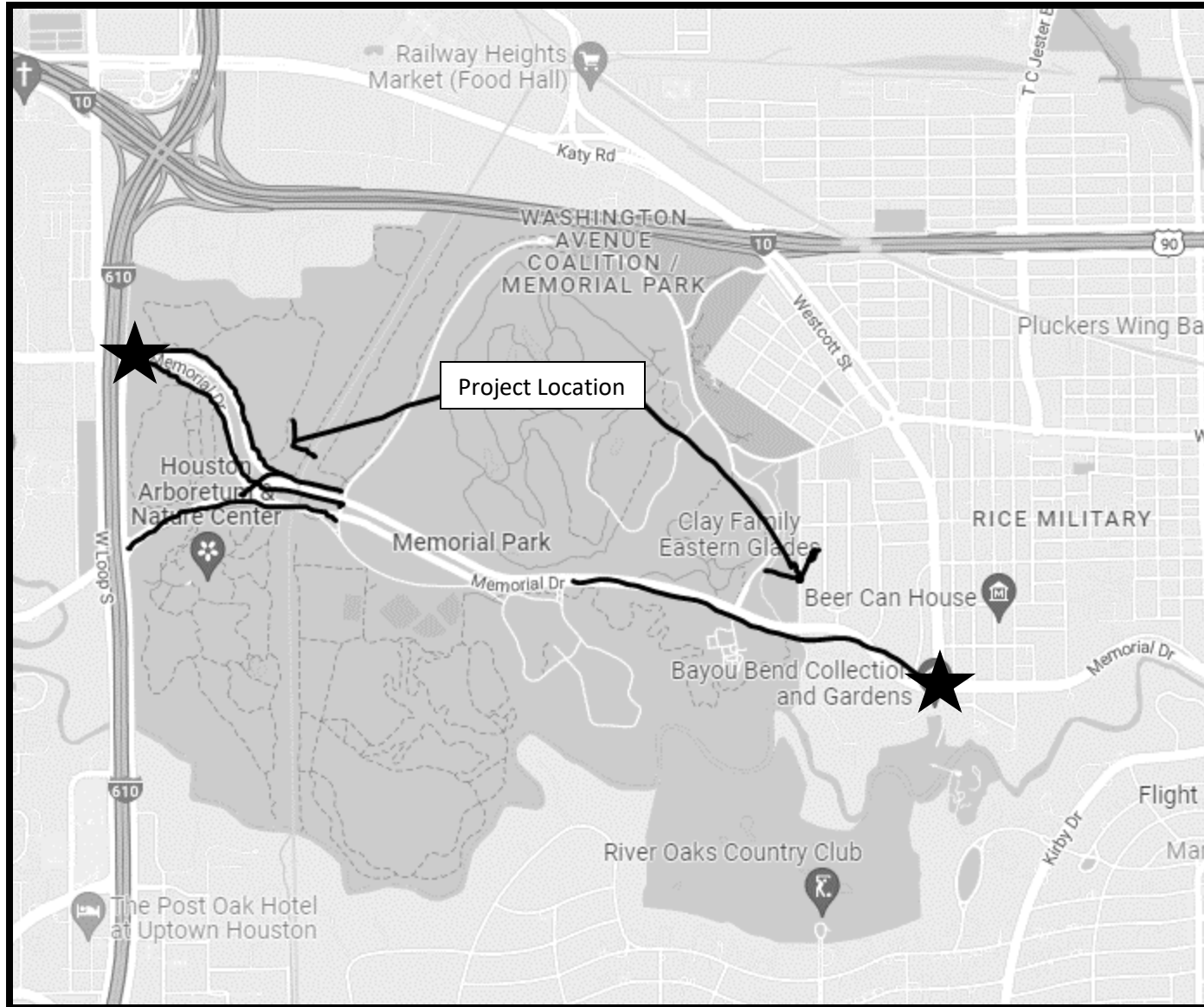
ATTACHMENTS:

Description

SAP Documents
Map

Type

Financial Information
Backup Material



Interlocal Agreement between the City of Houston and Uptown Development Authority for Memorial Drive Panel Replacement.

WBS# N-321040-0061-3
Council District C

Transportation & Drainage Operations
City Council District



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District F

Item Creation Date: 4/4/2022

HPW - 20FO01 Contract Award/Reytec Construction
Resources, Inc.

Agenda Item#: 33.

Summary:

ORDINANCE appropriating \$9,109,450.82 out of Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax and \$3,527,683.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford; 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 Drainage and Street Renewal Capital Fund-Ad Valorem Tax and Water & Sewer System Consolidated Construction Fund, contingency and testing services - **DISTRICT F - THOMAS**

Background:

SUBJECT: Contract Award for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford.

RECOMMENDATION: Award a Construction Contract to Reytec Construction Resources, Inc. for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford and appropriate funds.

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

DESCRIPTION/SCOPE: This project consists of approximately 11,000 linear feet of roadway reconstruction and widening to major thoroughfare standards. The proposed project improvement includes a four-lane divided concrete roadway with curbs, storm sewer system, sidewalks, driveways, street lighting, traffic control and necessary underground utilities. The Contract duration for this project is 630 calendar days. This project was designed by PGAL.

This project is being implemented under an Advanced Funding Agreement with the Texas Department of Transportation approved by City Council on May 5, 2019 under Ordinance No. 2019-0389. Pursuant to the agreement, Federal Surface Transportation Block Grant funds in the amount of \$9,620,800.00 have been obligated by the State for reimbursement of eligible construction costs incurred by the City. The City will fund the 20% non-federal cost in the amount of \$2,405,200.00 plus all additional eligible and ineligible/non-participating construction costs.

LOCATION: The project area is generally bound by Richmond on the north Westpark Toll on the

LOCATION: The project area is generally bound by Richmond on the north, Westpark Rd on the south, Wilcrest Drive on the east and Dairy Ashford Road on the west.

BIDS: This project was advertised for bidding on January 21, 2022. Bids were received on January 27, 2022. The seven (7) bids are as follows:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	Reytec Construction Resources, Inc.	\$19,770,848.92
2.	Main Lane Industries, Ltd.	\$20,298,646.92
3.	JFT Construction, Inc.	\$20,387,154.79
4.	R Construction	\$20,939,196.62
5.	Total Contracting Limited	\$20,983,338.13
6.	SER Construction Partners, LLC	\$20,999,429.02
7.	James Construction Group, LLC	\$21,446,258.58

AWARD: It is recommended that this construction contract be awarded to Reytec Construction Resources, Inc. with a low bid of \$19,770,848.92 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$22,257,933.82 to be appropriated as follows:

· Bid Amount	\$19,770,848.92
· Contingencies	\$988,542.45
· Testing Services	\$510,000.00
· CIP Cost Recovery	\$988,542.45

Testing Services will be provided by HVJ Associates, Inc. under a previously approved contract.

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

PAY OR PLAY PROGRAM: This contract is exempt for the City's Pay or Play Ordinance, because it involves the use of federal funds and is subject to specific contract rules of the federal government.

DBE PARTICIPATION: This contract will comply with TxDOT's 9% DBE participation plan. The contract-specific rules of the federal government supersede the City's M/WSBE program. This contract will be monitored by the Office of Business Opportunity.

	<u>DBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Texas Concrete Enterprise Ready Mix, Inc.	Concrete Manufacturer	\$1,779,340.40	9.00%
		TOTAL	\$1,779,340.40	9.00%

FISCAL NOTE: No Fiscal Note is required on grant items. 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 Nos. N-000815-0001-4, S-000500-0185-4, R000500-0185-4

Prior Council Action:

Ordinance No. 2019-0389, dated 05-22-2019

Amount and Source of Funding:

Total: \$22,257,933.82

\$9,109,450.82 - Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund - Ad Valorem Tax

\$9,620,800.00 - Fund No. 5430 – Federal State Local – HPW Pass Thru DDSRF

\$3,527,683.00 - Fund No. 8500 – Water and Sewer System Consolidated Construction Fund

Contact Information:

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

ATTACHMENTS:

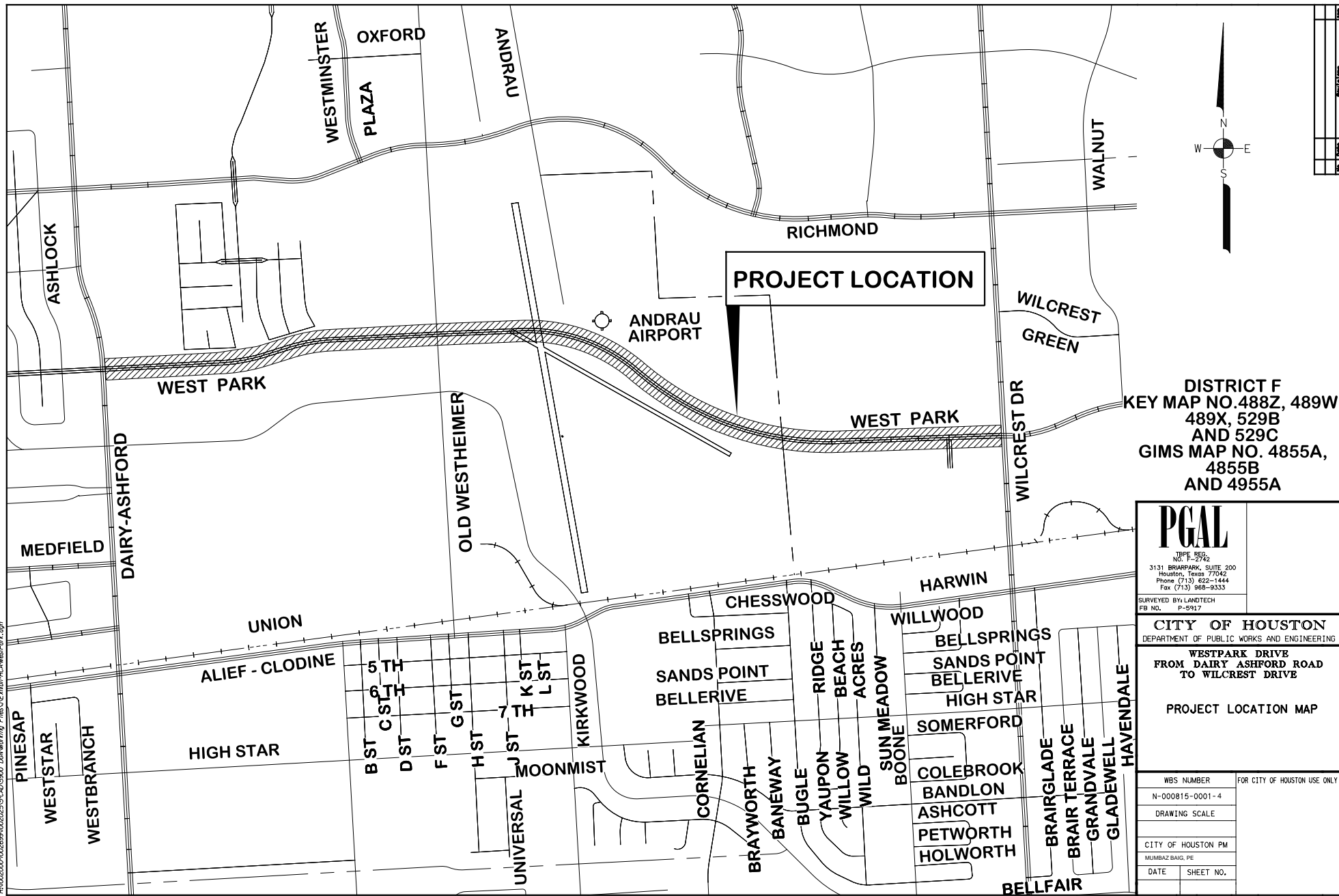
Description

Maps
Signed Coversheet (revised)

Type

Backup Material
Signed Cover sheet

DATE: 4/15/2019 7:34:44 AM
R:\002000-1002699\1002025\5-CAD\5900 DGN\Working Files\WestPark.dgn

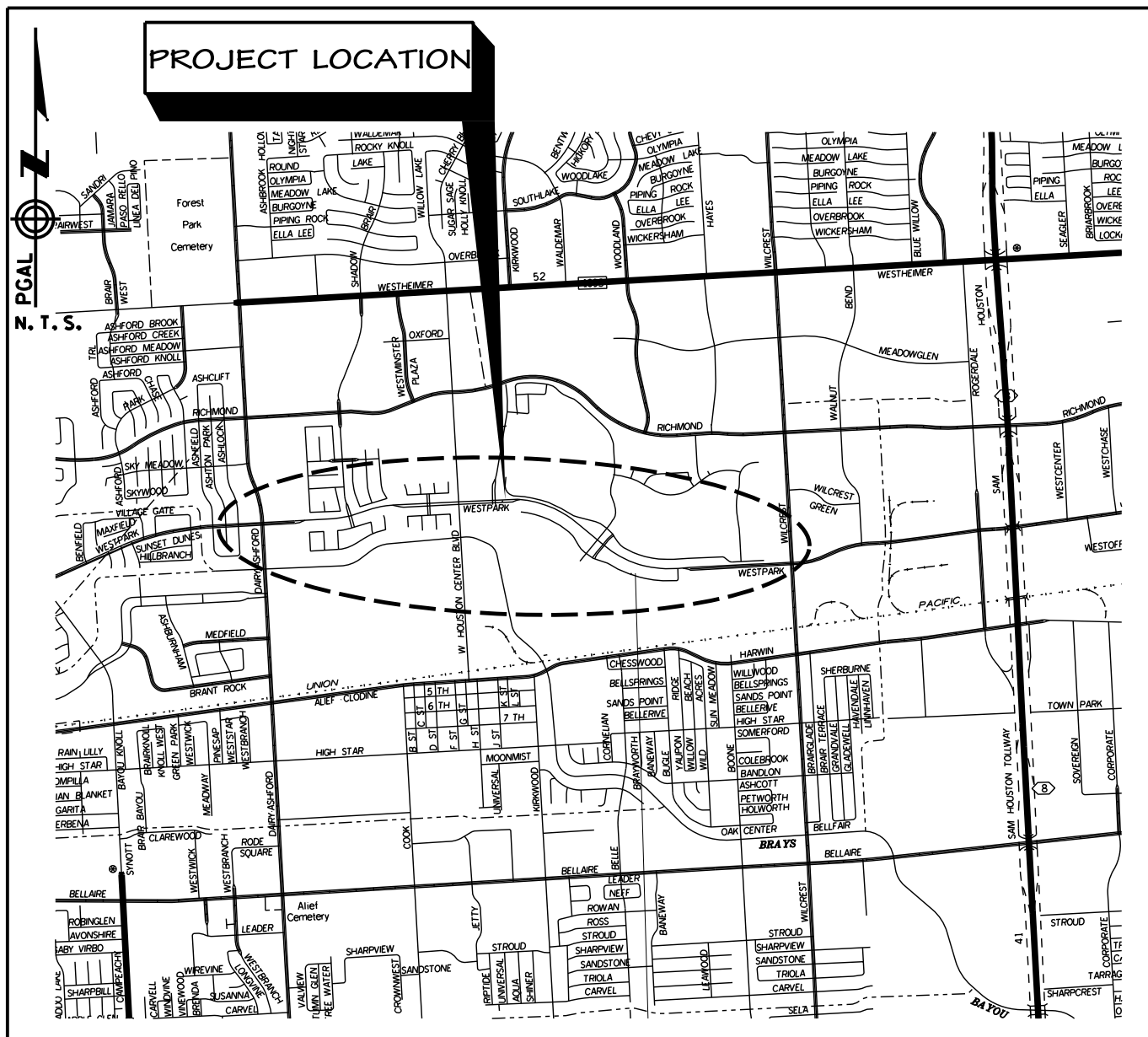


DISTRICT F
KEY MAP NO. 488Z, 489W,
489X, 529B
AND 529C
GIMS MAP NO. 4855A,
4855B
AND 4955A

PGAL
TRF. REG.
NO. F-2742
3131 BRIARPARK, SUITE 200
Houston, Texas 77042
Phone (713) 622-1444
Fax (713) 968-9333
SURVEYED BY: LANDTECH
FB NO. P-5917

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
WESTPARK DRIVE
FROM DAIRY ASHFORD ROAD
TO WILCREST DRIVE
PROJECT LOCATION MAP

WBS NUMBER	FOR CITY OF HOUSTON USE ONLY
N-000815-0001-4	
DRAWING SCALE	
CITY OF HOUSTON PM	
MUMBAZ BAIG, PE	
DATE	SHEET NO.



WESTPARK DRIVE FROM WILCREST TO DAIRY ASHFORD

WBS No. N-000815-0001-4
KEYMAP NO: 488Z, 489W, 489X, 529B, 529C
COUNCIL DISTRICT F



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District F

Item Creation Date: 4/4/2022

HPW - 20FO01 Contract Award/Reytec Construction Resources, Inc.

Agenda Item#: 40.

Summary:

ORDINANCE appropriating the sum of \$9,109,450.82 out of the Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax and \$3,527,683.00 out of the Water and Sewer System Consolidated Construction Fund; awarding a contract to **REYTEC CONSTRUCTION RESOURCES, INC.** for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford; 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 Drainage and Street Renewal Capital Fund-Ad Valorem Tax and Water and Sewer System Consolidated Construction Fund, contingency and testing services - **DISTRICT F - THOMAS**

Background:

SUBJECT: Contract Award for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford.

RECOMMENDATION: Award a Construction Contract to Reytec Construction Resources, Inc. for Westpark Drive Paving and Drainage: Wilcrest to Dairy Ashford and appropriate funds.

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5. Total Contracting Limited	\$20,983,338.13
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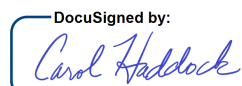
PAY OR PLAY PROGRAM: This contract is exempt for the City's Pay or Play Ordinance, because it involves the use of federal funds and is subject to specific contract rules of the federal government.

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TOTAL		\$1,779,340.40	9.00%

FISCAL NOTE: No Fiscal Note is required on grant items. 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:

 5/19/2022
 A93C410B72B3453...
 Carol Ellinger Haddock, P.E., Director
 Houston Public Works

WBS Nos. N-000815-0001-4, S-000500-0185-4, R000500-0185-4

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Total: \$22,257,933.82

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\$3,527,683.00 - Fund No. 8500 – Water and Sewer System Consolidated Construction Fund

Contact Information:

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

ATTACHMENTS:

Description	Type
Signed Coversheet	Signed Cover sheet
SAP documents	Financial Information
Maps	Backup Material
Form B	Backup Material
Ownership Information Form & Tax Report	Backup Material
Bid Extension Letter	Backup Material
Bid Tabulations	Backup Material
Form 1295	Backup Material
Prior Council Action	Backup Material
OBO	Backup Material
Verification of Grant Funding .YL	Backup Material
Ordinance (revised)	Ordinance/Resolution/Motion



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

Item Creation Date: 5/17/2022

Chick-Fil-a Rule 12 Appeal

Agenda Item#: 34.

