

# AGENDA

## CITY OF HOUSTON ■ CITY COUNCIL

June 7 & 8, 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](mailto: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, June 7, 2022 - 1:30 PM**  
**Hybrid Public Session (Virtual and in Person) & In-person Council Session**

**PRESENTATIONS**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Kamin**

**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# 786 468 564#. 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# 243 694 348# but no public comment will be allowed outside of the public hearing**

**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

**SP06-07-2022**

**RECESS**

**RECONVENE**

**WEDNESDAY - JUNE 8, 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** regarding the designation of the **FIRST RIVERSIDE TERRACE HISTORIC DISTRICT - DISTRICT D - EVANS-SHABAZZ**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 39**

**MISCELLANEOUS - NUMBERS 2 and 3**

2. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **FALL CREEK MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for a term to expire June 1, 2025:  
Position Four - **JULES M. (JAY) MORRIS, JR**  
Position Five - **CHARLIE GASPER**  
Position Six - **A. TROY TURNER**
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY**:  
Position One - **LEX FRIEDEN**, reappointment, for a term to expire 4/7/2024  
Position Two - **SANJAY RAMABHADRAN**, reappointment, for a term to expire 4/7/2023  
Position Three - **TROI TAYLOR**, reappointment, for a term to expire 4/7/2024  
Position Four - **DIANN L. LEWTER**, appointment, for a term to expire 4/7/2024  
Position Five - **TERRY MORALES**, reappointment, for a term to expire 4/7/2024

**ACCEPT WORK - NUMBERS 4 through 6**

4. RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$27,035,951.69 and acceptance of work on contract with **MAIN LANE INDUSTRIES, LTD.** for 108-Inch Water Line Along City Easements from Vickery Drive to Milner Road - 7.50% under the original Contract Amount - **DISTRICT B - JACKSON**
5. RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$2,294,054.21 and acceptance of work on contract with **rePIPE CONSTRUCTION, LLC dba IPR SOUTH CENTRAL, LLC** for Wastewater Collection System Rehabilitation and Renewal - 3.81% under the original contract amount - **DISTRICTS A - PECK; B - JACKSON; C - KAMIN; D - EVANS-SHABAZZ; E - MARTIN; F - THOMAS; G - HUFFMAN; H - CISNEROS; I - GALLEGOS and K - CASTEX-TATUM**
6. RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$993,171.71 and acceptance of work on contract

with **T CONSTRUCTION, LLC.** for FY2017 Ditches Rehab Work Orders #1 - 33.79% under the original contract amount - **DISTRICTS B - JACKSON; G - HUFFMAN; J - POLLARD and K - CASTEX-TATUM**

**PURCHASING and TABULATION OF BIDS - NUMBERS 7 through 10**

7. **TEXAS BOOM COMPANY, LLC** for purchase of Fuel Trailers for Fleet Management Department - \$163,210.00 - Equipment Acquisition Consolidated Fund
8. **HOLT CRANE AND EQUIPMENT** for Hydraulic Crane Replacement Parts and Repair Services for the Fleet Management Department - \$68,746.36 - Fleet Management Fund
9. **AFMA, INC dba CORE OFFICE INTERIORS** for the Reconfiguration of Workstations through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners contractor for Houston Health Department - \$72,196.45 - Health Special Fund
10. **PIVOTAL INDUSTRIES dba DEVON SANKAR** for the purpose of Pipe Fittings for Houston Public Works - \$1,476.50 - Enterprise Fund

**ORDINANCES - NUMBERS 11 through 39**

11. **ORDINANCE AMENDING SECTION 44-4 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the amount of the Tax Exemption for the Tax Year 2022 and each year thereafter on residence homesteads owned by persons 65 years of age or older or by certain persons with disabilities; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause
12. **ORDINANCE AMENDING CHAPTER 2, ARTICLE I, OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, recognizing and affirming that certain provisions of Articles VII-a and VII-b of the City of Houston's Charter pertaining to the Qualified Voter Status of Petition Circulators are unconstitutional and unenforceable
13. **ORDINANCE** relating to the Retail Gas Utility Rates of **CENTERPOINT ENERGY RESOURCES CORP. d/b/a CENTERPOINT ENERGY ENTEX** and as **CENTERPOINT ENERGY TEXAS GAS**; approving an Interim Rate Adjustment subject to refund and otherwise maintaining current rates in effect until changed
14. **ORDINANCE** appropriating \$363,387.17 out of Airport System Consolidated 2011 Construction Fund and \$6,359.28 out of Airports Improvement Fund and approving and authorizing a Design-Build Contract between City of Houston and **CHRISTENSEN BUILDING GROUP, LLC** for Construction and Relocation of the TSA and HPD Bunker and K-9 Facility at William P. Hobby Airport for the Houston Airport System; (Project No. 775B); providing funding for Pre-Construction Design Services, Construction Demolition Services and Civic Art Program - **DISTRICT I - GALLEGOS**