Summary:

REVIEW on the Record and make determination relative to the appeal from the decision of the Sign Administration, on denial of an Off Premise Sign at 7007 Gulf Freeway, filed by Stephanie Stewart, on behalf of Chick-Fil-A

Contact Information:

Louis Gonzalez
832 393-1100

ATTACHMENTS:

Description	Type
Transcript of appeal	Backup Material

SR SIGN REMEDY

March 7, 2022

City of Houston
900 Bagby St
Rm P101
Houston, TX 77251

RE: Chick-Fil-a request for Special Appeals regarding Airport Corridor.

To Whom It May Concern:

My client Chick-fil-a is requesting to be added to the City Council Agenda requesting a Special Appeals regarding their pylon sign permit located in the newly zoned Airport Corridor.

My client started the purchase of their property located at 7007 Gulf Freeway, back in March of 2020. They were told that they would be able to have a 42'-6" pylon with 225 sq. ft. Unfortunately, once they closed and obtained all the necessary building permits to where they could submit for a sign permit the code had changed to 31' with 150 sq. ft. of signage.

In our Code Appeals Meeting we learned that the change was for a beautification reason not for the safety of aircrafts. Therefore, we are asking for a special circumstance as our sign is right in row with five pylons that are 42'-6" tall and we will be the only one that is 31' tall. We are ok with meeting the 150 sq. ft. we are just requesting that we be considered for an increase in height to match the signs that are right in row with our sign. This would keep everything uniform for that block of Gulf Freeway.

I have attached our rejection letter along with the paperwork we originally submitted for the Interpretation of the Houston Sign Code Appeals Meeting.

Please note that our client has a Grand Opening Date of May 12, 2022, therefore we would appreciate if we can get on your agenda as soon as possible.

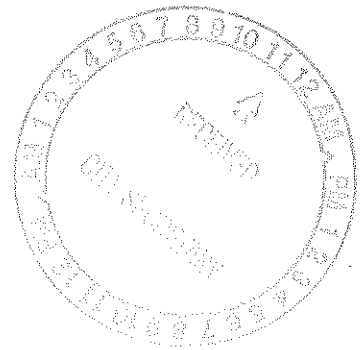
Sincerely,

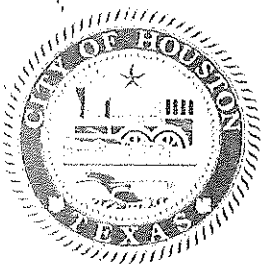
Stephanie Stewart

Stephanie Stewart

Houston Office
21281 Blair Rd. Bldg. 10
Conroe, TX 77385
Ph: (281)639-1560

Dallas Office
4716 McNutt St
Haltom City, TX 76117
Ph:(817)808-1408





March 1, 2022

Via email: stephanie.stewart@signremedy.com

Ms. Stephanie Stewart
Sign Remedy Inc.
21281 Belair Road
Building 10
Conroe, Texas 77385

Re: Request for appeal regarding the decision of Sign Administration and the Interpretation of the Houston Sign Code for denial of sign permit at 7007 Gulf Freeway

Dear Ms. Stewart:

On February 24, 2022, the General Appeals Board of the City of Houston held a hearing regarding your request for an appeal relative to the decision of the Houston Sign Administration regarding a sign at 7007 Gulf Freeway, Houston, Texas.

Based upon the testimony presented at the hearing, the General Appeals Board found that the decision of the Sign Administration should be upheld.

Any interested person aggrieved by a decision of the General Appeals Board may appeal to the City Council, provided that written notice to the City Council for such appeal is delivered to the City Secretary within 10 days following the decision of the Board.

Pursuant to Rule 12 of the City Council's Rules of Procedure (Section 2-2 of the City Code), a party appealing a decision of the General Appeals Board to City Council shall submit the complete court reporter-certified record to the city secretary within 60 days of the decision of Board. Failure to submit the requested or required records within the required time period shall constitute an untimely appeal to City Council and a waiver by the appealing party to an appeal before City Council.

SIGNED on the 1st day of March, 2022

DocuSigned by:

Michael Dishberger

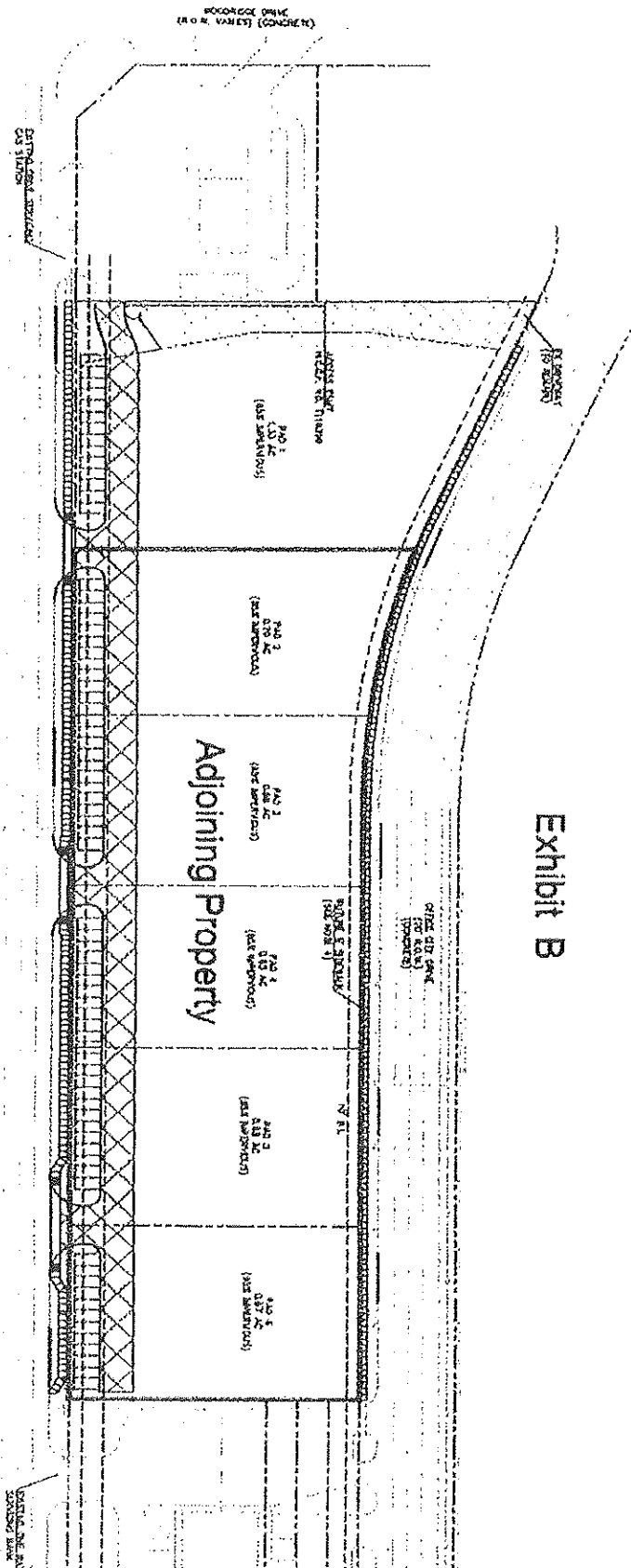
0268067C5B844B8

Michael Dishberger, Chairman
General Appeals Board
Of the City of Houston

cc: Building Official

Exhibit B

- ☐ Protected Drives
- ☒ Specific Access Drive Per REA (Part Of The Protected Drives)
- ☐ Adjoining Property



**INSTRUCTIONS AND APPLICATION TO REQUEST APPEAL BEFORE THE GENERAL APPEALS
BOARD**

1. All requests shall be in writing.
2. **Original and ten (10) copies** of the completed application and supporting documents must be submitted to the address below:

City of Houston
Office of the Building Official
1002 Washington Avenue, 4th Floor
Houston, Texas 77002
Attn: Sandra Meza
3. The request must be submitted ten (10) business days prior to the next scheduled Board meeting. Meetings are held the fourth Thursday of the month. (Petitioner will be notified by mail when the hearing has been scheduled.)
4. Petitioner's name, mailing address and phone number shall be included on the application. (If petitioner will be represented by someone else, include both petitioners and representative information.)
5. The Section of the Building Code/Ordinance for which an interpretation or decision is requested shall be properly identified.
6. Petition shall contain a statement as to what Petitioner understands to be the interpretation of the Building Official of the subject Section(s).
7. The petition shall clearly set forth what he/she believes should be the interpretation or decision.
8. Petitioner shall present evidence and cite other authority, if any, that would tend to substantiate the Petitioner's request.
9. If the Board denies the request, the petitioner may appeal such decision to the City Council within ten (10) days of the date of the Board's decision; however,
 - a) A court reporter is required to prepare a record for there to be an appeal to City Council and
 - b) The petitioner must pay all costs of the transcript prepared by the court reporter.
10. The petition application shall be signed. All appeals as per Section L110.0 of the Life Safety Appendix shall be signed and sworn to by the building owner.
11. If you have any questions regarding application and instructions please contact Sandra Meza at (832) 394-9085 or sandra.meza@houstontx.gov

REQUEST FOR APPEAL OF DECISION OR INTERPRETATION

DATE: 01/18/2022

For Office Use Only

Date Rec'd: _____

TO: CITY OF HOUSTON
GENERAL APPEALS BOARD
1002 WASHINGTON AVENUE
HOUSTON, TEXAS 77002

FROM:

NAME OF APPLICANT: Chick-fil-A
PROPERTY ADDRESS: 7007 Gulf Freeway, Houston, TX. 77087
(City, State, Zip)
MAILING ADDRESS: Chick-fil-A 5200 Buffington Rd. Atlanta, GA. 30349
(If different from above) (City, State, Zip)
CONTACT NUMBER(S): 404-353-3819
SIGNATURE OF APPLICANT: Patrick Davis

INDIVIDUAL/FIRM REPRESENTING: Stephanie Stewart / Sign Remedy Inc.
BUSINESS ADDRESS: 21281 Belair Rd. Building 10
CITY, STATE, ZIP: Conroe, TX. 77385
CONTACT NUMBER(S): 281-639-1560

REFERENCE:

SECTION Table 4611 PAGE 60

LIST OTHER CHAPTERS AND SECTIONS OF BUILDING CODE AFFECTED BY REQUEST:

REQUEST FOR: Category zoning change (C vs E) in regards to pylon restrictions

DESCRIBE IN DETAIL THE REASON FOR THE REQUEST:

Use additional pages if needed

Revised November 6, 2013

Submit Ten (10) copies

Sign Remedy Inc. on behalf of Chick-fil-A

Sign Remedy, Inc.
21281 Belair Rd. Bldg 10
Conroe, TX 77385
281-639-1560

Chick-fil-A
5200 Buffington Rd
Atlanta, GA 30349
404-353-3819

Category C vs. Category E

C) 42'-6" Overall Height Pylon Sign with 200 Square Feet of sign area

E) 31'-0" Overall Height Pylon Sign with 150 Square Feet of sign area

The interpretation of the inspector denial is due to changing of the zoning, making this site part of the newly created Category E, "Airport District". This new distinction, has a maximum height restriction on freestanding pylons at 31'-0" (table 4611), compared to the previous Category C allowance of 42'-6". The height of the proposed pylon sign at 42'-0" was determined based on the allowance under the Category C zoning restrictions and to match that of the freestanding signs of Burger King, Canes (installed February 2020), and Popeyes located to the right of the Chick-fil-A property. There are also a Shell pylon and a McDonald's pylon sign to the left of the property that have been in place since before 2008 and are taller than the 42' height that appear to have been grandfathered.

We would like to be classified in the Category C zoning area again so that we can have the 42' maximum height restriction on the freestanding pylon. We are along IH-45 and should be part of the Freeway corridor. All other pylon signs in our immediate area are 42' or taller.

Chick-fil-A would like to be at the same height as the other businesses in the area. Requiring this sign to be shorter than the surrounding signs by 11' will not make it a safer environment for airplanes in the corridor. We are not requesting our sign be any taller than the surrounding signs, just the same height in a long row of other established signs. Granting this request will benefit this restaurant by providing better visibility for their sign and it will make this area look more uniform in the process.



Checklist Comments Report

Project Name: 21120439

Workflow Started: 12/03/2021 12:08 PM

Report Generated: 01/12/2022 12:08 PM

Cycle :	Permit Type :	Comment Type :	Reviewer Comment	Applicant Response	Status :	Updated By :	Last Update
1	Signs Permit	Construction & Attachment	The dimensions on Engineering and construction drawings are different.		Met	Claudia Prindle	01/12/2022 10
2	Signs Permit	Scope-of-Work	Proposed scope-of-work exceeds Table 4611 allowance(s) for Max. Ht. of 31ft for category E and 150sf.		Not Met	Claudia Prindle	01/12/2022 10

Shell and McDonald's pylon signs located to the left of the Chick-fil-A property. +42' in height



Burger King, Canes, and Popeyes Pylon signs located to the right of Chick-fil-A property. 42' Heights



ADOBE READER MUST BE USED

THIS FORM WILL NOT FUNCTION PROPERLY IN OTHER PLATFORMS

EXPEDITE**IMPORTANT:****PLEASE USE A SEPARATE SHEET FOR EACH INDIVIDUAL WITNESS**

Please submit original exhibits within 2 business days of proceeding. Exhibits are accessible in Connect within 2 business days of receipt.

JOB INFORMATION

Reporter: Jessica Butts Job Number: General Appeals Board Hearing Expedited: ☒ Yes ☐ No
Job Date: 02/24/2022 Submitted Date: 03/28/2022 Due to Client: 03/30/2022

CONFIDENTIALITY INFORMATIONAre exhibits confidential? ☐ Yes ☒ No**CASE/WITNESS INFORMATION**

Witness Name: Mario Garcia
Case Name: General Appeals Board Hearing

EXHIBITSFirst Exhibit: 1 Last Exhibit: 3 Are ALL Original Exhibits Attached to Transcript? ☒ Yes ☐ No**SPECIAL INSTRUCTIONS**

Please enter any special instructions or notes to Production:

These were not marked nor added as exhibits, but I believe the party needed them attached as part of the record to proceed with an appeal, from what I understood; party did not clarify nor request such, but no clarifications were provided at all for this particular job

FOR OFFICE USE ONLY

PAGE COUNTS B&W: _____ Color: _____ Oversized: _____ CD/DVD/USB: _____
Scanned/Uploaded By: _____



NOTICE

General Appeals Board Meeting
Thursday, February 24, 2022
5:00 P.M.

After September 1, 2021, the Board will conduct meetings at the Houston Permitting Center in accordance with the provisions of Section 551.127 of the Texas Government Code. The Chair will be present in the room, though staff, board members, and the public may attend in person, or through a videoconference link using Microsoft Teams.

To join this General Appeals Board (GAB) meeting please see the following options:

In-person meeting at:
1002 Washington Avenue, Basement, Room B2, Houston, Texas

To access the meeting online, please visit:
[Click here to join the meeting](https://bit.ly/3J3XNNU) or <https://bit.ly/3J3XNNU>

To access the meeting by phone, please call:
+1 936-755-1521
Conference ID: 645 805 366#

A. Consideration of minutes for December 16, 2021 meeting

B. Consideration of Sign Appeal

- I. Stephanie Stewart – Sign Remedy – 7007 Gulf Freeway
Decision of the Sign Administration Section and the Interpretation of the
Houston Sign Code for Denial of Sign Permit

Anyone wishing to speak before the General Appeals Board should sign up to speak via phone (832) 394-9085 or email sandra.meza@houstontx.gov, 24 hours in advance preferred. If you have materials or exhibits for the General Appeals Board to consider, submit it via email to sandra.meza@houstontx.gov 24 hours in advance of the scheduled meeting for it to be included in the final agenda packet.

Please note what agenda item you wish to speak on, or if you wish to make a general public comment; and if you plan to attend either in person or virtually. You may also sign up to speak in the chat feature of Microsoft Teams during the meeting, or if attending in person, by advising staff at the meeting.

General Appeals Board
February 24, 2022 Hearing
5:00 PM
1002 Washington Avenue
Basement Level, Training Room B 2
Houston, TX 77002

*Appeal by Sign Remedy, Inc. of the Rejection of Its Application for a
Sign Permit*

For

Chick-Fil-A

7007 Gulf Freeway

Houston, TX 77087

Sign Administration's Exhibits

1. Sign Remedy's Request for Appeal of Decision or Interpretation
2. Applicable Code Provisions
3. Correspondence
4. Excerpts from Sign Remedy's Application File

C

O

O

REQUEST FOR APPEAL OF DECISION OR INTERPRETATION

DATE: 01/18/2022

For Office Use Only

Date Rec'd: _____

TO: CITY OF HOUSTON
GENERAL APPEALS BOARD
1002 WASHINGTON AVENUE
HOUSTON, TEXAS 77002

FROM:

NAME OF APPLICANT:

Chick-fil-A

PROPERTY ADDRESS:

7007 Gulf Freeway, Houston, TX. 77087

(City, State, Zip)

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(If different from above)

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(City, State, Zip)

CONTACT NUMBER(S):

404-353-3819

SIGNATURE OF APPLICANT:

Patrick Davis

INDIVIDUAL/FIRM REPRESENTING: Stephanie Stewart / Sign Remedy Inc.

BUSINESS ADDRESS:

21281 Belair Rd. Building 10

CITY, STATE, ZIP:

Conroe, TX. 77385

CONTACT NUMBER(S):

281-639-1560

REFERENCE:

SECTION

Table 4611

PAGE 60

LIST OTHER CHAPTERS AND SECTIONS OF BUILDING CODE AFFECTED BY REQUEST:

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- E) 31'-0" Overall Height Pylon Sign with 150 Square Feet of sign area

The interpretation of the inspector denial is due to changing of the zoning, making this site part of the newly created Category E, "Airport District". This new distinction, has a maximum height restriction on freestanding pylons at 31'-0" (table 4611), compared to the previous Category C allowance of 42'-6". The height of the proposed pylon sign at 42'-0" was determined based on the allowance under the Category C zoning restrictions and to match that of the freestanding signs of Burger King, Canes (installed February 2020), and Popeyes located to the right of the Chick-fil-A property. There are also a Shell pylon and a McDonald's pylon sign to the left of the property that have been in place since before 2008 and are taller than the 42' height that appear to have been grandfathered.

We would like to be classified in the Category C zoning area again so that we can have the 42' maximum height restriction on the freestanding pylon. We are along IH-45 and should be part of the Freeway corridor. All other pylon signs in our immediate area are 42' or taller.

Chick-fil-A would like to be at the same height as the other businesses in the area. Requiring this sign to be shorter than the surrounding signs by 11' will not make it a safer environment for airplanes in the corridor. We are not requesting our sign be any taller than the surrounding signs, just the same height in a long row of other established signs. Granting this request will benefit this restaurant by providing better visibility for their sign and it will make this area look more uniform in the process.

Checklist Comments Report

Project Name: 21120439

Workflow Started: 12/03/2021 12:08 PM

Report Generated: 01/12/2022 12:08 PM

Cycle #	Permit Type #	Comment Type #	Reviewer Comment	Applicant Response	Status #	Updated By #	Last Update
1	Signs Permit	Construction & Attachment	The dimensions on Engineering and construction drawings are different.		Met	Claudia Prindle	01/12/2022 11
2	Signs Permit	Scope-of-Work	Proposed scope-of-work exceeds Table 4511 allowance(s) for Max. Ht. of 31ft for category E and 150sf.		Not Met	Claudia Prindle	01/12/2022 11

Shell and McDonald's pylon signs located to the left of the Chick-fil-A property. +42' in height



Burger King, Canes, and Popeyes Pylon signs located to the right of Chick-fil-A property. 42' Heights



**CITY OF HOUSTON
BUILDING CODE
CHAPTER 46**

HOUSTON SIGN CODE

NOTE: ALTHOUGH THIS SIGN CODE
CONSTITUTES CHAPTER 46 OF THE CITY OF
HOUSTON BUILDING CODE (BASED UPON THE
2006 INTERNATIONAL BUILDING CODE), IT IS
SEPARATELY PUBLISHED.

Current through Ordinance No. 2020-669
Effective July 29, 2020
Compiled by the City of Houston Legal Department



Section 4611

(j) **Airport Corridor District.** All new on-premise signs located in the Airport Corridor District for which a sign permit is issued after July 29, 2020, shall conform to all requirements relating to on-premise signs in the Code, with the exception that ground signs located on major thoroughfares shall comply with the height and size provisions of Category A of Table 4611 and ground signs located on freeways shall comply with the height and size provisions of Category E of Table 4611.

**TABLE 4611
ALLOWABLE ON-PREMISE GROUND SIGN HEIGHTS AND SIZES
BY SIGN TYPE AND CATEGORY OF RIGHT-OF-WAY**

SIGN TYPE	CATEGORY A		CATEGORY B		CATEGORY C		CATEGORY D		CATEGORY E	
	Height	Size	Height	Height	Size	Size	Height	Size	Height	Size
	(Ft.)	(Sft.)	(Ft.)	(Ft.)	(Sft.)	(Sft.)	(Ft.)	(Sft.)	(Ft.)	(Sft.)
SINGLE BUSINESS	14	100	20	150	42½	225	8	60	31	150
MULTI-TENANT 2 OR 3 BUSINESSES	19	200	26	300	42½	450	10	120	31	300
MULTI-TENANT 4 OR MORE BUSINESSES	24	300	31	450	42½	600	12	180	31	450
FLAG	20	—	35	—	50	—	—	—	—	—

CATEGORY A shall mean visible from and located on premises with frontage on scenic and historical rights-of-way and districts and major thoroughfares in the Airport Corridor District.

CATEGORY B shall mean visible from and located on premises with frontage on major thoroughfares including collector streets other than scenic and historical rights-of-way and districts.

CATEGORY C shall mean visible from and located on premises with frontage on freeways and highways other than scenic and historical rights-of-way and districts.

CATEGORY D shall mean visible from and located on premises with frontage on local streets.

CATEGORY E shall mean visible from and located on premises with frontage on freeways in the Airport Corridor District.

Appendix B

The **AIRPORT CORRIDOR DISTRICT** of the City shall include the following areas:

- (1) The Interstate 45 corridor including the right-of-way and frontage roads, and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Interstate Highway 45 from its intersection with Dixie Farm Road (Highway 1959) [the southern-most entrance to Ellington Airport] on the south to its intersection with Beltway 8 on the north;
- (2) The George Bush Intercontinental Airport Entrance corridor including the right-of-way and frontage roads and extending 300 feet beyond each boundary of the right-of-way and frontage roads of John F Kennedy Boulevard from its intersection with Beltway 8 on the south to the entrance to George Bush Intercontinental Airport on the north;
- (3) The Hobby Airport Entrance corridor including the rights-of-way and extending 300 feet beyond each boundary of the rights-of-way of each of (a) Broadway and Monroe from their intersections with Interstate Highway 45 on the north to their intersections with Airport Boulevard on the south and (b) Airport Boulevard from its intersection with Telephone Road on the west to its intersection with Interstate 45 on the east and (c) Telephone Road from its intersection with Loop 610 on the north to its intersection with Airport Boulevard on the south [being the primary entrances to William P. Hobby Airport from Interstate 45];
- (4) The Ellington Airport Entrance corridor including the right-of-way and extending 300 feet beyond each boundary of (a) the right-of-way of Dixie Farm Road (Highway 1959) from its intersection with Interstate Highway 45 on the south to its intersection with Galveston Road (Highway 3) on the north and (b) the right-of-way of Scarsdale Boulevard from its intersection with Interstate Highway 45 on the south to its intersection with Galveston Road (Highway 3) on the north (c) the right-of-way of Galveston Road (Highway 3) from its intersection with Beltway 8 to its intersection with Clear Lake City Boulevard (Highway 2351 [being the primary entrances to Ellington Airport from Interstate 45];
- (5) The Highway 59 corridor including (a) the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Highway 59 from its intersection with the Downtown Scenic District at Jensen Drive on the south to its intersection with Langley Road on the north;
- (6) The Highway 59 corridor including (a) the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Highway 59 from its intersection with Aldine Bender Road on the south to its intersection with Will Clayton Parkway on the north and (b) continuing to the west along Will Clayton Parkway, including

Appendix B

the right-of-way and extending 300 feet beyond the right-of-way of Will Clayton Parkway to its intersection with Lee Road; and

- (7) The Hardy Toll Road corridor including the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Hardy Toll Road, both as it currently exists and as it may be extended in the future south of Loop 610 into Downtown Houston on the south, and to its intersection with Halls Bayou on the north;
- (8) The Hardy Toll Road corridor including the right-of-way and frontage roads and extending 660 feet beyond each boundary of the right-of-way and frontage roads of Hardy Toll Road from its intersection with Aldine Bender Road on the south through its intersection with and continuing along the Hardy Toll Road Airport Connector to its intersection with Hoods Bayou at the boundary of George Bush Intercontinental Airport; and
- (9) The principal exits from the foregoing corridors into their intersecting streets in Downtown Houston, specifically (a) the Pease/St. Joseph Parkway exit from Interstate Highway 45 north-bound, (b) the Milam, McKinney, and Pierce-Jefferson exits from Interstate Highway 45 south-bound, (c) the North Hamilton Street exit from Highway 59 south-bound, and (d) the exit from and entrance to Hardy Toll Road, both as it currently exists and as it may be extended in the future, to their intersections with the intersecting streets in Downtown Houston.

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From: Garcia, Mario - HPC-HPW
Sent: Monday, November 15, 2021 8:51 AM
To: Stephanie Stewart <stephanie.stewart@signremedy.com>; Simmons, Billy - HPC-HPW <Billy.Simmons@houstontx.gov>
Cc: Teresea Lindsey <teresea.lindsey@signremedy.com>
Subject: RE: New CFA Site

Good Morning,

We don't perform preliminary reviews and do not go into the details of placement of signs without plans in the system.

The standard setback or clearance from power lines is 10' anything closer will require a clearance letter from centerpoint.

Please also remember that most of Gulf Fwy is Category E (Airport Corridor)

Thank you,

Mario Garcia
an Analyst Supervisor, Sign Administration
832.394.8925



From: Stephanie Stewart <stephanie.stewart@signremedy.com>
Sent: Friday, November 12, 2021 9:05 AM
To: Garcla, Mario - HPC-HPW <Mario.Garcla@houston.tx.gov>; Simmons, Billy - HPC-HPW <Billy.Simmons@houston.tx.gov>
Cc: Teresea Lindsey <teresea.lindsey@signremedy.com>
Subject: Re: New CFA Site

[Message Came from Outside the City of Houston Mail System]

Attached is a new alta survey for this site.

Your feedback is greatly appreciated.

Thank you

On Fri, Nov 12, 2021 at 7:41 AM Stephanie Stewart <stephanie.stewart@signremedy.com> wrote:

Good Morning and Happy Friday City of Houston Friends

My client is asking if we can review the attached pylon placement. Client has a new survey being done due to the over power lines being located to the rear of the property.

This site has not broken ground yet and will in the next two-three weeks, therefore we want to button up everything for signage on our end.

Thank you

Stephanie Stewart
M: (281)639-1560
21281 Blair Rd. Bldg. 10
Conroe, TX 77385



Stephanie Stewart
M: (281)639-1560
21281 Blair Rd. Bldg. 10
Conroe, TX 77385



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HOUSTON PUBLIC WORKS

ON - PREMISE SIGN PERMIT APPLICATION

1002 Washington Ave. - 4th Floor - Houston, TX 77002 Phone: 832-394-8890 Monday - Friday 7:30 am - 4:00 pm

☐ Category A ☐ Category B ☐ Category C ☐ Category D ☐ Category E ☒ Changeable Message Sign

APPLICANT	Sign Company:	Sign Remedy, Inc.	Sign Co. License:	00205800
	Contact:	Stephanie Stewart	E-Mail:	stephanie.stewart@signremedy.com
	Address:	21281 Blair Rd Bldg. 10	Office Phone#:	(281)639-1560
	City, ST, Zip	Conroe, TX 77385	Cell Phone#:	(281) 639-1560
PROPERTY	Owner Name:	Chick-fil-a #4607	Billing Name:	Chick-fil-a
	Address:	7007 Gulf Freeway	Address:	7007 Gulf Freeway
	City, ST, Zip	Houston TX 77087	City, ST, Zip	Houston TX 77087

FC = Face Change	N1 = Ground	N2 = Roof	N3 = Wall	N4 = Projecting	N5 = Marquee	N6 = Portable	N7 = Directional
Sign A <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Electrical Sign Type N1	Sign B <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	Sign C <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	Sign D <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	Sign E <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type			
Width 12 Ft 0 In Height 16 Ft 1 In Max Ht 42 Ft 0 In Faces 2 Poles 1 Project #	Width _____ Ft _____ In Height _____ Ft _____ In Max Ht _____ Ft _____ In Faces _____ Poles _____ Project #	Width _____ Ft _____ In Height _____ Ft _____ In Max Ht _____ Ft _____ In Faces _____ Poles _____ Project #	Width _____ Ft _____ In Height _____ Ft _____ In Max Ht _____ Ft _____ In Faces _____ Poles _____ Project #	Width _____ Ft _____ In Height _____ Ft _____ In Max Ht _____ Ft _____ In Faces _____ Poles _____ Project #	Width _____ Ft _____ In Height _____ Ft _____ In Max Ht _____ Ft _____ In Faces _____ Poles _____ Project #		

A CFA Logo / Closed Sundays	<input type="checkbox"/> Refurb	D	<input type="checkbox"/> Refurb
B	<input type="checkbox"/> Refurb	E	<input type="checkbox"/> Refurb
C	<input type="checkbox"/> Refurb	Other	
FC/Refurb - Ref. #	A	B	C
	D	E	

Electronic (LED) Signs - Changeable Message and High Technology Acknowledgement Receipt

* Notice is hereby given to the sign owner, occupant, or leaseholder about the Houston Sign Code Regulations, rules, or ordinances pertaining to changeable messages. The lighting of the sign and sign structure must comply with Section 4611(h) of the Houston Sign Code regulations.

SECTION 4611--ON-PREMISE SIGNS

(h) Changeable Message and High Technology Signs. Save and except for signs erected pursuant to the provisions of Section 4620, the following provisions shall apply to all existing and new changeable message and high technology signs:

(1) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spot lights are prohibited.

(2) Lights or colored elements creating a continuously moving, shimmering, or prismatic effect, or the use of rotating or moving parts in association with such lights or colored elements, are prohibited.

(3) A changeable message sign may not change the message more often than every five minutes and must change the message within one second or less; a high technology sign may not change the message without a new permit.

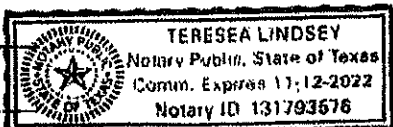
(4) Brightness limits shall be set at a maximum of 8500 nits between sunrise and sunset, and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted with a qualified light sensing device to automatically adjust the brightness in accordance with these standards.

Person or persons responsible for the sign must sign this acknowledgement upon submitting the application. A citation will result for any future violation(s). If you disagree with the interpretation of the City of Houston Sign Administration, you have the right to appeal in accordance with Section 4604(e) of Houston Sign Code Regulations.

Printed Name Patrick Davis Signature Patrick Davis Phone # (361) 412-4977

I hereby certify that the above information is true and correct and further that the sign is being erected and/or maintained at the above location with the permission of the owner and/or authorized lessee of the premises; that the sign does not violate any applicable deed restrictions on the premises; and that having read the restrictions and requirements of the City's Sign ordinance, that the sign is being erected or maintained in compliance with the Sign Ordinance, Chapter 46, Building Code, City of Houston and other applicable laws.

Given to and subscribed before me by said Patrick Davis / Stephanie Stewart on Dec 03 of 20 21

Patrick Davis Owner/Signatory/Agent/Lessee of Premise
Stephanie Stewart Sign Representative Signature

[Signature] Notary Public in and for the State of Texas



Checklist Comments Report

Project Name: 21120439

Workflow Started: 12/03/2021 12:08 PM

Report Generated: 02/24/2022 01:43 PM

Cycle	Permit Type	Comment Type	Reviewer Comment	Applicant Response	Status	Updated By	Last Updated	Compliant?	Date Completed
1	Signs Permit	Construction & Attachment	The dimensions on Engineering and construction drawings are different.		Met	Claudia Prindle	01/12/2022 10:08 AM	True	01/12/2022 10:08 AM
2	Signs Permit	Scope-of-Work	Proposed scope-of-work exceeds Table 4611 allowance (s) for Max. Ht. of 31ft for category E and 150sf.		Not Met	Claudia Prindle	01/12/2022 10:08 AM	False	01/12/2022 10:08 AM

Report Generated: 02/24/2022 01:41 PM

	Task Name	Status	Cycle	Date Assigned	Date Accepted	Date Completed	Group Name	User	Sub Total
Plan Analysts Department Review cycle #1 [Reassigned from Marisa Ayala]	Applicant Upload Task	Completed	0	12/03/2021 12:08 PM	12/03/2021 12:14 PM	12/03/2021 12:14 PM	Applicant	STEPHANIE STEWART	00:00:549
	Assign Plan Analyst	Completed	0	12/03/2021 12:14 PM	12/03/2021 2:19 PM	12/03/2021 2:19 PM	Coordinators	Mario Garcia	00:02:05:16
	Plan Analysts Department Review cycle #1	Reassigned	1	12/03/2021 2:19 PM		12/03/2021 3:28 PM	Plan Analysts	Marisa Ayala	00:1:08:41
	[Reassigned from Marisa Ayala]	Completed	1	12/03/2021 3:28 PM	12/08/2021 11:08 AM	12/08/2021 2:29 PM	Plan Analysts	Claudia Prindle	4:23:00:29
	Applicant Resubmit Task	Completed	1	12/08/2021 2:29 PM	12/08/2021 2:29 PM	01/10/2022 8:40 PM	Applicant	STEPHANIE STEWART	33:05:11:39
	Resubmit Received Task	Completed	1	01/10/2022 8:40 PM	01/12/2022 8:54 AM	01/12/2022 8:54 AM	Plan Analyst	Claudia Prindle	1:12:13:39
	Plan Analysts Department Review cycle #2	Completed	2	01/12/2022 8:54 AM	01/12/2022 8:58 AM	01/12/2022 10:11 AM	Plan Analysts	Claudia Prindle	00:01:17:10
	Applicant Resubmit Task	Accepted	2	01/12/2022 10:11 AM	01/12/2022 12:08 PM		Applicant	STEPHANIE STEWART	
									Total Workflow Time to Completion:

REQUEST FOR APPEAL OF DECISION OR INTERPRETATION

DATE: 01/18/2022

For Office Use Only

Date Rec'd: _____

TO: CITY OF HOUSTON
GENERAL APPEALS BOARD
1002 WASHINGTON AVENUE
HOUSTON, TEXAS 77002

FROM:

NAME OF APPLICANT: Chick-fil-A

PROPERTY ADDRESS: 7007 Gulf Freeway. Houston, TX. 77087
(City, State, Zip)

MAILING ADDRESS: Chick-fil-A 5200 Buffington Rd. Atlanta, GA. 30349
(If different from above) (City, State, Zip)

CONTACT NUMBER(S): 404-353-3819

SIGNATURE OF APPLICANT: Patrick Davis

INDIVIDUAL/FIRM REPRESENTING: Stephanie Stewart / Sign Remedy Inc.

BUSINESS ADDRESS: 21281 Belair Rd. Building 10

CITY, STATE, ZIP: Conroe, TX. 77385

CONTACT NUMBER(S): 281-639-1560

REFERENCE:

SECTION Table 4611 PAGE 60

LIST OTHER CHAPTERS AND SECTIONS OF BUILDING CODE AFFECTED BY REQUEST:

REQUEST FOR: Category zoning change (C vs E) in regards to pylon restrictions

DESCRIBE IN DETAIL THE REASON FOR THE REQUEST:

Use additional pages if needed

Revised November 6, 2013

Submit Ten (10) copies

Sign Remedy Inc. on behalf of Chick-fil-A

Sign Remedy, Inc.
21281 Belair Rd. Bldg 10
Conroe, TX 77385
281-639-1560

Chick-fil-A
5200 Buffington Rd
Atlanta, GA 30349
404-353-3819

Category C vs. Category E

C) 42'-6" Overall Height Pylon Sign with 200 Square Feet of sign area

E) 31'-0" Overall Height Pylon Sign with 150 Square Feet of sign area

The interpretation of the inspector denial is due to changing of the zoning, making this site part of the newly created Category E, "Airport District". This new distinction, has a maximum height restriction on freestanding pylons at 31'-0" (table 4611), compared to the previous Category C allowance of 42'-6". The height of the proposed pylon sign at 42'-0" was determined based on the allowance under the Category C zoning restrictions and to match that of the freestanding signs of Burger King, Canes (installed February 2020), and Popeyes located to the right of the Chick-fil-A property. There are also a Shell pylon and a McDonald's pylon sign to the left of the property that have been in place since before 2008 and are taller than the 42' height that appear to have been grandfathered.