15. ORDINANCE appropriating \$100,000.00 out of Equipment Acquisition Consolidated Fund for purchase of Computer and Hardware Equipment for the CIP Project-Public Facing Computers for the Houston Public Library
16. ORDINANCE approving Professional Architectural Services Contract between City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC.**, to perform Design and Construction Phase Services for 611 Walker Mitigation-Hurricane Harvey Project for Houston Public Works; providing funding for Salary Recovery - **DISTRICT I - GALLEGOS**
17. ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and **UNIVERSITY OF HOUSTON** for services addressing COVID-19 Health Disparities among populations at high-risk and underserved regarding the project Mitigating the Effect of Systematic Racism and Misinformation during the SARS-COV-2 Pandemic for the Houston Health Department; providing a maximum contract amount - 1 Year - \$500,000.00 - Grant Fund
18. ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and **UNIVERSITY OF HOUSTON** for services addressing COVID-19 Health Disparities among populations at high-risk and underserved regarding We've Got Next Project for the Houston Health Department; providing a maximum contract amount - 1 Year - \$499,120.00 - Grant Fund
19. ORDINANCE amending Ordinance No. 2017-0333 (Passed on May 10, 2017) to increase maximum contract amount; approving and authorizing first amendment to contract between City of Houston and **SOUTHERN TIRE MART, LLC** for Tire Repair Services for the Fleet Management Department (Approved by Ordinance 2017-0333) - \$355,455.00 - Fleet Management Fund
20. ORDINANCE approving and authorizing Derivative Agreement between City of Houston and **FORD AUDIO-VIDEO SYSTEMS, LLC** for Television Production Equipment Repairs and Maintenance Services for the Mayor's Houston Television Department; providing a maximum contract amount - 5 Years - \$200,000.00 - State Cable TV Fund
21. ORDINANCE approving and authorizing first amendment to agreement for Credit Card Processing Services between City, **PAYMENTECH, LLC**, and **JPMORGAN CHASE BANK, N.A.**
22. ORDINANCE approving and authorizing contract between City of Houston and **PROQUEST LLC** for implementation of Digital Databases and Collection Services for the Houston Public Library; providing a maximum contract amount - 5 Years with 2 one-year options - \$1,375,000.00 - General Fund
23. ORDINANCE approving and authorizing the submission of a Grant Application for and acceptance of Grant Funds through the **TEXAS PARKS & WILDLIFE DEPARTMENT** for its Urban Outdoor Grant Program related to the proposed improvements of Keith-Wiess Park for the City of Houston Parks and Recreation Department ("Grant"); declaring the City's eligibility for such Grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to apply for,

accept, and expend the Grant Funds if awarded and to apply for, accept, and expend all subsequent awards, if any, pertaining to the Grant and to extend the budget period - **DISTRICT B - JACKSON**

24. ORDINANCE establishing the south side of the 300 Block of Willard Street, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - KAMIN**
25. ORDINANCE consenting to the addition of 266.10 acres of land to **VALLEY RANCH MEDICAL CENTER MANAGEMENT DISTRICT** in the extraterritorial jurisdiction of the City of Houston, Texas, for inclusion in the district
26. ORDINANCE consenting to the addition of 35.5862 acres of land to **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 58**, for inclusion in its district
27. ORDINANCE consenting to the addition of 44.51 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 531**, for inclusion in the district
28. ORDINANCE consenting to the creation of **HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 7**, containing approximately 45.924 acres of land, within the extraterritorial jurisdiction of the City of Houston, Texas; authorizing the district to issue bonds, subject to certain conditions
29. ORDINANCE consenting to the addition of 1.706 acres of land to **NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 2**, for inclusion in the district
30. ORDINANCE consenting to the addition of 32.7677 acres of land to **GREENWOOD UTILITY DISTRICT**, for inclusion in its district
31. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests; authorizing the acquisition of fee simple or easement interest to two parcels of land required for the Wastewater Force Main Renewal/Replacement for Highland Meadow and Bay Area Lift Stations Project with two parcels situated in D. Putnam Survey, Abstract No. 638, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Relocation Assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of fee simple or easement interests to the two parcels of land required for the project - **DISTRICTS D - EVANS-SHABAZZ and E - MARTIN**
32. ORDINANCE approving and authorizing Purchase and Sale Agreement between City of Houston, Texas, Seller, and **ANDRE P. WARD, Purchaser**, for sale of approximately 16,095 square-feet of land, located at the corner of Candleshade Lane and Jorns Street, being all of Reserve A, Block 5, of Southwest Manor, Section 2, out of the H.S. Bachelder Survey, Abstract 147, Harris County, Texas, for \$107,000.00 - **DISTRICT K - CASTEX-TATUM**
33. ORDINANCE approving and authorizing contract between City and

**Property Owner(s) at 5035 Heatherglen Drive, Houston, Texas 77096**  
for FY2016 Flood Mitigation Assistance Home Elevation Project to be performed by **PLANET THREE CONSULTING CORP**; providing a maximum contract amount - \$371,935.73 - Enterprise, Grant and Other Funds - **DISTRICT C - KAMIN**

34. ORDINANCE appropriating \$210,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax; approving and authorizing Professional Engineering Services Contract between City of Houston and **MIDTOWN ENGINEERS, LLC** for Technical Support Subsurface Utility Engineering Program; providing funding for CIP Cost Recovery financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax; providing a maximum contract amount
35. ORDINANCE appropriating \$315,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge as an additional appropriation to Professional Engineering Services Contract between City of Houston and **NEDU ENGINEERING SERVICES, INC** for FY2017 Local Drainage Project Work Order Design (Contract #2) (as approved by Ordinance No. 2017-0372, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge
36. ORDINANCE appropriating \$1,565,936.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and contingencies
37. ORDINANCE appropriating \$10,183,375.50 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO, INC** for Well Sites and Re-Pump Stations - Package 2: 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 testing services, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - THOMAS; G - HUFFMAN; J - POLLARD and K - CASTEX-TATUM**
38. ORDINANCE appropriating \$11,375,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax, awarding contract to **TIKON GROUP, INC** for Citywide Concrete Panel Replacement Project #1; 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 Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax, contingency, and testing services
39. ORDINANCE appropriating \$4,950,000.00 out of Dedicated Drainage and

Street Renewal Capital Fund – Ad Valorem Tax; awarding contract to **GRAVA LLC** for FY2022 Street & Drainage Rehabilitation Contract #2; 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 testing services, contingency, construction management and CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax

### **END OF CONSENT AGENDA**

### **CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA**

#### **MATTERS HELD - NUMBERS 40 through 42**

40. ORDINANCE appropriating \$176,606,190.86 out of City of Houston, Texas Tax Increment Funds for **REINVESTMENT ZONES ONE (LAMAR TERRACE ZONE), TWO (MIDTOWN ZONE), THREE (MAIN STREET/MARKET SQUARE ZONE), FIVE (MEMORIAL HEIGHTS ZONE), SIX (EASTSIDE ZONE), SEVEN (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE), EIGHT (GULFGATE ZONE), NINE (SOUTH POST OAK ZONE), TEN (LAKE HOUSTON ZONE), ELEVEN (GREATER GREENSPPOINT ZONE), TWELVE (CITY PARK ZONE), THIRTEEN (OLD SIXTH WARD ZONE), FOURTEEN (FOURTH WARD ZONE), FIFTEEN (EAST DOWNTOWN ZONE), SIXTEEN (UPTOWN ZONE), SEVENTEEN (MEMORIAL CITY ZONE), EIGHTEEN (FIFTH WARD ZONE), NINETEEN (UPPER KIRBY ZONE), TWENTY (SOUTHWEST HOUSTON ZONE), TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE), TWENTY-TWO (LELAND WOODS ZONE), TWENTY-THREE (HARRISBURG ZONE), TWENTY-FOUR (GREATER HOUSTON ZONE), TWENTY-FIVE (HIRAM CLARKE FORT BEND ZONE), TWENTY-SIX (SUNNYSIDE ZONE) and TWENTY-SEVEN (MONTROSE ZONE)**, for payment of Affordable Housing Costs, payment of Administrative Expenses, payment of Project Costs, and payments to certain Redevelopment Authorities as provided herein

**TAGGED BY COUNCIL MEMBER JACKSON**

This was Item 13 on Agenda of June 1, 2022

41. ORDINANCE appropriating \$66,118,127.72 out of Tax Increment Funds for **REINVESTMENT ZONES ONE, (LAMAR TERRACE ZONE), TWO (MIDTOWN ZONE), THREE (MAIN STREET/MARKET SQUARE ZONE), SIX (EASTSIDE ZONE), SEVEN (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE), EIGHT (GULFGATE ZONE), NINE (SOUTH POST OAK ZONE), TEN (LAKE HOUSTON ZONE), ELEVEN (GREATER GREENSPPOINT ZONE), TWELVE (CITY PARK ZONE), THIRTEEN (OLD SIXTH WARD ZONE), FOURTEEN (FOURTH WARD ZONE), FIFTEEN (EAST DOWNTOWN ZONE), SIXTEEN (UPTOWN ZONE), and EIGHTEEN (FIFTH WARD ZONE)**, for Affordable Housing, Administrative Expenses, payments to Houston Independent

School District and Humble Independent School District for Educational Facilities, and payments to certain Redevelopment Authorities as provided herein

**TAGGED BY COUNCIL MEMBER JACKSON**

This was Item 14 on Agenda of June 1, 2022

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

**TAGGED BY COUNCIL MEMBER GALLEGOS**

This was Item 25 on Agenda of June 1, 2022

**MATTERS TO BE PRESENTED BY COUNCIL - Council Member Robinson 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: 6/7/2022

Item Creation Date:

Members of the public may attend the Wednesday Council session in person, or via Teams at (936) 755-1521, Conference ID# 243 694 348# but no public comment will be allowed outside of the public hearing

Agenda Item#:



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

Item Creation Date:

SP06-07-2022

Agenda Item#:

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
SP06-07-2022	Signed Cover sheet

**CITY COUNCIL CHAMBER – HYBRID MEETING – TUESDAY  
JUNE 7, 2022 – 2:00 PM**

**AGENDA**

3 MIN

3 MIN

3 MIN

**NON-AGENDA**

2 MIN

2 MIN

2 MIN

3 MIN

3 MIN

3 MIN

ALLISON ANSARI – No Address – 917-309-2106 - Building Code Enforcement and forged declarations -  
(Virtual) – [amirvintage@gmail.com](mailto:amirvintage@gmail.com)

JORDAN ANSARI – No Address - 917-309-2106 - Building Code Enforcement and forged declarations -  
(Virtual) – [amirvintage@gmail.com](mailto:amirvintage@gmail.com)

ANTHONY PHAN – 1212 Perry St. – 77002 – 281-794-3357 – Sound Ordinance – **(In Person)**

LEA ANGLE – 3711 Southmore Blvd., Apt. #1115 – 77004 – 832-647-9239 – Eviction from apartment  
complex – **(In Person)**

**PREVIOUS**

1 MIN

1 MIN

1 MIN

AMIR ANSARI – No Address – 917-309-2106 – Building Code Enforcement and forged declarations -  
(Virtual) – [amirvintage@gmail.com](mailto:amirvintage@gmail.com)

ILY MONTOYA-RIVAS – 9390 FM 1960 Bypass West – Humble, TX – 77338 – 832-795-6272 – Problem  
with landlord – **(In Person)**





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District D

Item Creation Date:

PLN - Ppublic hearing for the designation of First Riverside  
Terrace Historic District

Agenda Item#: 1.

### **Summary:**

**9:00 A.M. PUBLIC HEARING** regarding the designation of the **FIRST RIVERSIDE TERRACE HISTORIC DISTRICT - DISTRICT D - EVANS-SHABAZZ**

### **Background:**

In accordance with Chapter 33, Section 33-222.1, the First Riverside Terrace Historic District application was initiated by at least 10 percent of the owners of tracts in the proposed district. After the historic district application was determined complete, the Planning Director notified all property owners within the proposed district by depositing written notice in the United States mail on December 8, 2021.