We would like to be classified in the Category C zoning area again so that we can have the 42' maximum height restriction on the freestanding pylon. We are along IH-45 and should be part of the Freeway corridor. All other pylon signs in our immediate area are 42' or taller.

Chick-fil-A would like to be at the same height as the other businesses in the area. Requiring this sign to be shorter than the surrounding signs by 11' will not make it a safer environment for airplanes in the corridor. We are not requesting our sign be any taller than the surrounding signs, just the same height in a long row of other established signs. Granting this request will benefit this restaurant by providing better visibility for their sign and it will make this area look more uniform in the process.

Shell and McDonald's pylon signs located to the left of the Chick-fil-A property. +42' in height



Burger King, Canes, and Popeyes Pylon signs located to the right of Chick-fil-A property. 42' Heights



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GENERAL APPEALS BOARD
CONSIDERATION OF A SIGN APPEAL HEARING
* * * * *
REMOTELY VIA MICROSOFT TEAMS
* * * * *
FEBRUARY 24, 2022
5:00 p.m.

A P P E A R A N C E S

GENERAL APPEALS BOARD:

(PRESENT IN PERSON)

MR. MIKE DISHBERGER, CHAIRMAN

MR. LANCE McKNIGHT, BOARD MEMBER

(PRESENT VIA MICROSOFT TEAMS)

MS. NANCY BREWER, BUILDING CODE ENFORCEMENT

MR. DAVID BROWN, BOARD MEMBER

MS. LESLIE DAVIDSON, BOARD MEMBER

MR. SOLOMON SILVA, BOARD MEMBER

COUNSEL FOR GENERAL APPEALS BOARD AND CITY OF HOUSTON:

(PRESENT VIA MICROSOFT TEAMS)

MR. DOUGLAS RAY, ATTORNEY FOR THE GENERAL APPEALS BOARD

(PRESENT IN PERSON)

MR. CHARLES HOUSTON, ATTORNEY FOR THE CITY OF HOUSTON

PRESENT FOR APPELLANT:

(PRESENT IN PERSON)

MS. STEPHANIE STEWART, SIGN REMEDY, INC.

MR. PATRICK DAVIS, CHICK-FIL-A, INC.,

DEVELOPMENT SERVICES

MS. KRISTEN HAMILTON, CHANDLER SIGNS

1 WITNESS:

2 (PRESENT IN PERSON)

3 MR. MARIO GARCIA, PLAN ANALYST SUPERVISOR FOR THE
4 CITY OF HOUSTON

5
6 ALSO PRESENT:

7 (PRESENT IN PERSON)

8 MS. SANDRA MEZA, PARTICIPANT/RECORDING OFFICER

9 (PRESENT VIA MICROSOFT TEAMS)

10 MS. JESSICA BUTTS, TEXAS CERTIFIED SHORTHAND REPORTER
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I N D E X

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P R O C E E D I N G S

(Videoconference commenced at 5:05 p.m.)

* * * * *

INTRODUCTIONS

MR. DISHBERGER: Mike Dishberger. I'm
the chairman.

MR. MCKNIGHT: Lance McKnight.

MR. GARCIA: Mario Garcia.

MR. HOUSTON: I'm Charles Houston,
Counsel for the City.

MR. BENITEZ: Misael Benitez,
Sign Administrator.

MR. DISHBERGER: Guys on the line?

MR. BROWN: David Brown.

MS. DAVIDSON: Leslie Davidson.

(Simultaneously speaking)

MR. DISHBERGER: I got you, Leslie.
Next?

MR. RAY: Yes. I'm Douglas Ray. I'm
with City Legal Department. I'm here today,
representing the Board.

MS. BREWER: I'm Nancy Brewer. I'm
with -- I'm Building Code Enforcement,
Houston Public Works.

MR. DISHBERGER: Thank you, Nancy.

1 Do we have -- we have a quorum, I think,
2 don't we? We have five?

3 MS. MEZA: Yes.

4 MR. DISHBERGER: Okay.

5 MS. MEZA: Nancy's representing the
6 Building Code Enforcement --

7 (Simultaneously speaking)

8 MR. DISHBERGER: Oh, that's right.
9 That's right. She's also a member, yes, okay.

10 * * * * *

11 MEETING CALLED TO ORDER; MOTION AND VOTE TO APPROVE THE
12 MINUTES

13 MR. DISHBERGER: I call this meeting to
14 order.

15 First piece of business is: We need to
16 approve the minutes from the December 16th meeting.

17 Do we have any items? Do I hear a motion
18 to approve the minutes?

19 MS. DAVIDSON: I move to approve the
20 minutes.

21 (Simultaneously speaking)

22 MR. MCKNIGHT: -- approve the minutes.

23 MR. DISHBERGER: Do I hear a second?

24 MS. DAVIDSON: I second.

25 MR. DISHBERGER: Thank you, Leslie.

1 All in favor?

2 (Multiple people saying "aye")

3 MR. DISHBERGER: No one opposed, passed.

4 * * * * *

5 CONSIDERATION OF A SIGN APPEAL PROCEEDINGS

6 MR. DISHBERGER: All right. We have one
7 piece of business today, here: Consideration of a sign
8 appeal, Stephanie Stewart, Sign Remedy, Inc.,
9 7007 Gulf Freeway. And we're going to go over the
10 appeal.

11 As -- well, as I tell people, when we
12 have these, we're -- this is not a court of law, so
13 we're going to be hearing both sides. The City will
14 speak up first and give their case and tell the --
15 their -- their interpretation of what happened and
16 what's going on with the Code. You'll then have a
17 chance to present your case. And then we go back and
18 forth with some questions.

19 With -- if either -- if a party has a
20 witness, we can ask them questions and -- and go back
21 and forth on that.

22 Once all that's concluded, the -- the
23 Board will make a motion to, one, either approve or
24 disapprove; then we'll have a discussion amongst
25 ourselves. We -- we also may have questions to ask of

1 each individual. So, that'll apply too.

2 And do we have any witnesses here today
3 that need to be sworn in?

4 (No audible response)

5 MR. DISHBERGER: And so can we do all
6 that at one time here?

7 (No audible response)

8 MR. DISHBERGER: Who -- who will do the
9 swearing in?

10 (Simultaneously speaking)

11 MS. MEZA: The -- the court reporter --

12 MR. DISHBERGER: The court reporter --
13 yes.

14 MS. MEZA: -- does that. And give me
15 just one second. I need to start recording this.

16 MR. DISHBERGER: Oh, okay. Sorry.

17 MS. MEZA: Do you know to re- -- I've
18 never used this one before.

19 (Sotto voce discourse between members)

20 (Court reporter clarification)

21 MR. RAY: Okay. Mr. Chair, if you could,
22 from this point on, just for the aid of the court
23 reporter, everybody that, when they make a motion,
24 announce who you are; for example, say, "I'm
25 Leslie Davidson. I move," so and so.

1 And if you second, then, the same thing:
2 Announce who you are. And when we take a vote, announce
3 your name before you vote so each person would be
4 recorded as which way they voted.

5 MS. MEZA: I can't find where to record
6 it, so, that's fine. Okay.

7 THE REPORTER: Thank you, Mr. Douglas --

8 MR. DISHBERGER: Okay. So we need to get
9 our witness sworn in, Ms. Court Reporter.

10 (Witness sworn)

11 MR. DISHBERGER: Okay. Let's begin.
12 City, you want to present your case?

13 MR. HOUSTON: Sure.

14 Ladies and gentlemen, my name is
15 Charles Houston. I am representing Sign Administration
16 in today's hearing. Those of you who've been to these
17 hearings before will have noticed that I am not
18 David Red, my predecessor. David is no longer with the
19 City, and I have been given the task of filling in
20 and -- in filling his very capable shoes.

21 This is my first one of these hearings,
22 so I ask for your forgiveness and indulgence when I
23 make -- not if, but when I make inevitable mistakes.

24 I will give a quick introduction and a
25 summary, on behalf of Sign Administration.

1 Sign Remedy, Inc., is appealing the rejection of its
2 application for a sign permit at 7007 Gulf Freeway.
3 Their client is Chick-fil-A, which we all know makes
4 delicious food. Sign Remedy submitted the application
5 on December 3rd, 2021. That date's important:
6 December 3rd, 2021.

7 I don't think there's any real dispute
8 about the facts here. The application requested a sign
9 that should have been 42-and-a-half feet high, which is
10 Category C, under the sign -- under Sign Code 4611(j), I
11 think it is. But this location is on Gulf Freeway and
12 sits within the newly-created Airport Corridor District.
13 Here, again, there's no dispute, I don't think, about
14 whether it sits in the Airport Corridor District.

15 The sign Code says that all new
16 on-premises signs located in the
17 Airport Corridor District for which a permit is issued
18 after July 29th, 2020, shall conform to certain
19 requirements. And, in your notebooks, new materials at
20 Tab -- I believe it's Tab 3 -- is the applicable --
21 Tab 2 is the applicable portion of the Sign Code.

22 There's a table in there. It says,
23 summarizing, that the sign at issue is Category E
24 because it is located on premises with signage on
25 Gulf Freeway in the Airport Corridor District. The --

1 Category E has a maximum height of 31 feet. The
2 application submitted by Sign Remedy, Inc., as stated:
3 December 3rd, 2021, almost a year and a half after the
4 July 29th, 2020 date set forth in 4611(j).

5 It's pretty cut-and-dry. There is
6 correspondence at Tab 3, showing that Mr. Garcia, here,
7 the plan analyst supervisor, advised Ms. Stewart,
8 finally, that -- remember -- remember that most of
9 Gulf Freeway is Category E, parentheses,
10 Airport Corridor.

11 The fact that there are, and they will
12 point out -- they're right -- the fact there are other
13 restaurants with signs up to 42 feet or even higher --
14 that's true; that's absolutely true. Those sign were
15 erected either before the existence of the Sign Code, or
16 they were erected under a previous version of the
17 Sign Code, which allowed signs of that height at that
18 particular time.

19 But we are, unfortunately, dealing with a
20 relatively new addition, a relatively new amendment, to
21 the Sign Code, which sets a maximum height. And what
22 Sign Remedy's asking for is, in essence, a variance.
23 They're asking to go beyon- -- above and beyond the
24 31-foot height li- -- limit set forth in the Code. And
25 then there's just not a mechanism for that here. So,

1 we've got evidence that is in your notebooks. And we'll
2 hear testimony from Mr. Garcia, setting forth the City's
3 position, under oath.

4 And, you know, I think it's important to
5 point out that nobody's saying that Chick-fil-A can't
6 have a sign to advertise its delicious food; we're
7 simply saying that the sign is capped out at a height of
8 31 feet, based on the recent amendment to the Sign Code
9 from July of 2020.

10 And that's the City's position, in a
11 nutshell.

12 MR. DISHBERGER: Then do you want to --
13 (Simultaneously speaking)

14 MR. HOUSTON: Sure. Sure.

15 MARIO GARCIA,
16 having been previously duly sworn, testified under his
17 oath as follows:

18 EXAMINATION

19 BY MR. HOUSTON

20 Q Mr. Garcia, would you please state your --
21 state and spell your full name for the record.

22 A It's Mario Garcia, M-a-r-i-o G-a-r-c-i-a.

23 Q And are you currently employed, Mr. Garcia?

24 A Yes.

25 Q And who is your employer?

1 A City of Houston.

2 Q And what is your title, Mr. Garcia, with the
3 City?

4 A I am the plan analyst supervisor.

5 Q And what department are you in, sir?

6 A Sign Administration.

7 Q And how long have you worked for
8 Sign Administration?

9 A Five years.

10 Q And how long have you worked as a plan analyst
11 supervisor?

12 A Two years.

13 Q What are your duties as a plan analyst
14 supervisor?

15 A Yes. My tasks are to assign ta- -- projects
16 that come in for review to different reviewers and, if
17 the reviewers have questions or concerns during the
18 reviews, to come to me and work out the correct
19 interpretation of the Code, and, if I need more
20 clarification, go to my supervisors, and answer various
21 questions and e-mails from contractors, customers, and
22 developers. So --

23 Q Okay. And are you familiar, sir, with the
24 sign that brings us here today, or the -- with the
25 purpose to bring us here today, at seven-zero-si- --

1 7007 Gulf Freeway?

2 A Yes.

3 Q And how did you come to be familiar with this
4 particular issue?

5 A Well, from the first e-mail that I received,
6 it kind of mentioned that it was in the -- in the
7 Airport Corridor. And it -- it wasn't until the
8 reviewer it was assigned to came to me and said that she
9 believed that it was in the Airport Corridor. And she
10 hadn't caught it in the first review, but we found it in
11 the second review, that it was in the Airport Corridor.

12 And we looked up the boundaries listed in
13 Appendix B and informed the reviewer that, yes, it was
14 inside the Airport Corridor and has to be categorized as
15 Category E.

16 Q Okay. And so when you say "Airport Corridor,"
17 tell us what exactly you're talking about.

18 A Yes. So City of Houston and the -- the
19 Council passed a new or -- the changes to the Code in
20 July of -- 29, 2020. And, in part with various
21 organizations, like Scenic Houston and Houston First,
22 to -- I -- I guess their -- their whole point was to
23 beautify or create lower -- like, lower heights for
24 signs in different districts. And that's what the
25 Airport Corridor came to be: Any district that came

1 from any of the airports around the City of Houston to
2 the central business industry located downtown.

3 Q Okay. And so you are familiar, then, with the
4 boundaries of the Airport Corridor District.

5 A Yes.

6 Q And is it your testimony here that the
7 premises at issue is within the
8 Airport Corridor District?

9 A Yes. It's in -- it's within the Interstate 45
10 corridor, as described in Appendix B.

11 Q Okay. Is there any doubt in your mind about
12 whether or not it's in the corridor?

13 A No, no doubt.

14 Q Okay. And you -- I think you indicated that
15 the purpose of the -- of the sign regulations has to do
16 with the beautification, or esthetics, of the City? Is
17 that a fair characterization?

18 A Yes, that's -- that is, from reading various
19 minutes, or meetings, from City Council, when it was
20 brought up; that was the intention that they'd had when
21 they voted for -- for this to pass.

22 Q Okay. And -- and tell me, if you can, why it
23 is that the particular sign at issue here is governed --
24 is -- is -- it -- that -- falls under Category E, with
25 the lower height requirement, versus Category C, with

1 the higher height requirement?

2 A Because it falls within the newly-created
3 Airport Corridor that came into effect and we're tasked
4 with enforcing.

5 Q Okay. And -- and -- and, in -- 4611(j), I
6 think, says that sign permit -- sign permits that are
7 applied for after July 29th, 2020, are subject to this
8 new Airport Corridor District regulation?

9 A Correct. Yeah, any sign -- any new signs with
10 permits issued after July 20- -- 29, 2020, have to
11 conform to the -- they -- they fall within the
12 category -- in -- in -- in that district, have to
13 conform with Category E.

14 Q Okay. And, in Tab 4 of binder, there is a
15 copy of the sign permit application. What's the date on
16 that application, sir?

17 A December -- it was notarized
18 December 3rd, 2021.

19 Q Okay. So, again, we're talking almost a year
20 af- -- after the July 29th, 2020 cut-off -- 2020 cut-off
21 for the date set forth in -- in 4611; is that right?

22 A Correct, yes.

23 Q Okay.

24 MR. HOUSTON: That's all the questions
25 I've got for you right now.

1 MR. DISHBERGER: Okay.

2 Present your case.

3 MS. STEWART: So, Chick-fil-A bought this
4 property prior to the Code change, or it was in talks,
5 and everything about this. So everything that was done
6 on our research and their research is prior to the sign
7 change, obviously, because it was in June/July of 2020.
8 Obviously, our whole point is, obviously,
9 beautification, too.

10 Now, you have 42-foot-6 all up and down
11 in -- in that area. If you look from the pictures, you
12 have McDonald's just a little bit higher, because that's
13 been grandfathered -- right? -- same -- their sign; and
14 same with Shell. But you have Raising Cane's,
15 Burger King, and, also, Popeyes that are all within not
16 even a quarter of a mile of each other right in a little
17 row that are all 42-6, 250 square feet.

18 We're asking, "Can we have the 42-6, or
19 42 feet, even if we were to meet halfway and have 150
20 square foot?" because we're losing 100 square feet of
21 signage -- right? -- based on the new being not just
22 footage -- height.

23 So we would be willing to, possibly, see
24 if we could meet halfway, because, again, you're all in
25 a row. And it's because all the -- we are having 42-6,

1 42-6, 31 feet (indicating). So, I mean, that's --

2 MS. HAMILTON: And then back up.

3 MS. STEWART: Yeah, "and then back up"
4 to, like, a 55-foot-10-plus, with the Shell and
5 McDonald's. So, I mean, our intention is that, yes, we
6 would like to have a 42-6 height and meet with the
7 current square footage, if possible, to keep in mind
8 what is right there on that part of the road. So...

9 MR. DISHBERGER: Anything else?

10 (Simultaneously speaking)

11 MS. STEWART: And -- and, Patrick --

12 MR. DAVIS: Yeah. Yeah. So, thank
13 you-all for --

14 MR. DISHBERGER: Can you -- can you state
15 your name for us?

16 MR. DAVIS: I'm sorry.

17 So, Patrick Davis with Chick-fil-A, Inc.,
18 Development Services. Other than that -- so, again,
19 thank you-all for being here today. We -- as stated,
20 we -- we have -- we were in the process well before
21 July. I have e-mail communications I've provided as
22 evidence.

23 We actually came and met with the City,
24 had a pre-application meeting with the City in March of
25 2020, to talk about plans for this development, as we

1 were under these negotiations for -- to take a parcel
2 within this development that was being developed by
3 master developers for several other QSRs: quick-serve
4 restaurants.

5 Upon that time, we were not aware of a
6 Airport Corridor Code or ordinance that was forthcoming.
7 And we, again, proceeded to lease this property and
8 pursue this development, just as the other QSR
9 restaurants, with a 42-foot sign.

10 Be- -- being -- going through the City of
11 Houston process, we started to submit -- well, we went
12 through our design process and started to actually
13 submit the permits in September of 2021 -- I'm sorry --
14 started the process in September of 2020 and went
15 through a very lengthy process of -- of getting a
16 permit.

17 As you-all may be aware, in the
18 permitting process, we are not allowed to submit for a
19 signage permit until we actually have a -- a building
20 permit number that we can actually attach to the sign
21 permit.

22 Again, we were not aware of this new
23 ordinance change until we'd gotten our building project
24 number and then submitted our -- our -- our signage
25 permit, got in review, was not aware of the issue. And

1 then, upon a second review/comment, we -- we learned
2 that there was this new ordinance that we had to be at
3 the 30-some-odd-foot level.

4 I think the other thing I just would like
5 to point out that was just mentioned earlier: Again,
6 this was kind of a master development done by a --
7 another developer that had several other QSRs: a
8 Burger King; there's a -- a Popeyes; there's a
9 Raising Cane's; there's our site; then you have a
10 McDonald's; and then you have a Shell.

11 Again, we are in the middle of these
12 other developments. And, as just mentioned earlier, it
13 would be very odd to have 42-plus, 42-plus, 42-plus, 30,
14 42-plus, 42-plus (indicating). And so we are just
15 asking for a reasonable consideration of our -- of our
16 appeal for -- for this case.

17 MR. DISHBERGER: Okay. You guys have any
18 questions of the City Sign Administrator?

19 MS. STEWART: No. I mean, the Code is --
20 the Code is the Code.

21 * * * * *

22 GENERAL APPEALS QUESTIONS/REMARKS TO APPELLANT

23 MR. DISHBERGER: Okay. Any Board -- any
24 Board members want to ask any questions? Start with you
25 guys on the screen.

1 MR. BROWN: (Indicating)

2 MR. DISHBERGER: Yes, David?

3 MR. BROWN: So, I just want to be clear:

4 From the -- the Chick-fil-A folks, you're not
5 disagreeing that you guys fall under the Category E,
6 that you're a single business, per this chart, and
7 you -- you fall under that version of the Code? There's
8 not disagreement there at all?

9 (Simultaneously speaking)

10 MR. DAVIS: No. There's no --

11 MS. STEWART: No, sir -- no, there's no
12 disagreement --

13 MR. DAVIS: -- disagreement in that.

14 MR. BROWN: Okay. So you're just --
15 you're just asking if -- if you guys can have an
16 exception? Is that the gist of it?

17 MS. STEWART: Yes.

18 MR. DAVIS: Essentially, yes.

19 MS. STEWART: We know there's no
20 variance. But, I mean -- so we've had to go through
21 this whole process to see if we could have a special
22 appeals to see if we could meet somewhere in the middle.

23 MR. BROWN: Okay. Yeah, I'd -- I'd --
24 because it -- yeah, it doesn't seem like there's much
25 interpretation of the Code here. It's -- it's pretty

1 cut-and-dried.

2 That's all my questions.

3 MR. DISHBERGER: All right. Anyone else
4 on screen?

5 (No audible response)

6 MR. DISHBERGER: Leslie, nothing?

7 (No audible response)

8 MR. DISHBERGER: Sol?

9 Is he on?

10 (No audible response)

11 MR. DISHBERGER: Lance?

12 Oh. I had one -- only one question, it
13 seems. I see the permit application. We're talking
14 about E a bit, though -- oh, that's "sign added." Okay.
15 I just -- I was trying to find a permit application
16 where it says what you're trying to apply under: E or A
17 or C. Where -- where do you see that?

18 MR. GARCIA: So, on the application, if
19 you look at the very top, there's -- when there --

20 MR. DISHBERGER: Oh, okay. Okay.

21 (Simultaneously speaking)

22 MR. DISHBERGER: Y'all marked "C" on it.

23 MS. STEWART: We'd marked "C."

24 MR. DISHBERGER: Okay. And then applied
25 for a sign appeal, okay.

1 MS. STEWART: You need to update that
2 online, by the way, because it does not have Category E.

3 MR. GARCIA: Yeah we have it uploaded to
4 our website --

5 (Simultaneously speaking)

6 MS. STEWART: Right -- no, no, no. I'm
7 talking about when you go and actually put it on the
8 portal.

9 MR. GARCIA: Yeah.

10 MS. STEWART: You don't ha- -- it does
11 not -- it has A through -- and you can't put the others
12 on it.

13 MR. GARCIA: Yeah, that's what --
14 we've -- we've advised --

15 MS. STEWART: IT?

16 MR. GARCIA: -- IT to do that.

17 MR. DISHBERGER: Lance?

18 MR. McKNIGHT: I don't know if I have
19 question, so much as -- I mean, my understanding of our
20 role in this Board: We are not interpreting -- we -- we
21 are interpreting -- we are here to interpret the Code
22 and the application of it. We don't really have -- if
23 the Code part is definitely right, we don't really have
24 any authority to -- I mean, I'm with you.

25 I'm -- I get it. If I'm on the

1 City Council and you appeal to me, I'm going, "Yeah,
2 you're right. This is kind of a crock, where this one
3 sign in the middle of all these bigger signs."

4 But I don't think this Board has the
5 ability to do that. Is that -- am I correct, in my
6 understanding of that?

7 MR. RAY: Mr. Chair, this is Douglas Ray.

8 MR. DISHBERGER: Yes, Douglas.

9 MR. RAY: The jurisdiction of the Board
10 is to take the -- the decision of the Sign Administrator
11 and decide whether he's misconstrued or misinterpreted
12 the Code. If so, then you can reverse his decision.
13 Your jurisdiction doesn't extend to granting some kind
14 of variance, basically, the way I understand that the
15 applicant has asked you to do.

16 MR. DISHBERGER: You're here with re- --
17 I -- I know you're correct. I've been on the Board a
18 while, and I know we're not a mediator or arbitrator,
19 either.

20 MS. STEWART: Right.

21 MR. DISHBERGER: So, yeah, you're asking
22 for a deal to be made. Obviously, a deal should have
23 been -- could have been made, possibly, with the
24 Sign Administration, were it reject- -- I assume did not
25 happen --

1 MR. DAVIS: We pursued it. We were told
2 that this was our only --

3 (Simultaneously speaking)

4 MS. HAMILTON: Avenue.

5 MR. DAVIS: -- avenue to -- that --

6 MR. DISHBERGER: Yeah, that --

7 MR. McKNIGHT: I know, for us, I think
8 you go to --

9 (Simultaneously speaking)

10 MR. McKNIGHT: -- City Council. Those
11 guys can do whatever they want to do, and they will do
12 whatever they want.

13 MR. DISHBERGER: But -- but we are --
14 we're resp- -- we're, really, here to look at the Code
15 and what it says, because it's -- a lot of times, the
16 Code is a little fuzzy. And when it's fuzzy, now, we
17 can say, "Well, we think that what they -- what -- the
18 way they interpreted it was an -- incorrect."

19 But I think we all agree that it's
20 correct, that it was applied for after the date. And,
21 agreed, it may look funny. But it's kind of like
22 putting a sidewalk in an area that didn't have a
23 sidewalk because they're saying: "In 50 years, the
24 whole place will have a sidewalk."

25 So -- probably going to tell you, "In

1 50 years, McDonald's, Burger King's signs will be gone,
2 and it'll be replaced with signs and stuff that are
3 correct, down the road."

4 MR. GARCIA: Yeah, correct. So the --
5 the -- all the existing signs there are not --
6 technically, now, non-comforming and grandfathered in.

7 MR. DISHBERGER: Correct. So if they get
8 damaged or a hurricane knocks it down, they're going to
9 go --

10 (Simultaneously speaking)

11 MR. DISHBERGER: Did you want to say
12 something, sir?

13 MR. DAVIS: No -- I was going to say:
14 But all these signs were put up within the last
15 two/three years, including McDonald's as well. So --
16 so, I guess, my -- my -- my question is: What is --
17 because it -- as we look -- again, we -- we started the
18 process in March of 2020, started having these
19 conversations, again, pursuing the -- the -- the permit.

20 We can't even have it pre-development.
21 You have -- what we've been told and coached to do when,
22 you know, pursuing a development -- again, we -- we
23 weren't able to submit for a -- a signage permit till
24 later in the process, even foll- -- after submitting for
25 building permits, sidewalk permit. And so it's -- you

1 know, the -- the July cut-off date -- I mean, we just --
2 we never got a shot at it, at meeting that date.

3 (Simultaneously speaking)

4 MR. DISHBERGER: So, just to clarify, for
5 the group, the Board: You cannot apply for a sign
6 permit until the base permit is issued? Is that what --

7 (Simultaneously speaking)

8 MR. GARCIA: So, we're --

9 MR. DISHBERGER: Or -- or an "address,"
10 because he used the word "address." And I know you need
11 addresses early on in the system -- the -- in the
12 process. Tell -- tell us.

13 MR. GARCIA: Yeah. So the Code states
14 that -- that sign permits going to be a -- used in
15 accordance for an -- in association with a business
16 purpose, and you look at the certificate of occupancy as
17 that establishing point of -- of there being a business
18 purpose advertised.

19 And it's not that they have to complete
20 all their inspections or anything; it's just that they
21 have to have paid for their building certificate of
22 occupancy and building permits for us to, then, say,
23 "Yeah, there's a legitimate business there for us to" --

24 MR. DISHBERGER: Okay.

25 MR. GARCIA: -- "issue a sign permit."

1 MS. STEWART: I had another question,
2 then. So, say, in July -- or even -- before July, when
3 they started this in March, they have their address;
4 they have everything; they pay for a temporary occupancy
5 through the GC -- right? -- just because they have so
6 many signs up through Houston and, you know, things are
7 changing and evolving here, in the Houston area.

8 If we were able to have done this prior
9 to July of 2020 -- or July 29th -- right? -- and, say,
10 had a permit but, still, you know, had -- but that was
11 height of COVID, trying to get everything going on. We
12 are here, fast-forward, and our permit's only good for
13 180 calendar days; had to put a renew in, prior to that
14 180 days. Would we still have been able to ha- -- I
15 mean, because you only can do a renewal once.

16 So how -- how would we have had to
17 classify, again, for Category E versus Category C, if --
18 if it could happen, back up?

19 MR. GARCIA: That reminds me of a
20 previous appeal that we had where a project was
21 submitted before the Code changed. The 180 days had
22 expired, and --

23 MS. STEWART: But they -- they didn't
24 renew it before that expiration; right?

25 MR. GARCIA: They -- it wa- -- it -- it

1 expired before the ex- -- before the Code changed.

2 MS. STEWART: But they didn't renew it
3 before it expired? Or they did?

4 MR. GARCIA: No, they didn't -- they
5 didn't renew it --

6 (Simultaneously speaking)

7 MS. STEWART: Okay. But if we had
8 renewed it, is what I'm asking. If we had renewed it --

9 MR. GARCIA: Oh, yeah. If you had the
10 permits in hand before that Code change, you -- and you
11 had the 180 days, that permit's valid as soon as it's
12 given to you because it was issued before that date. So
13 it's the -- the Code states that it's any new permits
14 issued after the date that -- that are -- have to
15 conform -- have to be Category E.

16 MS. STEWART: And just one more
17 clarification: only one renewal, not two. So, after
18 that, then it starts the whole process over again. So,
19 we -- we still wouldn't have made it. I -- I mean,
20 ju- -- just playing devil's advocate for my client and
21 then, also, the Code, so we know, because, again,
22 Patrick and Chick-fil-A are coming heavy into Houston.
23 So -- and if anything else keeps changing, we -- we want
24 to make sure that we're armed enough.

25 MS. HAMILTON: Yeah. And I want to

1 ask -- I'm -- I'm Kristen Hamilton with Chandler Signs.
2 We're a national partner with Chick-fil-A. We pull
3 pro- -- permits for them all over the country and a lot
4 of permits in the City of Houston. And we have a -- a
5 good research department that works out of our corporate
6 office in Dallas that does our code research for us,
7 which was done, for this particular site, in July of
8 2020.

9 What is the avenue for us to
10 understand -- I mean, the Code has not changed, in the
11 City of Houston, for quite some time. So what is the
12 avenue for sign companies, like us and many others, to
13 understand -- or is there an avenue for us to know when
14 that Code changes?

15 So, we do read full code, especially on
16 projects that take a long time. This one was done
17 relatively fast, and the thing is: Chick-fil-A projects
18 or any other national account does. But what would be
19 the avenue for us to know when that Code changes?

20 MR. HOUSTON: I believe the
21 Greater Houston Sign Association is -- is the avenue
22 that -- that City Council met with, and they were the
23 ones that -- that were, basically, sending out
24 notifications to the industry.

25 MR. BENITEZ: Well, it's TCA [sic] --

1 this is Misael Benitez, Sign Administrator.

2 It's TCA, Texas Sign Association, that
3 was involved in --

4 (Simultaneously speaking)

5 MR. BENITEZ: -- (audio distortion)
6 because it's in -- it was in Houston, the Chapter of
7 Houston, which is the Houston Greater Asso- -- Sign
8 Association. They were the ones that were involved.
9 And, besides them having all the knowledge that this
10 was -- these changes were coming, also, it's posted on
11 the Houston (audio distortion; inaudible) website.

12 (Simultaneously speaking)

13 MR. DAVIS: Kind of -- kind of going back
14 to, I think, what my -- my question, as far as -- I
15 mean, it's just really -- you know, with us pursuing
16 this: Again, first meeting regarding this particular
17 deal was in August. Well, I mean, we -- we -- we
18 real- -- we never stood a shot of, kind of, meeting that
19 date, although we were pursuing it. And so, I guess, it
20 just -- what -- what are -- what are our options (audio
21 distortion) still?

22 MR. DISHBERGER: Well, you're going to
23 (audio distortion; inaudible) take a vote. We vote to
24 disapprove. Your next option is to go to City Council.
25 And it's -- again, City Council can override any of

1 their ordinances or codes.

2 MS. STEWART: What is the time frame to
3 go to Council? I think --

4 MR. BENITEZ: I believe it's ten days.

5 MR. GARCIA: Yeah.

6 (Simultaneously speaking)

7 MR. DAVIS: But we still have a shot with
8 this Board, was what I understand.

9 MR. DISHBERGER: Well, we have to vote on
10 it.

11 MR. DAVIS: Okay.

12 (Simultaneously speaking)

13 MR. DISHBERGER: We ain't going that far.

14 MR. DAVIS: All right.

15 MR. DISHBERGER: No, sir.

16 MR. McKNIGHT: But -- but that's why I
17 asked the question about what our authority is.

18 (Simultaneously speaking)

19 MR. McKNIGHT: I know (audio distortion;
20 inaudible) -- I just wanted y'all to understand:

21 Doesn't matter how a person may feel about it. We're
22 not here to -- to legislate from the benches. We -- we
23 are -- we're here just to (sotto voce) --

24 MR. DISHBERGER: A lot of the things we
25 talk about are very, "What does this word mean?" or

1 something, like, one of the thing- -- "What is a sign?"
2 a lot of questions: general stuff. So that's what we
3 (audio distortion; inaudible) -- you have
4 interpretations that -- this one -- everyone's agreeing
5 that the Code says what the Code says. And, "We
6 didn't" -- and, "We didn't put it in."

7 * * * * *

8 MOTION AND VOTE TO DISAPPROVE THE APPEAL

9 MR. DISHBERGER: And, I guess, based on
10 that, I'll ask: Does someone make a motion here?

11 (Speaking simultaneously)

12 MR. McKNIGHT: I'll make a motion we vote
13 to disapprove.

14 MR. DISHBERGER: Do I hear a second?

15 (Simultaneously speaking)

16 MR. BROWN: This is David Brown --

17 MS. DAVIDSON: I second it.

18 MR. BROWN: I third it.

19 MR. DISHBERGER: Okay. Leslie, I think,
20 seconded. She got in there first.

21 Any discussion among the Board?

22 (No response)

23 MR. DISHBERGER: All right. I'm going to
24 call a vote, then. All in favor of the motion to
25 disapprove, say "aye," or raise your hand on the screen,

1 please.

2 (Multiple people indicating and saying
3 "aye")

4 MR. DISHBERGER: Anyone disagree?

5 (Simultaneously speaking)

6 MR. DISHBERGER: Okay. Disapproved.

7 Okay. It's unanimous.

8 All right. This means the -- you'll --
9 I -- and I'll need a motion to -- if there's no other
10 new business -- I don't think -- today --

11 (Simultaneously speaking)

12 * * * * *

13 APPELLANT'S FURTHER DISCUSSION REGARDING THE SIGN APPEAL

14 MR. DAVIS: (Stuttering) Can I ask
15 another question? Or are we -- are we done? Or can I
16 ask a question?

17 (Simultaneously speaking)

18 MR. DISHBERGER: Almost done.

19 MR. DAVIS: So -- so -- so, I understand
20 that City Council can -- is there a way to -- I
21 understand you can't vote and approve or disapprove.
22 But can we get an opinion from this Board, based on what
23 we presented here, to go to the City Council with, just
24 based on what we presented?

25 MR. DISHBERGER: I think -- I don't know

1 if we can or not. I'm just getting a feeling from the
2 discussion that -- well, the opinion would probably be
3 the statement that -- the decision we made today, that
4 there was --

5 (Simultaneously speaking)

6 MR. HOUSTON: Yeah, I -- I think he's
7 asking for something with some context.

8 MR. DISHBERGER: Okay.

9 MR. DAVIS: Some- -- something with some
10 context, basically --

11 (Simultaneously speaking)

12 MS. STEWART: Is it worth our time?

13 MR. DAVIS: Yeah, because, I mean --

14 (Simultaneously speaking)

15 MR. DAVIS: -- essentially, what I heard
16 you guys say is, and I'm not putting words in anybody's
17 mouth; right? But you -- you guys cannot -- you --
18 you're just here to interpret Code, no -- no matter --

19 MR. McKNIGHT: Right, yeah. The -- any
20 opinion we have would be that -- now, if it was
21 something that was gray and, you know -- we might have
22 an opinion that said, you know, "It -- it -- it looks
23 like this is falling under the Code," and -- and that's
24 where we're voting.

25 But -- but we're going to wait for

1 City Council to offer some interpretation of it.

2 MR. DAVIS: Yeah.

3 MR. McKNIGHT: But -- but our role in
4 this is black and white.

5 MR. DISHBERGER: I think -- I think I can
6 probably speak for the Board that we're not open to
7 comment on this one because it's crystal clear; it's
8 not -- there's no gray. It's -- now it's a
9 mediation/arbitration, what are you -- what will the
10 City do --

11 (Simultaneously speaking)

12 MR. McKNIGHT: And any feelings about it
13 is just our own --

14 MR. DISHBERGER: Right.

15 MR. McKNIGHT: -- personal opinions.
16 That's -- my person opinion is -- you know, I -- and --
17 and let me tell you about my own historic District
18 problems (audio distortion) some years ago. But, I
19 mean, there's --

20 MR. DISHBERGER: Yeah.

21 MR. McKNIGHT: There's things that you
22 just can't do anything about.

23 (Simultaneously speaking)

24 MR. RAY: Just to clar- -- if it -- if it
25 can be any help to the participants here, the appeal

1 that would be taken to the City Council would include
2 the -- the entire record of this proceeding here today.