The Planning Director gave 30-day notice of a public hearing before the Houston Archaeological and Historical Commission (HAHC). The public hearing was held by the HAHC on April 21, 2022. The HAHC recommended to City Council the approval of the historic district designation after determining that the application satisfied all criteria of the ordinance, including:

- 1) owners of 67 percent of all the tracts in the proposed district support the designation of the district; if owners of less than 67 percent of tracts in the proposed historic district support the designation of the district, the Director may modify the boundaries of the proposed historic district to result in boundaries where the owners of 67 percent of the tracts support designation of the proposed historic district;
- 2) the proposed area meets at least one criteria for designation as a historic district;
- 3) a majority of buildings within the area are contributing and 50 years of age or older.

The proposed historic district was presented at the Quality of Life Council Committee meeting on April 27, 2022.

A public hearing date on the designation request is proposed for Wednesday, June 8, 2022, at 9:00 a.m., in the City Hall Council Chambers. Notice of the public hearing date will be published in a local newspaper of general circulation.

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

**Contact Information:**

Anna Sedillo, Council Liaison  
832-393-6578

Jason Lilienthal y Trujillo, Historic Preservation Planner  
832-393-6650

**ATTACHMENTS:**

**Description**

RCA

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District D

Item Creation Date:

PLN - Motion calling for a public hearing for the designation of First Riverside Terrace  
Historic District

Agenda Item#:

### **Background:**

In accordance with Chapter 33, Section 33-222.1, the First Riverside Terrace Historic District application was initiated by at least 10 percent of the owners of tracts in the proposed district. After the historic district application was determined complete, the Planning Director notified all property owners within the proposed district by depositing written notice in the United States mail on December 8, 2021.

The Planning Director gave 30-day notice of a public hearing before the Houston Archaeological and Historical Commission (HAHC). The public hearing was held by the HAHC on April 21, 2022. The HAHC recommended to City Council the approval of the historic district designation after determining that the application satisfied all criteria of the ordinance, including:

- 1) owners of 67 percent of all the tracts in the proposed district support the designation of the district; if owners of less than 67 percent of tracts in the proposed historic district support the designation of the district, the Director may modify the boundaries of the proposed historic district to result in boundaries where the owners of 67 percent of the tracts support designation of the proposed historic district;
- 2) the proposed area meets at least one criteria for designation as a historic district;
- 3) a majority of buildings within the area are contributing and 50 years of age or older.

The proposed historic district was presented at the Quality of Life Council Committee meeting on April 27, 2022.

A public hearing date on the designation request is proposed for Wednesday, June 8, 2022, at 9:00 a.m., in the City Hall Council Chambers. Notice of the public hearing date will be published in a local newspaper of general circulation.

DocuSigned by:

A handwritten signature in black ink, appearing to read "Margaret Wallace Brown".

2A61A07011A5494

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

### **Contact Information:**

Anna Sedillo, Council Liaison  
832-393-6578

Jason Lilienthal y Trujillo, Historic Preservation Planner  
832-393-6650

### **ATTACHMENTS:**

Description	Type
Map	Backup Material
Designation Report	Backup Material
Application	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

Item Creation Date: 5/23/2022

MYR ~ 2022 Fall Creek Management District ReAppts. ltr.  
5-23-2022

Agenda Item#: 2.

### **Summary:**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **FALL CREEK MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for a term to expire June 1, 2025:

Position Four - **JULES M. (JAY) MORRIS, JR**

Position Five - **CHARLIE GASPER**

Position Six - **A. TROY TURNER**

### **Background:**

May 23, 2022

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Texas Special District Local Laws Code, Title 4, Chapter 3822, and City of Houston, Texas Ordinance No. 2017-115, I am nominating the following individuals for reappointment to the Fall Creek Management District Board of Directors, as recommended by the Board, subject to Council confirmation:

Jules M. (Jay) Morris, Jr., reappointment to Position Four, for a term to expire June 1, 2025;  
Charlie Gasper, reappointment to Position Five, for a term to expire June 1, 2025; and  
A. Troy Turner, reappointment to Position Six, for a term to expire June 1, 2025.

The résumés of the nominees are attached for your review.

Sincerely,

Sylvester Turner  
Mayor

**ATTACHMENTS:**

**Description**

**Type**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

Item Creation Date: 5/24/2022

MYR ~ 2022 Metropolitan Transit Authority ReAppts. ltr. 5-24-2022

Agenda Item#: 3.

### **Summary:**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY**:

Position One - **LEX FRIEDEN**, reappointment, for a term to expire 4/7/2024  
Position Two - **SANJAY RAMABHADRAN**, reappointment, for a term to expire 4/7/2023  
Position Three - **TROI TAYLOR**, reappointment, for a term to expire 4/7/2024  
Position Four - **DIANN L. LEWTER**, appointment, for a term to expire 4/7/2024  
Position Five - **TERRY MORALES**, reappointment, for a term to expire 4/7/2024

### **Background:**

May 23, 2022

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Subchapter K, Chapter 451 of the Texas Transportation Code, I am submitting the following names for appointment or reappointment, subject to Council confirmation, as City of Houston appointees to the Board of the Metropolitan Transit Authority of Harris County:

Lex Frieden, reappointment to Position One, for a term to expire April 7, 2024;  
Sanjay Ramabhadran, reappointment to Position Two, for a term to expire April 7, 2023;  
Troi Taylor, reappointment to Position Three, for a term to expire April 7, 2024;  
Diann L. Lewter, appointment to Position Four, for a term to expire April 7, 2024;  
and  
Terry Morales, reappointment to Position Five, for a term to expire April 7, 2024.

The résumés of the nominees are attached for your review.

Sincerely,

Sylvester Turner  
Mayor

**ATTACHMENTS:**

**Description**

**Type**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District B, ETJ

Item Creation Date: 4/6/2022

HPW – 20PK38 Accept Work / Main Lane Industries, Ltd.