3 So the court reporter's record would be
4 submitted to the City Council with the request for their
5 appeal to them. So every- -- everything that you've
6 presented today -- all the paperwork, all the
7 comments -- all of that will -- will be in the record
8 that goes before the City Council.

9 MR. DAVIS: Okay.

10 MR. DISHBERGER: Thank you. Thank you,
11 sir.

12 * * * * *

13 MOTION AND VOTE TO ADJOURN THE MEETING

14 MR. DISHBERGER: Do I hear a motion to
15 dismiss?

16 MR. MCKNIGHT: Motion to be dis- --
17 adjourned.

18 MR. DISHBERGER: Adjournment -- do I hear
19 a second? Can someone second?

20 MS. DAVIDSON: (Audio distortion) I
21 second.

22 MR. DISHBERGER: Thank you, Leslie.
23 Leslie, second.
24 All in favor?

25 (Multiple people saying "aye")

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MR. DISHBERGER: Motion passed.
Thank you, guys.
(Simultaneously speaking)
(Meeting adjourned)
(Proceedings ended at 5:40 p.m.)

-oOo-

1 STATE OF TEXAS)

2 COUNTY OF BEXAR)

3 I, Jessica C. Butts, Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify that the foregoing contains a true and correct
6 transcription of all portions of the proceedings to be
7 included in this Reporter's Record in the above-entitled
8 matter, all of which occurred in videoconferencing via
9 Microsoft Teams and were reported by me.

10 I further certify that I am neither
11 counsel for, related to, nor employed by any of the
12 individuals present during these proceedings and,
13 further, that I am not financially or otherwise
14 interested in the outcome of the proceedings.

15 I further certify that the total cost for
16 the preparation of this Reporter's Record is \$_____
17 and was paid/will be paid by _____.

18 Certified to by me this _____ day of

19 _____, _____.

20

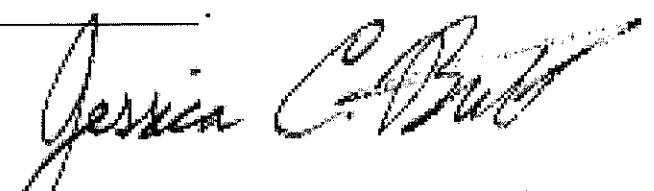
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Jessica Butts, Texas CSR #9441
Expiration Date: August 31, 2023
Firm Registration No. 122
U.S. Legal Support, Inc.
16825 Northchase Drive, Suite 900
Houston, Texas 77060
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GENERAL APPEALS BOARD

CONSIDERATION OF A SIGN APPEAL HEARING

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REMOTELY VIA MICROSOFT TEAMS

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FEBRUARY 24, 2022

5:00 p.m.

General Appeals Board Hearing Vol 1
February 24, 2022

2 to 5

<p style="text-align: right;">Page 2</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>1 GENERAL APPEALS BOARD:</p> <p>2 (PRESENT IN PERSON)</p> <p>3 MR. MIKE DISHBERGER, CHAIRMAN</p> <p>4 MR. LANCE MCKNIGHT, BOARD MEMBER</p> <p>5 (PRESENT VIA MICROSOFT TEAMS)</p> <p>6 MS. NANCY BREWER, BUILDING CODE ENFORCEMENT</p> <p>7 MR. DAVID BROWN, BOARD MEMBER</p> <p>8 MS. LESLIE DAVIDSON, BOARD MEMBER</p> <p>9 MR. SOLOMON SILVA, BOARD MEMBER</p> <p>10</p> <p>11 COUNSEL FOR GENERAL APPEALS BOARD AND CITY OF HOUSTON:</p> <p>12 (PRESENT VIA MICROSOFT TEAMS)</p> <p>13 MR. DOUGLAS RAY, ATTORNEY FOR THE GENERAL APPEALS BOARD</p> <p>14 (PRESENT IN PERSON)</p> <p>15 MR. CHARLES HOUSTON, ATTORNEY FOR THE CITY OF HOUSTON</p> <p>16</p> <p>17 PRESENT FOR APPELLANT:</p> <p>18 (PRESENT IN PERSON)</p> <p>19 MS. STEPHANIE STEWART, SIGN REMEDY, INC.</p> <p>20 MR. PATRICK DAVIS, CHICK-FIL-A, INC.,</p> <p>21 DEVELOPMENT SERVICES</p> <p>22 MS. KRISTEN HAMILTON, CHANDLER SIGNS</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p style="text-align: center;">I N D E X</p> <p>1 PAGE NO.</p> <p>2</p> <p>3 PROCEEDINGS: 5</p> <p>4 INTRODUCTIONS: 5</p> <p>5 MEETING CALLED TO ORDER; MOTION AND VOTE TO</p> <p>6 APPROVE THE MINUTES: 6</p> <p>7 CONSIDERATION OF A SIGN APPEAL PROCEEDINGS: 7</p> <p>8 OPENING STATEMENT BY MR. CHARLES HOUSTON: 9</p> <p>9 THE WITNESS: MR. MARIO GARCIA,</p> <p>10 EXAMINATION BY MR. CHARLES HOUSTON: 12</p> <p>11 OPENING STATEMENT BY MS. STEPHANIE STEWART: 17</p> <p>12 STATEMENT BY MR. PATRICK DAVIS: 18</p> <p>13 GENERAL APPEALS QUESTIONS/REMARKS TO APPELLANT: 20</p> <p>14 MOTION AND VOTE TO DISAPPROVE THE APPEAL: 33</p> <p>15 APPELLANT'S FURTHER DISCUSSION REGARDING THE</p> <p>16 SIGN APPEAL: 34</p> <p>17 MOTION AND VOTE TO ADJOURN THE MEETING: 37</p> <p>18 MEETING ADJOURNED: 38</p> <p>19 REPORTER'S CERTIFICATE: 39</p> <p>20</p> <p style="text-align: center;">D O C U M E N T S</p> <p>21</p> <p>22 DOCUMENT NO.</p> <p>23 GENERAL APPEALS BOARD AGENDA 1</p> <p>24 SIGN ADMINISTRATION'S EXHIBITS 2</p> <p>25 REQUEST FOR APPEAL OF DECISION OR INTERPRETATION 3</p>
<p style="text-align: right;">Page 3</p> <p>1 WITNESS:</p> <p>2 (PRESENT IN PERSON)</p> <p>3 MR. MARIO GARCIA, PLAN ANALYST SUPERVISOR FOR THE</p> <p>4 CITY OF HOUSTON</p> <p>5</p> <p>6 ALSO PRESENT:</p> <p>7 (PRESENT IN PERSON)</p> <p>8 MS. SANDRA MEZA, PARTICIPANT/RECORDING OFFICER</p> <p>9 (PRESENT VIA MICROSOFT TEAMS)</p> <p>10 MS. JESSICA BUTTS, TEXAS CERTIFIED SHORTHAND REPORTER</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p style="text-align: center;">P R O C E E D I N G S</p> <p>(Videoconference commenced at 5:05 p.m.)</p> <p style="text-align: center;">*****</p> <p style="text-align: center;">I N T R O D U C T I O N S</p> <p>5 MR. DISHBERGER: Mike Dishberger. I'm</p> <p>6 the chairman.</p> <p>7 MR. MCKNIGHT: Lance McKnight.</p> <p>8 MR. GARCIA: Mario Garcia.</p> <p>9 MR. HOUSTON: I'm Charles Houston,</p> <p>10 Counsel for the City.</p> <p>11 MR. BENITEZ: Misael Benitez,</p> <p>12 Sign Administrator.</p> <p>13 MR. DISHBERGER: Guys on the line?</p> <p>14 MR. BROWN: David Brown.</p> <p>15 MS. DAVIDSON: Leslie Davidson.</p> <p>16 (Simultaneously speaking)</p> <p>17 MR. DISHBERGER: I got you, Leslie.</p> <p>18 Next?</p> <p>19 MR. RAY: Yes. I'm Douglas Ray. I'm</p> <p>20 with City Legal Department. I'm here today,</p> <p>21 representing the Board.</p> <p>22 MS. BREWER: I'm Nancy Brewer. I'm</p> <p>23 with -- I'm Building Code Enforcement,</p> <p>24 Houston Public Works.</p> <p>25 MR. DISHBERGER: Thank you, Nancy.</p>

<p style="text-align: right;">Page 6</p> <p>1 Do we have -- we have a quorum, I think, 2 don't we? We have five? 3 MS. MEZA: Yes. 4 MR. DISHBERGER: Okay. 5 MS. MEZA: Nancy's representing the 6 Building Code Enforcement -- 7 (Simultaneously speaking) 8 MR. DISHBERGER: Oh, that's right. 9 That's right. She's also a member, yes, okay. 10 * * * * * 11 MEETING CALLED TO ORDER; MOTION AND VOTE TO APPROVE THE 12 MINUTES 13 MR. DISHBERGER: I call this meeting to 14 order. 15 First piece of business is: We need to 16 approve the minutes from the December 16th meeting. 17 Do we have any items? Do I hear a motion 18 to approve the minutes? 19 MS. DAVIDSON: I move to approve the 20 minutes. 21 (Simultaneously speaking) 22 MR. McKNIGHT: -- approve the minutes. 23 MR. DISHBERGER: Do I hear a second? 24 MS. DAVIDSON: I second. 25 MR. DISHBERGER: Thank you, Leslie.</p>	<p style="text-align: right;">Page 8</p> <p>1 each individual. So, that'll apply too. 2 And do we have any witnesses here today 3 that need to be sworn in? 4 (No audible response) 5 MR. DISHBERGER: And so can we do all 6 that at one time here? 7 (No audible response) 8 MR. DISHBERGER: Who -- who will do the 9 swearing in? 10 (Simultaneously speaking) 11 MS. MEZA: The -- the court reporter -- 12 MR. DISHBERGER: The court reporter -- 13 yes. 14 MS. MEZA: -- does that. And give me 15 just one second. I need to start recording this. 16 MR. DISHBERGER: Oh, okay. Sorry. 17 MS. MEZA: Do you know to re- -- I've 18 never used this one before. 19 (Sotto voce discourse between members) 20 (Court reporter clarification) 21 MR. RAY: Okay. Mr. Chair, if you could, 22 from this point on, just for the aid of the court 23 reporter, everybody that, when they make a motion, 24 announce who you are; for example, say, "I'm 25 Leslie Davidson. I move," so and so.</p>
<p style="text-align: right;">Page 7</p> <p>1 All in favor? 2 (Multiple people saying "aye") 3 MR. DISHBERGER: No one opposed, passed. 4 * * * * * 5 CONSIDERATION OF A SIGN APPEAL PROCEEDINGS 6 MR. DISHBERGER: All right. We have one 7 piece of business today, here: Consideration of a sign 8 appeal, Stephanie Stewart, Sign Remedy, Inc., 9 7007 Gulf Freeway. And we're going to go over the 10 appeal. 11 As -- well, as I tell people, when we 12 have these, we're -- this is not a court of law, so 13 we're going to be hearing both sides. The City will 14 speak up first and give their case and tell the -- 15 their -- their interpretation of what happened and 16 what's going on with the Code. You'll then have a 17 chance to present your case. And then we go back and 18 forth with some questions. 19 With -- if either -- if a party has a 20 witness, we can ask them questions and -- and go back 21 and forth on that. 22 Once all that's concluded, the -- the 23 Board will make a motion to, one, either approve or 24 disapprove; then we'll have a discussion amongst 25 ourselves. We -- we also may have questions to ask of</p>	<p style="text-align: right;">Page 9</p> <p>1 And if you second, then, the same thing: 2 Announce who you are. And when we take a vote, announce 3 your name before you vote so each person would be 4 recorded as which way they voted. 5 MS. MEZA: I can't find where to record 6 it, so, that's fine. Okay. 7 THE REPORTER: Thank you, Mr. Douglas -- 8 MR. DISHBERGER: Okay. So we need to get 9 our witness sworn in, Ms. Court Reporter. 10 (Witness sworn) 11 MR. DISHBERGER: Okay. Let's begin. 12 City, you want to present your case? 13 MR. HOUSTON: Sure. 14 Ladies and gentlemen, my name is 15 Charles Houston. I am representing Sign Administration 16 in today's hearing. Those of you who've been to these 17 hearings before will have noticed that I am not 18 David Red, my predecessor. David is no longer with the 19 City, and I have been given the task of filling in 20 and -- in filling his very capable shoes. 21 This is my first one of these hearings, 22 so I ask for your forgiveness and indulgence when I 23 make -- not if, but when I make inevitable mistakes. 24 I will give a quick introduction and a 25 summary, on behalf of Sign Administration.</p>

<p style="text-align: right;">Page 10</p> <p>1 Sign Remedy, Inc., is appealing the rejection of its 2 application for a sign permit at 7007 Gulf Freeway. 3 Their client is Chick-fil-A, which we all know makes 4 delicious food. Sign Remedy submitted the application 5 on December 3rd, 2021. That date's important: 6 December 3rd, 2021.</p> <p>7 I don't think there's any real dispute 8 about the facts here. The application requested a sign 9 that should have been 42-and-a-half feet high, which is 10 Category C, under the sign -- under Sign Code 4611(j), I 11 think it is. But this location is on Gulf Freeway and 12 sits within the newly-created Airport Corridor District. 13 Here, again, there's no dispute, I don't think, about 14 whether it sits in the Airport Corridor District.</p> <p>15 The sign Code says that all new 16 on-premises signs located in the 17 Airport Corridor District for which a permit is issued 18 after July 29th, 2020, shall conform to certain 19 requirements. And, in your notebooks, new materials at 20 Tab -- I believe it's Tab 3 -- is the applicable -- 21 Tab 2 is the applicable portion of the Sign Code.</p> <p>22 There's a table in there. It says, 23 summarizing, that the sign at issue is Category E 24 because it is located on premises with signage on 25 Gulf Freeway in the Airport Corridor District. The --</p>	<p style="text-align: right;">Page 12</p> <p>1 we've got evidence that is in your notebooks. And we'll 2 hear testimony from Mr. Garcia, setting forth the City's 3 position, under oath.</p> <p>4 And, you know, I think it's important to 5 point out that nobody's saying that Chick-fil-A can't 6 have a sign to advertise its delicious food; we're 7 simply saying that the sign is capped out at a height of 8 31 feet, based on the recent amendment to the Sign Code 9 from July of 2020.</p> <p>10 And that's the City's position, in a 11 nutshell.</p> <p>12 MR. DISHBERGER: Then do you want to -- 13 (Simultaneously speaking) 14 MR. HOUSTON: Sure. Sure.</p> <p>15 MARIO GARCIA, 16 having been previously duly sworn, testified under his 17 oath as follows:</p> <p style="text-align: center;">EXAMINATION</p> <p>19 BY MR. HOUSTON</p> <p>20 Q Mr. Garcia, would you please state your -- 21 state and spell your full name for the record.</p> <p>22 A It's Mario Garcia, M-a-r-i-o G-a-r-c-i-a.</p> <p>23 Q And are you currently employed, Mr. Garcia?</p> <p>24 A Yes.</p> <p>25 Q And who is your employer?</p>
<p style="text-align: right;">Page 11</p> <p>1 Category E has a maximum height of 31 feet. The 2 application submitted by Sign Remedy, Inc., as stated: 3 December 3rd, 2021, almost a year and a half after the 4 July 29th, 2020 date set forth in 4611(j).</p> <p>5 It's pretty cut-and-dry. There is 6 correspondence at Tab 3, showing that Mr. Garcia, here, 7 the plan analyst supervisor, advised Ms. Stewart, 8 finally, that -- remember -- remember that most of 9 Gulf Freeway is Category E, parentheses, 10 Airport Corridor.</p> <p>11 The fact that there are, and they will 12 point out -- they're right -- the fact there are other 13 restaurants with signs up to 42 feet or even higher -- 14 that's true; that's absolutely true. Those sign were 15 erected either before the existence of the Sign Code, or 16 they were erected under a previous version of the 17 Sign Code, which allowed signs of that height at that 18 particular time.</p> <p>19 But we are, unfortunately, dealing with a 20 relatively new addition, a relatively new amendment, to 21 the Sign Code, which sets a maximum height. And what 22 Sign Remedy's asking for is, in essence, a variance. 23 They're asking to go beyon- -- above and beyond the 24 31-foot height li- -- limit set forth in the Code. And 25 then there's just not a mechanism for that here. So,</p>	<p style="text-align: right;">Page 13</p> <p>1 A City of Houston.</p> <p>2 Q And what is your title, Mr. Garcia, with the 3 City?</p> <p>4 A I am the plan analyst supervisor.</p> <p>5 Q And what department are you in, sir?</p> <p>6 A Sign Administration.</p> <p>7 Q And how long have you worked for 8 Sign Administration?</p> <p>9 A Five years.</p> <p>10 Q And how long have you worked as a plan analyst 11 supervisor?</p> <p>12 A Two years.</p> <p>13 Q What are your duties as a plan analyst 14 supervisor?</p> <p>15 A Yes. My tasks are to assign ta- -- projects 16 that come in for review to different reviewers and, if 17 the reviewers have questions or concerns during the 18 reviews, to come to me and work out the correct 19 interpretation of the Code, and, if I need more 20 clarification, go to my supervisors, and answer various 21 questions and e-mails from contractors, customers, and 22 developers. So --</p> <p>23 Q Okay. And are you familiar, sir, with the 24 sign that brings us here today, or the -- with the 25 purpose to bring us here today, at seven-zero-si- --</p>

<p style="text-align: right;">Page 14</p> <p>1 7007 Gulf Freeway?</p> <p>2 A Yes.</p> <p>3 Q And how did you come to be familiar with this</p> <p>4 particular issue?</p> <p>5 A Well, from the first e-mail that I received,</p> <p>6 it kind of mentioned that it was in the -- in the</p> <p>7 Airport Corridor. And it -- it wasn't until the</p> <p>8 reviewer it was assigned to came to me and said that she</p> <p>9 believed that it was in the Airport Corridor. And she</p> <p>10 hadn't caught it in the first review, but we found it in</p> <p>11 the second review, that it was in the Airport Corridor.</p> <p>12 And we looked up the boundaries listed in</p> <p>13 Appendix B and informed the reviewer that, yes, it was</p> <p>14 inside the Airport Corridor and has to be categorized as</p> <p>15 Category E.</p> <p>16 Q Okay. And so when you say "Airport Corridor,"</p> <p>17 tell us what exactly you're talking about.</p> <p>18 A Yes. So City of Houston and the -- the</p> <p>19 Council passed a new or -- the changes to the Code in</p> <p>20 July of -- 29, 2020. And, in part with various</p> <p>21 organizations, like Scenic Houston and Houston First,</p> <p>22 to -- I -- I guess their -- their whole point was to</p> <p>23 beautify or create lower -- like, lower heights for</p> <p>24 signs in different districts. And that's what the</p> <p>25 Airport Corridor came to be: Any district that came</p>	<p style="text-align: right;">Page 16</p> <p>1 the higher height requirement?</p> <p>2 A Because it falls within the newly-created</p> <p>3 Airport Corridor that came into effect and we're tasked</p> <p>4 with enforcing.</p> <p>5 Q Okay. And -- and -- and, in -- 4611(j), I</p> <p>6 think, says that sign permit -- sign permits that are</p> <p>7 applied for after July 29th, 2020, are subject to this</p> <p>8 new Airport Corridor District regulation?</p> <p>9 A Correct. Yeah, any sign -- any new signs with</p> <p>10 permits issued after July 20- -- 29, 2020, have to</p> <p>11 conform to the -- they -- they fall within the</p> <p>12 category -- in -- in -- in that district, have to</p> <p>13 conform with Category E.</p> <p>14 Q Okay. And, in Tab 4 of binder, there is a</p> <p>15 copy of the sign permit application. What's the date on</p> <p>16 that application, sir?</p> <p>17 A December -- it was notarized</p> <p>18 December 3rd, 2021.</p> <p>19 Q Okay. So, again, we're talking almost a year</p> <p>20 af- -- after the July 29th, 2020 cut-off -- 2020 cut-off</p> <p>21 for the date set forth in -- in 4611; is that right?</p> <p>22 A Correct, yes.</p> <p>23 Q Okay.</p> <p>24 MR. HOUSTON: That's all the questions</p> <p>25 I've got for you right now.</p>
<p style="text-align: right;">Page 15</p> <p>1 from any of the airports around the City of Houston to</p> <p>2 the central business industry located downtown.</p> <p>3 Q Okay. And so you are familiar, then, with the</p> <p>4 boundaries of the Airport Corridor District.</p> <p>5 A Yes.</p> <p>6 Q And is it your testimony here that the</p> <p>7 premises at issue is within the</p> <p>8 Airport Corridor District?</p> <p>9 A Yes. It's in -- it's within the Interstate 45</p> <p>10 corridor, as described in Appendix B.</p> <p>11 Q Okay. Is there any doubt in your mind about</p> <p>12 whether or not it's in the corridor?</p> <p>13 A No, no doubt.</p> <p>14 Q Okay. And you -- I think you indicated that</p> <p>15 the purpose of the -- of the sign regulations has to do</p> <p>16 with the beautification, or esthetics, of the City? Is</p> <p>17 that a fair characterization?</p> <p>18 A Yes, that's -- that is, from reading various</p> <p>19 minutes, or meetings, from City Council, when it was</p> <p>20 brought up; that was the intention that they'd had when</p> <p>21 they voted for -- for this to pass.</p> <p>22 Q Okay. And -- and tell me, if you can, why it</p> <p>23 is that the particular sign at issue here is governed --</p> <p>24 is -- is -- it -- that -- falls under Category E, with</p> <p>25 the lower height requirement, versus Category C, with</p>	<p style="text-align: right;">Page 17</p> <p>1 MR. DISHBERGER: Okay.</p> <p>2 Present your case.</p> <p>3 MS. STEWART: So, Chick-fil-A bought this</p> <p>4 property prior to the Code change, or it was in talks,</p> <p>5 and everything about this. So everything that was done</p> <p>6 on our research and their research is prior to the sign</p> <p>7 change, obviously, because it was in June/July of 2020.</p> <p>8 Obviously, our whole point is, obviously,</p> <p>9 beautification, too.</p> <p>10 Now, you have 42-foot-6 all up and down</p> <p>11 in -- in that area. If you look from the pictures, you</p> <p>12 have McDonald's just a little bit higher, because that's</p> <p>13 been grandfathered -- right? -- same -- their sign; and</p> <p>14 same with Shell. But you have Raising Cane's,</p> <p>15 Burger King, and, also, Popeyes that are all within not</p> <p>16 even a quarter of a mile of each other right in a little</p> <p>17 row that are all 42-6, 250 square feet.</p> <p>18 We're asking, "Can we have the 42-6, or</p> <p>19 42 feet, even if we were to meet halfway and have 150</p> <p>20 square foot?" because we're losing 100 square feet of</p> <p>21 signage -- right? -- based on the new being not just</p> <p>22 footage -- height.</p> <p>23 So we would be willing to, possibly, see</p> <p>24 if we could meet halfway, because, again, you're all in</p> <p>25 a row. And it's because all the -- we are having 42-6,</p>

<p style="text-align: right;">Page 18</p> <p>1 42-6, 31 feet (indicating). So, I mean, that's --</p> <p>2 MS. HAMILTON: And then back up.</p> <p>3 MS. STEWART: Yeah, "and then back up"</p> <p>4 to, like, a 55-foot-10-plus, with the Shell and</p> <p>5 McDonald's. So, I mean, our intention is that, yes, we</p> <p>6 would like to have a 42-6 height and meet with the</p> <p>7 current square footage, if possible, to keep in mind</p> <p>8 what is right there on that part of the road. So...</p> <p>9 MR. DISHBERGER: Anything else?</p> <p>10 (Simultaneously speaking)</p> <p>11 MS. STEWART: And -- and, Patrick --</p> <p>12 MR. DAVIS: Yeah. Yeah. So, thank</p> <p>13 you-all for --</p> <p>14 MR. DISHBERGER: Can you -- can you state</p> <p>15 your name for us?</p> <p>16 MR. DAVIS: I'm sorry.</p> <p>17 So, Patrick Davis with Chick-fil-A, Inc.,</p> <p>18 Development Services. Other than that -- so, again,</p> <p>19 thank you-all for being here today. We -- as stated,</p> <p>20 we -- we have -- we were in the process well before</p> <p>21 July. I have e-mail communications I've provided as</p> <p>22 evidence.</p> <p>23 We actually came and met with the City,</p> <p>24 had a pre-application meeting with the City in March of</p> <p>25 2020, to talk about plans for this development, as we</p>	<p style="text-align: right;">Page 20</p> <p>1 then, upon a second review/comment, we -- we learned</p> <p>2 that there was this new ordinance that we had to be at</p> <p>3 the 30-some-odd-foot level.</p> <p>4 I think the other thing I just would like</p> <p>5 to point out that was just mentioned earlier: Again,</p> <p>6 this was kind of a master development done by a --</p> <p>7 another developer that had several other QSRs: a</p> <p>8 Burger King; there's a -- a Popeyes; there's a</p> <p>9 Raising Cane's; there's our site; then you have a</p> <p>10 McDonald's; and then you have a Shell.</p> <p>11 Again, we are in the middle of these</p> <p>12 other developments. And, as just mentioned earlier, it</p> <p>13 would be very odd to have 42-plus, 42-plus, 42-plus, 30,</p> <p>14 42-plus, 42-plus (indicating). And so we are just</p> <p>15 asking for a reasonable consideration of our -- of our</p> <p>16 appeal for -- for this case.</p> <p>17 MR. DISHBERGER: Okay. You guys have any</p> <p>18 questions of the City Sign Administrator?</p> <p>19 MS. STEWART: No. I mean, the Code is --</p> <p>20 the Code is the Code.</p> <p>21 * * * * *</p> <p>22 GENERAL APPEALS QUESTIONS/REMARKS TO APPELLANT</p> <p>23 MR. DISHBERGER: Okay. Any Board -- any</p> <p>24 Board members want to ask any questions? Start with you</p> <p>25 guys on the screen.</p>
<p style="text-align: right;">Page 19</p> <p>1 were under these negotiations for -- to take a parcel</p> <p>2 within this development that was being developed by</p> <p>3 master developers for several other QSRs: quick-serve</p> <p>4 restaurants.</p> <p>5 Upon that time, we were not aware of a</p> <p>6 Airport Corridor Code or ordinance that was forthcoming.</p> <p>7 And we, again, proceeded to lease this property and</p> <p>8 pursue this development, just as the other QSR</p> <p>9 restaurants, with a 42-foot sign.</p> <p>10 Be- -- being -- going through the City of</p> <p>11 Houston process, we started to submit -- well, we went</p> <p>12 through our design process and started to actually</p> <p>13 submit the permits in September of 2021 -- I'm sorry --</p> <p>14 started the process in September of 2020 and went</p> <p>15 through a very lengthy process of -- of getting a</p> <p>16 permit.</p> <p>17 As you-all may be aware, in the</p> <p>18 permitting process, we are not allowed to submit for a</p> <p>19 signage permit until we actually have a -- a building</p> <p>20 permit number that we can actually attach to the sign</p> <p>21 permit.</p> <p>22 Again, we were not aware of this new</p> <p>23 ordinance change until we'd gotten our building project</p> <p>24 number and then submitted our -- our -- our signage</p> <p>25 permit, got in review, was not aware of the issue. And</p>	<p style="text-align: right;">Page 21</p> <p>1 MR. BROWN: (Indicating)</p> <p>2 MR. DISHBERGER: Yes, David?</p> <p>3 MR. BROWN: So, I just want to be clear:</p> <p>4 From the -- the Chick-fil-A folks, you're not</p> <p>5 disagreeing that you guys fall under the Category E,</p> <p>6 that you're a single business, per this chart, and</p> <p>7 you -- you fall under that version of the Code? There's</p> <p>8 not disagreement there at all?</p> <p>9 (Simultaneously speaking)</p> <p>10 MR. DAVIS: No. There's no --</p> <p>11 MS. STEWART: No, sir -- no, there's no</p> <p>12 disagreement --</p> <p>13 MR. DAVIS: -- disagreement in that.</p> <p>14 MR. BROWN: Okay. So you're just --</p> <p>15 you're just asking if -- if you guys can have an</p> <p>16 exception? Is that the gist of it?</p> <p>17 MS. STEWART: Yes.</p> <p>18 MR. DAVIS: Essentially, yes.</p> <p>19 MS. STEWART: We know there's no</p> <p>20 variance. But, I mean -- so we've had to go through</p> <p>21 this whole process to see if we could have a special</p> <p>22 appeals to see if we could meet somewhere in the middle.</p> <p>23 MR. BROWN: Okay. Yeah, I'd -- I'd --</p> <p>24 because it -- yeah, it doesn't seem like there's much</p> <p>25 interpretation of the Code here. It's -- it's pretty</p>

<p style="text-align: right;">Page 22</p> <p>1 cut-and-dried.</p> <p>2 That's all my questions.</p> <p>3 MR. DISHBERGER: All right. Anyone else</p> <p>4 on screen?</p> <p>5 (No audible response)</p> <p>6 MR. DISHBERGER: Leslie, nothing?</p> <p>7 (No audible response)</p> <p>8 MR. DISHBERGER: Sol?</p> <p>9 Is he on?</p> <p>10 (No audible response)</p> <p>11 MR. DISHBERGER: Lance?</p> <p>12 Oh. I had one -- only one question, it</p> <p>13 seems. I see the permit application. We're talking</p> <p>14 about E a bit, though -- oh, that's "sign added." Okay.</p> <p>15 I just -- I was trying to find a permit application</p> <p>16 where it says what you're trying to apply under: E or A</p> <p>17 or C. Where -- where do you see that?</p> <p>18 MR. GARCIA: So, on the application, if</p> <p>19 you look at the very top, there's -- when there --</p> <p>20 MR. DISHBERGER: Oh, okay. Okay.</p> <p>21 (Simultaneously speaking)</p> <p>22 MR. DISHBERGER: Y'all marked "C" on it.</p> <p>23 MS. STEWART: We'd marked "C."</p> <p>24 MR. DISHBERGER: Okay. And then applied</p> <p>25 for a sign appeal, okay.</p>	<p style="text-align: right;">Page 24</p> <p>1 City Council and you appeal to me, I'm going, "Yeah,</p> <p>2 you're right. This is kind of a crock, where this one</p> <p>3 sign in the middle of all these bigger signs."</p> <p>4 But I don't think this Board has the</p> <p>5 ability to do that. Is that -- am I correct, in my</p> <p>6 understanding of that?</p> <p>7 MR. RAY: Mr. Chair, this is Douglas Ray.</p> <p>8 MR. DISHBERGER: Yes, Douglas.</p> <p>9 MR. RAY: The jurisdiction of the Board</p> <p>10 is to take the -- the decision of the Sign Administrator</p> <p>11 and decide whether he's misconstrued or misinterpreted</p> <p>12 the Code. If so, then you can reverse his decision.</p> <p>13 Your jurisdiction doesn't extend to granting some kind</p> <p>14 of variance, basically, the way I understand that the</p> <p>15 applicant has asked you to do.</p> <p>16 MR. DISHBERGER: You're here with re- --</p> <p>17 I -- I know you're correct. I've been on the Board a</p> <p>18 while, and I know we're not a mediator or arbitrator,</p> <p>19 either.</p> <p>20 MS. STEWART: Right.</p> <p>21 MR. DISHBERGER: So, yeah, you're asking</p> <p>22 for a deal to be made. Obviously, a deal should have</p> <p>23 been -- could have been made, possibly, with the</p> <p>24 Sign Administration, were it reject- -- I assume did not</p> <p>25 happen --</p>
<p style="text-align: right;">Page 23</p> <p>1 MS. STEWART: You need to update that</p> <p>2 online, by the way, because it does not have Category E.</p> <p>3 MR. GARCIA: Yeah we have it uploaded to</p> <p>4 our website --</p> <p>5 (Simultaneously speaking)</p> <p>6 MS. STEWART: Right -- no, no, no. I'm</p> <p>7 talking about when you go and actually put it on the</p> <p>8 portal.</p> <p>9 MR. GARCIA: Yeah.</p> <p>10 MS. STEWART: You don't ha- -- it does</p> <p>11 not -- it has A through -- and you can't put the others</p> <p>12 on it.</p> <p>13 MR. GARCIA: Yeah, that's what --</p> <p>14 we've -- we've advised --</p> <p>15 MS. STEWART: IT?</p> <p>16 MR. GARCIA: -- IT to do that.</p> <p>17 MR. DISHBERGER: Lance?</p> <p>18 MR. McKNIGHT: I don't know if I have</p> <p>19 question, so much as -- I mean, my understanding of our</p> <p>20 role in this Board: We are not interpreting -- we -- we</p> <p>21 are interpreting -- we are here to interpret the Code</p> <p>22 and the application of it. We don't really have -- if</p> <p>23 the Code part is definitely right, we don't really have</p> <p>24 any authority to -- I mean, I'm with you.</p> <p>25 I'm -- I get it. If I'm on the</p>	<p style="text-align: right;">Page 25</p> <p>1 MR. DAVIS: We pursued it. We were told</p> <p>2 that this was our only --</p> <p>3 (Simultaneously speaking)</p> <p>4 MS. HAMILTON: Avenue.</p> <p>5 MR. DAVIS: -- avenue to -- that --</p> <p>6 MR. DISHBERGER: Yeah, that --</p> <p>7 MR. McKNIGHT: I know, for us, I think</p> <p>8 you go to --</p> <p>9 (Simultaneously speaking)</p> <p>10 MR. McKNIGHT: -- City Council. Those</p> <p>11 guys can do whatever they want to do, and they will do</p> <p>12 whatever they want.</p> <p>13 MR. DISHBERGER: But -- but we are --</p> <p>14 we're resp- -- we're, really, here to look at the Code</p> <p>15 and what it says, because it's -- a lot of times, the</p> <p>16 Code is a little fuzzy. And when it's fuzzy, now, we</p> <p>17 can say, "Well, we think that what they -- what -- the</p> <p>18 way they interpreted it was an -- incorrect."</p> <p>19 But I think we all agree that it's</p> <p>20 correct, that it was applied for after the date. And,</p> <p>21 agreed, it may look funny. But it's kind of like</p> <p>22 putting a sidewalk in an area that didn't have a</p> <p>23 sidewalk because they're saying: "In 50 years, the</p> <p>24 whole place will have a sidewalk."</p> <p>25 So -- probably going to tell you, "In</p>

<p style="text-align: right;">Page 26</p> <p>1 50 years, McDonald's, Burger King's signs will be gone, 2 and it'll be replaced with signs and stuff that are 3 correct, down the road." 4 MR. GARCIA: Yeah, correct. So the -- 5 the -- all the existing signs there are not -- 6 technically, now, non-conforming and grandfathered in. 7 MR. DISHBERGER: Correct. So if they get 8 damaged or a hurricane knocks it down, they're going to 9 go -- 10 (Simultaneously speaking) 11 MR. DISHBERGER: Did you want to say 12 something, sir? 13 MR. DAVIS: No -- I was going to say: 14 But all these signs were put up within the last 15 two/three years, including McDonald's as well. So -- 16 so, I guess, my -- my -- my question is: What is -- 17 because it -- as we look -- again, we -- we started the 18 process in March of 2020, started having these 19 conversations, again, pursuing the -- the -- the permit. 20 We can't even have it pre-development. 21 You have -- what we've been told and coached to do when, 22 you know, pursuing a development -- again, we -- we 23 weren't able to submit for a -- a signage permit till 24 later in the process, even foll- -- after submitting for 25 building permits, sidewalk permit. And so it's -- you</p>	<p style="text-align: right;">Page 28</p> <p>1 MS. STEWART: I had another question, 2 then. So, say, in July -- or even -- before July, when 3 they started this in March, they have their address; 4 they have everything; they pay for a temporary occupancy 5 through the GC -- right? -- just because they have so 6 many signs up through Houston and, you know, things are 7 changing and evolving here, in the Houston area. 8 If we were able to have done this prior 9 to July of 2020 -- or July 29th -- right? -- and, say, 10 had a permit but, still, you know, had -- but that was 11 height of COVID, trying to get everything going on. We 12 are here, fast-forward, and our permit's only good for 13 180 calendar days; had to put a renew in, prior to that 14 180 days. Would we still have been able to ha- -- I 15 mean, because you only can do a renewal once. 16 So how -- how would we have had to 17 classify, again, for Category E versus Category C, if -- 18 if it could happen, back up? 19 MR. GARCIA: That reminds me of a 20 previous appeal that we had where a project was 21 submitted before the Code changed. The 180 days had 22 expired, and -- 23 MS. STEWART: But they -- they didn't 24 renew it before that expiration; right? 25 MR. GARCIA: They -- it wa- -- it -- it</p>
<p style="text-align: right;">Page 27</p> <p>1 know, the -- the July cut-off date -- I mean, we just -- 2 we never got a shot at it, at meeting that date. 3 (Simultaneously speaking) 4 MR. DISHBERGER: So, just to clarify, for 5 the group, the Board: You cannot apply for a sign 6 permit until the base permit is issued? Is that what -- 7 (Simultaneously speaking) 8 MR. GARCIA: So, we're -- 9 MR. DISHBERGER: Or -- or an "address," 10 because he used the word "address." And I know you need 11 addresses early on in the system -- the -- in the 12 process. Tell -- tell us. 13 MR. GARCIA: Yeah. So the Code states 14 that -- that sign permits going to be a -- used in 15 accordance for an -- in association with a business 16 purpose, and you look at the certificate of occupancy as 17 that establishing point of -- of there being a business 18 purpose advertised. 19 And it's not that they have to complete 20 all their inspections or anything; it's just that they 21 have to have paid for their building certificate of 22 occupancy and building permits for us to, then, say, 23 "Yeah, there's a legitimate business there for us to" -- 24 MR. DISHBERGER: Okay. 25 MR. GARCIA: -- "issue a sign permit."</p>	<p style="text-align: right;">Page 29</p> <p>1 expired before the ex- -- before the Code changed. 2 MS. STEWART: But they didn't renew it 3 before it expired? Or they did? 4 MR. GARCIA: No, they didn't -- they 5 didn't renew it -- 6 (Simultaneously speaking) 7 MS. STEWART: Okay. But if we had 8 renewed it, is what I'm asking. If we had renewed it -- 9 MR. GARCIA: Oh, yeah. If you had the 10 permits in hand before that Code change, you -- and you 11 had the 180 days, that permit's valid as soon as it's 12 given to you because it was issued before that date. So 13 it's the -- the Code states that it's any new permits 14 issued after the date that -- that are -- have to 15 conform -- have to be Category E. 16 MS. STEWART: And just one more 17 clarification: only one renewal, not two. So, after 18 that, then it starts the whole process over again. So, 19 we -- we still wouldn't have made it. I -- I mean, 20 ju- -- just playing devil's advocate for my client and 21 then, also, the Code, so we know, because, again, 22 Patrick and Chick-fil-A are coming heavy into Houston. 23 So -- and if anything else keeps changing, we -- we want 24 to make sure that we're armed enough. 25 MS. HAMILTON: Yeah. And I want to</p>