Agenda Item#: 4.

### **Summary:**

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$27,035,951.69 and acceptance of work on contract with **MAIN LANE INDUSTRIES, LTD.** for 108-Inch Water Line Along City Easements from Vickery Drive to Milner Road - 7.50% under the original Contract Amount - **DISTRICT B - JACKSON**

### **Background:**

**SUBJECT:** Accept Work for 108-Inch Water Line Along City Easements from Vickery Drive to Milner Road.

**RECOMMENDATION:** (SUMMARY) Pass a motion to approve the final Contract Amount of \$27,035,951.69 or 7.50% under the original Contract Amount, accept the work and authorize final payment.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's Surface Water Transmission program and supported the execution of the Northeast Transmission Line projects from the Northeast Water Purification Plant to the Water Authorities take-points for the Infrastructure Capital Improvement Plan and was required to improve existing water distribution systems and to meet Harris-Galveston Coastal Subsidence District's Legislative mandate to regulate the withdrawal of groundwater. The project was a combination of water line construction, public utility adjustments and pavement replacement.

**DESCRIPTION/SCOPE:** This project consisted of approximately 8,700 LF of 108-inch transmission water line, including valves, connections, 16-inch and 12-inch small diameter water lines, public utility adjustments and tunneled crossings of HCFCD ditch. The project also included concrete roadway replacement and asphalt roadway repairs. Dannenbaum Engineering Corporation and Lockwood, Andrews & Newnam, Inc. designed the project with 530 calendar days allowed for construction. The project was awarded to Main Lane Industries, Ltd. with an original Contract Amount of \$29,227,401.00.

**LOCATION:** This project is within City Easements along Renton Road to JFK Boulevard, continuing along Interwood North Parkway, and back into City Easements towards Cross Continents Drive and Vickery Drive.

**CONTRACT COMPLETION AND COST:** The Contractor, Main Lane Industries, Ltd., has completed the work under the subject Contract. The project was completed beyond the established



completion date with an additional 9 days approved by Change Order Nos. 1 and 4. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos. 2, 3, 5 – 7, is \$27,035,951.69, a decrease of \$2,191,449.31 or 7.50% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities.

**MWSBE PARTICIPATION:** The advertised M/W/SBE contract goals for this project were 12.00% MBE and 7.00% WBE (19.00% total). The approved goals for this project were 10.00% MBE, 5.00% WBE and 4.00% SBE (19.00% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 11.32% MBE, 4.11% WBE and 5.52% SBE (20.95% total). The standard for meeting M/W/SBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Satisfactory for the following reasons: Main Lane Industries, Ltd. exceeded the MBE and SBE goal while coming within 1% of the WBE goal. The prime made Good Faith Efforts to utilize all of their goal credit subcontractors to their full capacity. For the reasons listed, Main Lane Industries, Ltd. 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. S-000900-0164-4

**Prior Council Action:**

Ordinance No. 2020-0338, dated 04-22-2020

**Amount and Source of Funding:**

No additional funding required.

Total (original) appropriation of \$33,514,700.00

\$2,378,053.99 - Fund No. 8500 – Water and Sewer System Consolidated Construction

\$17,850,639.16 from Fund No. 8507 - Water Authorities Capital Contribution-NETL Fund

\$13,286,006.85 transfer from Fund No. 8426 – NETL Expansion – SWIFT into Fund No. 8508 – HPW -NETL Construction Fund and Appropriate from Fund No. 8508 – HPW-NETL Construction Fund