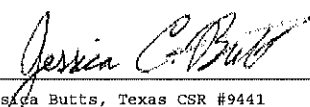
<p style="text-align: right;">Page 30</p> <p>1 ask -- I'm -- I'm Kristen Hamilton with Chandler Signs. 2 We're a national partner with Chick-fil-A. We pull 3 pro- -- permits for them all over the country and a lot 4 of permits in the City of Houston. And we have a -- a 5 good research department that works out of our corporate 6 office in Dallas that does our code research for us, 7 which was done, for this particular site, in July of 8 2020.</p> <p>9 What is the avenue for us to 10 understand -- I mean, the Code has not changed, in the 11 City of Houston, for quite some time. So what is the 12 avenue for sign companies, like us and many others, to 13 understand -- or is there an avenue for us to know when 14 that Code changes?</p> <p>15 So, we do read full code, especially on 16 projects that take a long time. This one was done 17 relatively fast, and the thing is: Chick-fil-A projects 18 or any other national account does. But what would be 19 the avenue for us to know when that Code changes?</p> <p>20 MR. HOUSTON: I believe the 21 Greater Houston Sign Association is -- is the avenue 22 that -- that City Council met with, and they were the 23 ones that -- that were, basically, sending out 24 notifications to the industry.</p> <p>25 MR. BENITEZ: Well, it's TCA [sic] --</p>	<p style="text-align: right;">Page 32</p> <p>1 their ordinances or codes.</p> <p>2 MS. STEWART: What is the time frame to 3 go to Council? I think --</p> <p>4 MR. BENITEZ: I believe it's ten days. 5 MR. GARCIA: Yeah. 6 (Simultaneously speaking) 7 MR. DAVIS: But we still have a shot with 8 this Board, was what I understand.</p> <p>9 MR. DISHBERGER: Well, we have to vote on 10 it.</p> <p>11 MR. DAVIS: Okay. 12 (Simultaneously speaking) 13 MR. DISHBERGER: We ain't going that far. 14 MR. DAVIS: All right. 15 MR. DISHBERGER: No, sir. 16 MR. MCKNIGHT: But -- but that's why I 17 asked the question about what our authority is. 18 (Simultaneously speaking) 19 MR. MCKNIGHT: I know (audio distortion; 20 inaudible) -- I just wanted y'all to understand: 21 Doesn't matter how a person may feel about it. We're 22 not here to -- to legislate from the benches. We -- we 23 are -- we're here just to (sotto voce) --</p> <p>24 MR. DISHBERGER: A lot of the things we 25 talk about are very, "What does this word mean?" or</p>
<p style="text-align: right;">Page 31</p> <p>1 this is Misael Benitez, Sign Administrator. 2 It's TCA, Texas Sign Association, that 3 was involved in -- 4 (Simultaneously speaking) 5 MR. BENITEZ: -- (audio distortion) 6 because it's in -- it was in Houston, the Chapter of 7 Houston, which is the Houston Greater Asso- -- Sign 8 Association. They were the ones that were involved. 9 And, besides them having all the knowledge that this 10 was -- these changes were coming, also, it's posted on 11 the Houston (audio distortion; inaudible) website. 12 (Simultaneously speaking) 13 MR. DAVIS: Kind of -- kind of going back 14 to, I think, what my -- my question, as far as -- I 15 mean, it's just really -- you know, with us pursuing 16 this: Again, first meeting regarding this particular 17 deal was in August. Well, I mean, we -- we -- we 18 real- -- we never stood a shot of, kind of, meeting that 19 date, although we were pursuing it. And so, I guess, it 20 just -- what -- what are -- what are our options (audio 21 distortion) still?</p> <p>22 MR. DISHBERGER: Well, you're going to 23 (audio distortion; inaudible) take a vote. We vote to 24 disapprove. Your next option is to go to City Council. 25 And it's -- again, City Council can override any of</p>	<p style="text-align: right;">Page 33</p> <p>1 something, like, one of the thing- -- "What is a sign?" 2 a lot of questions: general stuff. So that's what we 3 (audio distortion; inaudible) -- you have 4 interpretations that -- this one -- everyone's agreeing 5 that the Code says what the Code says. And, "We 6 didn't" -- and, "We didn't put it in." 7 * * * * * 8 MOTION AND VOTE TO DISAPPROVE THE APPEAL 9 MR. DISHBERGER: And, I guess, based on 10 that, I'll ask: Does someone make a motion here? 11 (Speaking simultaneously) 12 MR. MCKNIGHT: I'll make a motion we vote 13 to disapprove.</p> <p>14 MR. DISHBERGER: Do I hear a second? 15 (Simultaneously speaking) 16 MR. BROWN: This is David Brown -- 17 MS. DAVIDSON: I second it. 18 MR. BROWN: I third it. 19 MR. DISHBERGER: Okay. Leslie, I think, 20 seconded. She got in there first. 21 Any discussion among the Board? 22 (No response) 23 MR. DISHBERGER: All right. I'm going to 24 call a vote, then. All in favor of the motion to 25 disapprove, say "aye," or raise your hand on the screen,</p>

<p style="text-align: right;">Page 34</p> <p>1 please.</p> <p>2 (Multiple people indicating and saying</p> <p>3 "aye")</p> <p>4 MR. DISHBERGER: Anyone disagree?</p> <p>5 (Simultaneously speaking)</p> <p>6 MR. DISHBERGER: Okay. Disapproved.</p> <p>7 Okay. It's unanimous.</p> <p>8 All right. This means the -- you'll --</p> <p>9 I -- and I'll need a motion to -- if there's no other</p> <p>10 new business -- I don't think -- today --</p> <p>11 (Simultaneously speaking)</p> <p>12 * * * * *</p> <p>13 APPELLANT'S FURTHER DISCUSSION REGARDING THE SIGN APPEAL</p> <p>14 MR. DAVIS: (Stuttering) Can I ask</p> <p>15 another question? Or are we -- are we done? Or can I</p> <p>16 ask a question?</p> <p>17 (Simultaneously speaking)</p> <p>18 MR. DISHBERGER: Almost done.</p> <p>19 MR. DAVIS: So -- so -- so, I understand</p> <p>20 that City Council can -- is there a way to -- I</p> <p>21 understand you can't vote and approve or disapprove.</p> <p>22 But can we get an opinion from this Board, based on what</p> <p>23 we presented here, to go to the City Council with, just</p> <p>24 based on what we presented?</p> <p>25 MR. DISHBERGER: I think -- I don't know</p>	<p style="text-align: right;">Page 36</p> <p>1 City Council to offer some interpretation of it.</p> <p>2 MR. DAVIS: Yeah.</p> <p>3 MR. MCKNIGHT: But -- but our role in</p> <p>4 this is black and white.</p> <p>5 MR. DISHBERGER: I think -- I think I can</p> <p>6 probably speak for the Board that we're not open to</p> <p>7 comment on this one because it's crystal clear; it's</p> <p>8 not -- there's no gray. It's -- now it's a</p> <p>9 mediation/arbitration, what are you -- what will the</p> <p>10 City do --</p> <p>11 (Simultaneously speaking)</p> <p>12 MR. MCKNIGHT: And any feelings about it</p> <p>13 is just our own --</p> <p>14 MR. DISHBERGER: Right.</p> <p>15 MR. MCKNIGHT: -- personal opinions.</p> <p>16 That's -- my person opinion is -- you know, I -- and --</p> <p>17 and let me tell you about my own historic District</p> <p>18 problems (audio distortion) some years ago. But, I</p> <p>19 mean, there's --</p> <p>20 MR. DISHBERGER: Yeah.</p> <p>21 MR. MCKNIGHT: There's things that you</p> <p>22 just can't do anything about.</p> <p>23 (Simultaneously speaking)</p> <p>24 MR. RAY: Just to clar- -- if it -- if it</p> <p>25 can be any help to the participants here, the appeal</p>
<p style="text-align: right;">Page 35</p> <p>1 if we can or not. I'm just getting a feeling from the</p> <p>2 discussion that -- well, the opinion would probably be</p> <p>3 the statement that -- the decision we made today, that</p> <p>4 there was --</p> <p>5 (Simultaneously speaking)</p> <p>6 MR. HOUSTON: Yeah, I -- I think he's</p> <p>7 asking for something with some context.</p> <p>8 MR. DISHBERGER: Okay.</p> <p>9 MR. DAVIS: Some- -- something with some</p> <p>10 context, basically --</p> <p>11 (Simultaneously speaking)</p> <p>12 MS. STEWART: Is it worth our time?</p> <p>13 MR. DAVIS: Yeah, because, I mean --</p> <p>14 (Simultaneously speaking)</p> <p>15 MR. DAVIS: -- essentially, what I heard</p> <p>16 you guys say is, and I'm not putting words in anybody's</p> <p>17 mouth; right? But you -- you guys cannot -- you --</p> <p>18 you're just here to interpret Code, no -- no matter --</p> <p>19 MR. MCKNIGHT: Right, yeah. The -- any</p> <p>20 opinion we have would be that -- now, if it was</p> <p>21 something that was gray and, you know -- we might have</p> <p>22 an opinion that said, you know, "It -- it -- it looks</p> <p>23 like this is falling under the Code," and -- and that's</p> <p>24 where we're voting.</p> <p>25 But -- but we're going to wait for</p>	<p style="text-align: right;">Page 37</p> <p>1 that would be taken to the City Council would include</p> <p>2 the -- the entire record of this proceeding here today.</p> <p>3 So the court reporter's record would be</p> <p>4 submitted to the City Council with the request for their</p> <p>5 appeal to them. So every- -- everything that you've</p> <p>6 presented today -- all the paperwork, all the</p> <p>7 comments -- all of that will -- will be in the record</p> <p>8 that goes before the City Council.</p> <p>9 MR. DAVIS: Okay.</p> <p>10 MR. DISHBERGER: Thank you. Thank you,</p> <p>11 sir.</p> <p>12 * * * * *</p> <p>13 MOTION AND VOTE TO ADJOURN THE MEETING</p> <p>14 MR. DISHBERGER: Do I hear a motion to</p> <p>15 dismiss?</p> <p>16 MR. MCKNIGHT: Motion to be dis- --</p> <p>17 adjourned.</p> <p>18 MR. DISHBERGER: Adjournment -- do I hear</p> <p>19 a second? Can someone second?</p> <p>20 MS. DAVIDSON: (Audio distortion) I</p> <p>21 second.</p> <p>22 MR. DISHBERGER: Thank you, Leslie.</p> <p>23 Leslie, second.</p> <p>24 All in favor?</p> <p>25 (Multiple people saying "aye")</p>

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1 MR. DISHBERGER: Motion passed.
2 Thank you, guys.
3 (Simultaneously speaking)
4 (Meeting adjourned)
5 (Proceedings ended at 5:40 p.m.)
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Page 39

1 STATE OF TEXAS)
2 COUNTY OF BEXAR)
3 I, Jessica C. Butts, Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify that the foregoing contains a true and correct
6 transcription of all portions of the proceedings to be
7 included in this Reporter's Record in the above-entitled
8 matter, all of which occurred in videoconferencing via
9 Microsoft Teams and were reported by me.
10 I further certify that I am neither
11 counsel for, related to, nor employed by any of the
12 individuals present during these proceedings and,
13 further, that I am not financially or otherwise
14 interested in the outcome of the proceedings.
15 I further certify that the total cost for
16 the preparation of this Reporter's Record is \$_____
17 and was paid/will be paid by _____.
18 Certified to by me this _____ day of
19 _____, _____.
20
21 
22 Jessica Butts, Texas CSR #9441
23 Expiration Date: August 31, 2023
24 Firm Registration No. 122
25 U.S. Legal Support, Inc.
16825 Northchase Drive, Suite 900
Houston, Texas 77060
Telephone: (713) 653-7100



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

District B, District E, District I

Item Creation Date: 4/20/2022

HAS – Term Extension for Job Order Contracts with Brown & Root, Horizon International Group, and Jamail & Smith Construction; Project Nos. 516J, 516L, 516M

Agenda Item#: 35.

Summary:

ORDINANCE approving and authorizing first amendment for Job Order Contracts between City of Houston and **BROWN & ROOT INDUSTRIAL SERVICES, LLC, HORIZON INTERNATIONAL GROUP, LLC, and JAMAIL & SMITH CONSTRUCTION, LP**, for the Houston Airport System (Project Nos. 516J, 516L, 516M) - **DISTRICTS B - JACKSON; E - MARTIN and I - GALLEGOS**

TAGGED BY COUNCIL MEMBERS THOMAS, POLLARD and PLUMMER

This was Item 12 on Agenda of May 18, 2022

Background:

Recommendation:

Enact an ordinance approving an eight-month contract term extension for the Job Order Contracts (JOC) with Brown & Root Industrial Services, LLC, Horizon International Group, LLC, and Jamail & Smith Construction, LP. (Project Nos. 516J, 516L, and 516M)

Specific Explanation

On June 7, 2017, City Council enacted Ordinance 2017-397 awarding JOC contracts to the following four contractors:

- Brown and Root Industrial Services
- Horizon International Group
- Jamail and Smith Construction, LP
- Centennial Contractor's Enterprise, Inc.

The contract with Centennial Contractors Enterprises, Inc. has since been terminated for convenience.

Each contract provides for a two-year term with three one-year extension options and guarantees a minimum amount of work of \$500,000.00 to each contractor during the term of the contracts. The total amount currently authorized for the contracts is \$20,000,000.00, and the expiration date is June 30, 2022.

Originally, \$4,786,194.45 was allotted to the program. On April 10, 2019, City Council enacted Ordinance 2019-246, which appropriated the sum of \$7,500,000.00 with the anticipation that

HAS would return for an additional appropriation to fund additional projects. On June 16, 2021, City Council enacted Ordinance 2021-494, which appropriated \$7,713,805.55, bringing total funding to the \$20,000,000.00 maximum contract amount.

Of the \$20,000,000.00 in funding, approximately \$4.3 million remains, and the following projects are pending completion:

- IAH Terminal A Harmony in the Air (New construction of custom stage woodwork)
- IAH Terminal D Harmony in the Air (New construction of custom stage woodwork)
- HOU Old FAA Building Restrooms Buildback
- IAH Terminal A TSA Lanes Reconfiguration
- IAH Terminal A North TSA Lanes Reconfiguration
- HAS Administrative Annex Project – Remediation & Buildback
- IAH Terminal A Operational Readiness Activation and Transition (ORAT) Office
- IAH Terminal A Electrical Room Repairs – Electrical and HVAC work for Life Safety
- IAH Terminal A North Ramp Level Delta Air Lines Office Repairs – Remediation & Buildback
- IAH Federal Inspection Services (FIS) Remediation & Buildback
- HOU Fuel Station Kiosk Installation – Remediation & Buildback
- IAH Terminal D Service Animal Relief Area (SARA) Installation – Renovate existing space for build out
- IAH Terminal B HPD Office Refresh
- HOU USO Lounge Renovation
- IAH Landside Maintenance Restrooms & Breakroom Renovation
- HOU Old FAA Building Shower Facilities Buildout
- HOU New Restroom Standards Development – Adding Occupancy Light Sensors and Updating Accessories
- HOU Children's Playtime Clouds Installation – Installation of Artwork with Structural Safety Support

While the competitive procurement process is underway for new JOC agreements, additional time is needed on the current agreements for the uninterrupted continuation of these important Strategic Objective-aligned projects. Thus, it is now requested that City Council approve a contract term extension of eight months. Approval of an eight-month extension will result in an updated expiration date of February 28, 2023.

MWBE Participation:

The MWBE goal for these contracts is 30%. The current achievement is as follows: Brown & Root: 27.19%, Horizon International: 29.22%, and Jamail & Smith: 17.87%. Due to the on-call nature of the contracts, prime contractors are unaware of work to be performed until it is requested by HAS. Each prime contractor continues to add MWSBE work to the contracts to meet the goal by the end of the contract term. The HAS Office of Business Opportunity will continue monitor these contracts in accordance with its procedures.

Fiscal Note:

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

Director's Signature:

-
-

Mario C. Diaz
Houston Airport System

Prior Council Action:

06/07/2017 (O) 2017-397
04/10/2019 (O) 2019-246
06/16/2021 (O) 2021-494

Contact Information:

Todd Curry 281/233-1896
Jarrett Simmons 281/233-1675

ATTACHMENTS:

Description

Signed Coversheet

Type

Signed Cover sheet



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District B, District E, District I
Item Creation Date: 4/20/2022

HAS – Term Extension for Job Order Contracts with Brown & Root, Horizon International Group, and Jamail & Smith Construction; Project Nos. 516J, 516L, 516M

Agenda Item#:

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Fiscal Note:

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Director's Signature:

DocuSigned by:

Mario Diaz

Mario C. Diaz
Houston Airport System

Prior Council Action:

06/07/2017 (O) 2017-397
04/10/2019 (O) 2019-246
06/16/2021 (O) 2021-494

Contact Information:

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