**Contact Information:**

R. Jeff Masek, P.E., CCM

Assistant Director, Capital Projects  
Phone: (832) 395-2387

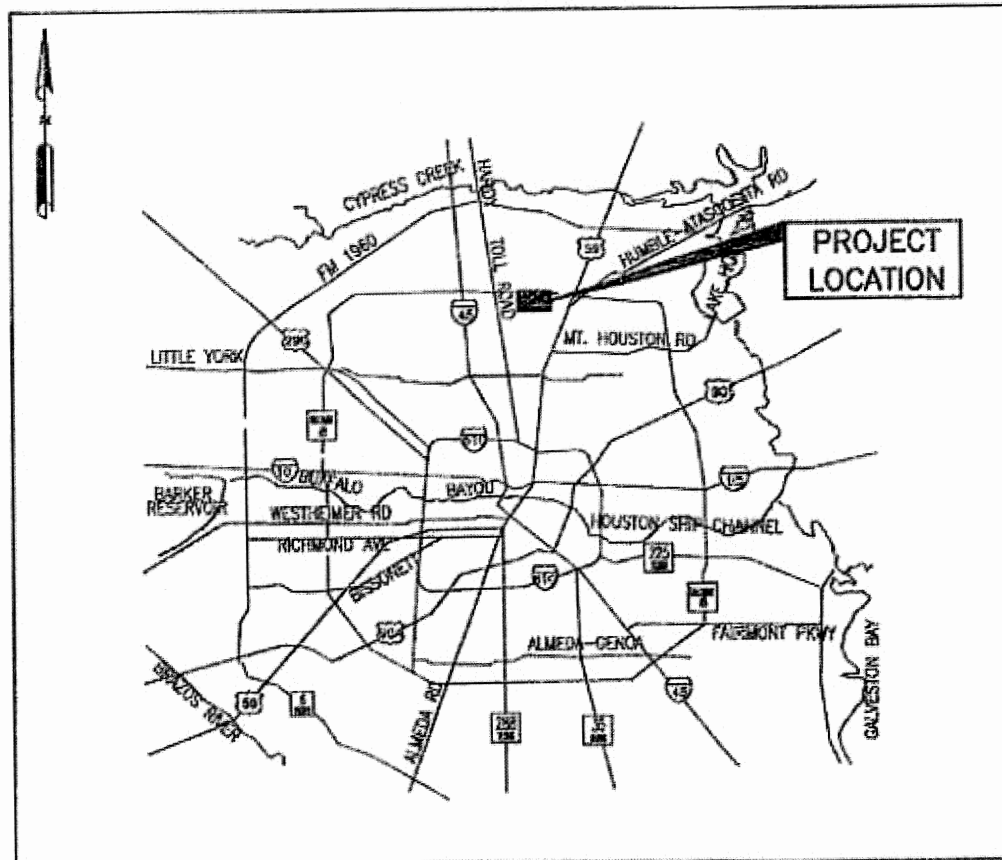
**ATTACHMENTS:**

**Description**

Maps

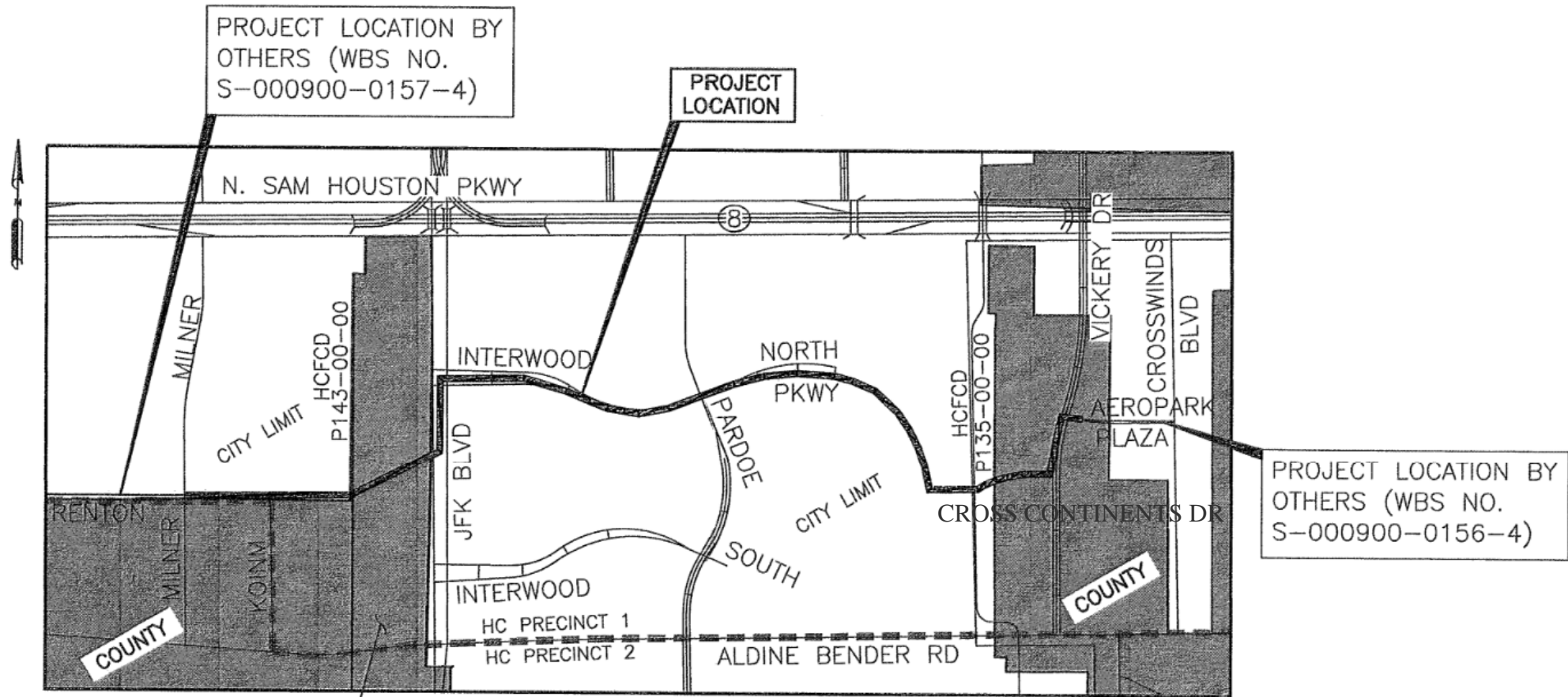
**Type**

Backup Material



LOCATION MAP  
NOT TO SCALE  
COUNCIL DISTRICT B

108-Inch Water Line Along City Easements from Vickery Dr. to Milner Rd.  
WBS No. S-000900-0164-4



# VICINITY MAP NOT TO SCALE

HARRIS COUNTY LIMITS

KEY MAP No. 374T & 374U  
GIMS MAP # 5465D, 5464B, & 5565C

108-Inch Water Line Along City Easements from Vickery Dr. to Milner Rd.  
WBS No. S-000900-0164-4  
Council District B



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District A, District B, District C, District D, District E, District F, District G, District H, District I, District K

Item Creation Date: 3/7/2022

HPW - 20WWO1025 Accept Work/rePipe Construction,  
LLC dba IPR South Central, LLC

Agenda Item#: 5.

### **Summary:**

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$2,294,054.21 and acceptance of work on contract with **rePIPE CONSTRUCTION, LLC dba IPR SOUTH CENTRAL, LLC** for Wastewater Collection System Rehabilitation and Renewal - 3.81% under the original contract amount - **DISTRICTS A - PECK; B - JACKSON; C - KAMIN; D - EVANS-SHABAZZ; E - MARTIN; F - THOMAS; G - HUFFMAN; H - CISNEROS; I - GALLEGOS and K - CASTEX-TATUM**

### **Background:**

**SUBJECT:** Accept Work for Wastewater Collection System Rehabilitation and Renewal.

**RECOMMENDATION:** (Summary) Pass a motion to approve the final contract amount of \$2,294,054.21, which is 3.81% under the original contract amount, accept the work, and authorize final payment.

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by point repair method to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by point repair method. The project was awarded to rePipe Construction, LLC dba IPR South Central, LLC, with an original contract amount of \$2,384,971.95. The Contract duration for this project was 730 calendar days.

**LOCATION:** This work order project was located at various locations within Council Districts A, B, C, D, E, F, G, H, I and K.

**CONTRACT COMPLETION AND COST:** The contractor, rePipe Construction, LLC dba IPR South Central, LLC has completed the work under the Contract. The contract was completed with an additional 90 days approved by Change Order No. 7. The final cost of the project is \$2,294,054.21, a decrease of \$90,917.74 or 3.81% under the original contract amount. Less sewer point repairs and pipe replacement were needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1 through 7.

**MWDBE PARTICIPATION:** The advertised M/WBE contract goals for this project were 12.94% MBE and 8.72% WBE (21.66% total). The M/WBE goals approved for this project were 12.94% MBE and 8.72% WBE (21.66% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 26.55% MBE and 3.69% WBE (30.24% total). The standard for meeting MWBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/WBE performance on this project was as Satisfactory due to Good Faith Efforts for the following reasons: The Prime exceeded the MBE goal and made good faith efforts to utilize all goal credit subcontractors on this project. For the reasons listed, the Contractor's performance meets the intent and the spirit of the City of Houston's MWBE Program.

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

WBS# R-000266-0251-4  
File No. 4235-91

**Prior Council Action:**

Ordinance No. 2016-0838 dated 11/09/2016

**Amount and Source of Funding:**

No additional funding required.

Original appropriation of \$2,534,221.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**Contact Information:**

Aisha Niang, P.E.  
Acting Senior Assistant Director  
Phone: (832) 395-5465

**ATTACHMENTS:**

**Description**

Signed Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District A, District B, District C, District D, District E, District F, District G, District H, District I, District K

Item Creation Date: 3/7/2022

HPW - 20WWO1025 Accept Work/rePipe Construction, LLC dba IPR South Central, LLC

Agenda Item#:

### **Background:**

**SUBJECT:** Accept Work for Wastewater Collection System Rehabilitation and Renewal.

**RECOMMENDATION:** (Summary) Pass a motion to approve the final contract amount of \$2,294,054.21, which is 3.81% under the original contract amount, accept the work, and authorize final payment.

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by point repair method to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by point repair method. The project was awarded to rePipe Construction, LLC dba IPR South Central, LLC, with an original contract amount of \$2,384,971.95. The Contract duration for this project was 730 calendar days.

**LOCATION:** This work order project was located at various locations within Council Districts A, B, C, D, E, F, G, H, I and K.

**CONTRACT COMPLETION AND COST:** The contractor, rePipe Construction, LLC dba IPR South Central, LLC has completed the work under the Contract. The contract was completed with an additional 90 days approved by Change Order No. 7. The final cost of the project is \$2,294,054.21, a decrease of \$90,917.74 or 3.81% under the original contract amount. Less sewer point repairs and pipe replacement were needed than anticipated.

The final amount of this work order contract was not affected by Change Orders No. 1 through 7.

**MWDBE PARTICIPATION:** The advertised M/WBE contract goals for this project were 12.94% MBE and 8.72% WBE (21.66% total). The M/WBE goals approved for this project were 12.94% MBE and 8.72% WBE (21.66% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 26.55% MBE and 3.69% WBE (30.24% total). The standard for meeting MWBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/WBE performance on this project was as Satisfactory due to Good Faith Efforts for the following reasons: The Prime exceeded the MBE goal and made good faith efforts to utilize all goal credit subcontractors on this project. For the reasons listed, the Contractor's performance meets the intent and the spirit of the City of Houston's MWBE Program.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

5/20/2022

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

WBS# R-000266-0251-4  
File No. 4235-91

### **Prior Council Action:**

Ordinance No. 2016-0838 dated 11/09/2016

### **Amount and Source of Funding:**

No additional funding required.

Original appropriation of \$2,534,221.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**Contact Information:**

Aisha Niang, P.E.  
Acting Senior Assistant Director  
Phone: (832) 395-5465

**ATTACHMENTS:**

Description	Type
Council District Map	Backup Material
Change Orders	Backup Material
Prior Council Action RCA and Ordinance	Backup Material
OBO Information	Backup Material
Final Estimate	Backup Material
Ownership Information Form & Tax Report	Backup Material
Council District List and Work Order Maps Part 1	Backup Material
Council District List and Work Order Maps Part 2	Backup Material





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District B, District G, District J, District K

Item Creation Date: 3/21/2022

20SWO82 - Accept Work - T Construction, LLC.

Agenda Item#: 6.

### **Summary:**

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$993,171.71 and acceptance of work on contract with **T CONSTRUCTION, LLC.** for FY2017 Ditches Rehab Work Orders #1 - 33.79% under the original contract amount - **DISTRICTS B - JACKSON; G - HUFFMAN; J - POLLARD and K - CASTEX-TATUM**

### **Background:**

**SUBJECT:** Accept Work for FY2017 Ditches Rehab Work Orders #1.

**RECOMMENDATION: (SUMMARY)** Pass a motion to approve the final Contract Amount of \$993,171.71 or 33.79% under the original Contract Amount, accept the Work, and authorize final payment.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City of Houston (City) Off-road Ditches Rehabilitation Project and was required to address off-road drainage system issues citywide.

**DESCRIPTION/SCOPE:** This project consisted of de-silting, regrading, and clearing and grubbing of open drainage systems citywide. The project was awarded to T Construction, LLC., with an Original Contract Amount of \$1,500,000.00. The original contract was awarded for 2 consecutive years.

**LOCATION:** The projects were at 7 various locations in Council Districts B, G, J and K.

Work Auth. No.	Work Authorization (WA) Description	From Street	To Street	Council District
1	Greens Road	Interstate U.S 69	JFK Boulevard	B
2	Bedford Road	W. Bellfort Avenue	BW 8	J
2	Dover Street	W. Bellfort Avenue	BW 8	J
3	Bedford Road	W. Bellfort Avenue	Dorrance Road	K
3	Dover Street	W. Bellfort Avenue	Dorrance Road	K
3	Dorrance Road	Dover Street	Bedford Drive	K

4	Briar Bayou Drive	Briar Forest Drive	Briar Patch Drive	G
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**CONTRACT COMPLETION AND COST:** The Contractor, T Construction, LLC., has completed the work under the subject Contract. The project was completed on time. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order No. 1 is \$993,171.71 a decrease of \$506,828.29 or 33.79% under the total contract amount.

**M/WSBE PARTICIPATION:** The advertised M/WBE contract goals for this project were 4.00% MBE and 1.00% WBE (5.00% total). The M/WBE goals approved for this project were 4.00% MBE and 1.00% WBE (5.00% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 17.95% MBE and 2.09% SBE (20.04% total). The standard for meeting MWBE participation goals is the demonstration of Good Faith Efforts. The Contractors M/W/SBE performance on this project was rated. Outstanding for the following reasons: The Prime exceeded both the MBE and WBE goals on this project and made good faith efforts to utilize all goal credit subcontractors on this project. For this reasons listed, the Contractor's performance meets the intent and spirit of the City's MWSBE program.

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

WBS No. M-430003-0004-4

**Prior Council Action:**

Ordinance No. 2017-0032, dated 01-11-2017

**Amount and Source of Funding:**

No additional funding required.

Original allocation of \$1,500,000.00 from Storm Water Fund 2302 (FY17 Storm Water Fund 2302 allocation of \$500,000.00)

**Contact Information:**

Joan Ruiz  
Project Manager  
Stormwater Operations  
Transportation & Drainage Operations  
Phone: (832) 395-3077

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Maps

**Type**

Signed Cover sheet  
Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District B, District G, District J, District K

Item Creation Date: 3/21/2022

20SWO82 - Accept Work - T Construction, LLC.

Agenda Item#:

**Background:**

**SUBJECT:** Accept Work for FY2017 Ditches Rehab Work Orders #1.

**RECOMMENDATION: (SUMMARY)** Pass a motion to approve the final Contract Amount of \$993,171.71 or 33.79% under the original Contract Amount, accept the Work, and authorize final payment.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City of Houston (City) Off-road Ditches Rehabilitation Project and was required to address off-road drainage system issues citywide.

**DESCRIPTION/SCOPE:** This project consisted of de-silting, regrading, and clearing and grubbing of open drainage systems citywide. The project was awarded to T Construction, LLC., with an Original Contract Amount of \$1,500,000.00. The original contract was awarded for 2 consecutive years.

**LOCATION:** The projects were at 7 various locations in Council Districts B, G, J and K.

Work Auth. No.	Work Authorization (WA) Description	From Street	To Street	Council District
1	Greens Road	Interstate U.S 69	JFK Boulevard	B
2	Bedford Road	W. Belfort Avenue	BW 8	J
2	Dover Street	W. Belfort Avenue	BW 8	J
3	Bedford Road	W. Belfort Avenue	Dorrance Road	K
3	Dover Street	W. Belfort Avenue	Dorrance Road	K
3	Dorrance Road	Dover Street	Bedford Drive	K
4	Briar Bayou Drive	Briar Forest Drive	Briar Patch Drive	G

**CONTRACT COMPLETION AND COST:** The Contractor, T Construction, LLC., has completed the work under the subject Contract. The project was completed on time. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order No. 1 is \$993,171.71 a decrease of \$506,828.29 or 33.79% under the total contract amount.

**M/WSBE PARTICIPATION:** The advertised M/WBE contract goals for this project were 4.00% MBE and 1.00% WBE (5.00% total).

The M/WBE goals approved for this project were 4.00% MBE and 1.00% WBE (5.00% total). According to the Office of Business Opportunity, the actual participation achieved on this project was 17.95% MBE and 2.09% SBE (20.04% total). The standard for meeting MWBE participation goals is the demonstration of Good Faith Efforts. The Contractors M/W/SBE performance on this project was rated. Outstanding for the following reasons: The Prime exceeded both the MBE and WBE goals on this project and made good faith efforts to utilize all goal credit subcontractors on this project. For this reasons listed, the Contractor's performance meets the intent and spirit of the City's MWSBE program.

DocuSigned by:

*Carol Haddock*

5/25/2022

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

WBS No. M-430003-0004-4

**Prior Council Action:**

Ordinance No. 2017-0032, dated 01-11-2017

**Amount and Source of Funding:**

No additional funding required.  
Original allocation of \$1,500,000.00 from Storm Water Fund 2302 (FY17 Storm Water Fund 2302 allocation of \$500,000.00)

**Contact Information:**

Joan Ruiz  
Project Manager  
Stormwater Operations  
Transportation & Drainage Operations  
Phone: (832) 395-3077

**ATTACHMENTS:**

Description	Type
Maps	Backup Material
OBO Documents	Backup Material
Prior Council Action	Backup Material
Ownership Information and Tax Report	Backup Material
Change Orders	Backup Material
Final Estimate	Backup Material



PROJECT STREET LIST

Project : FY2017 Ditches Rehab Work Orders #1

Contractor : T Construction L.L.C.

Project No. : M-430003-0004-4

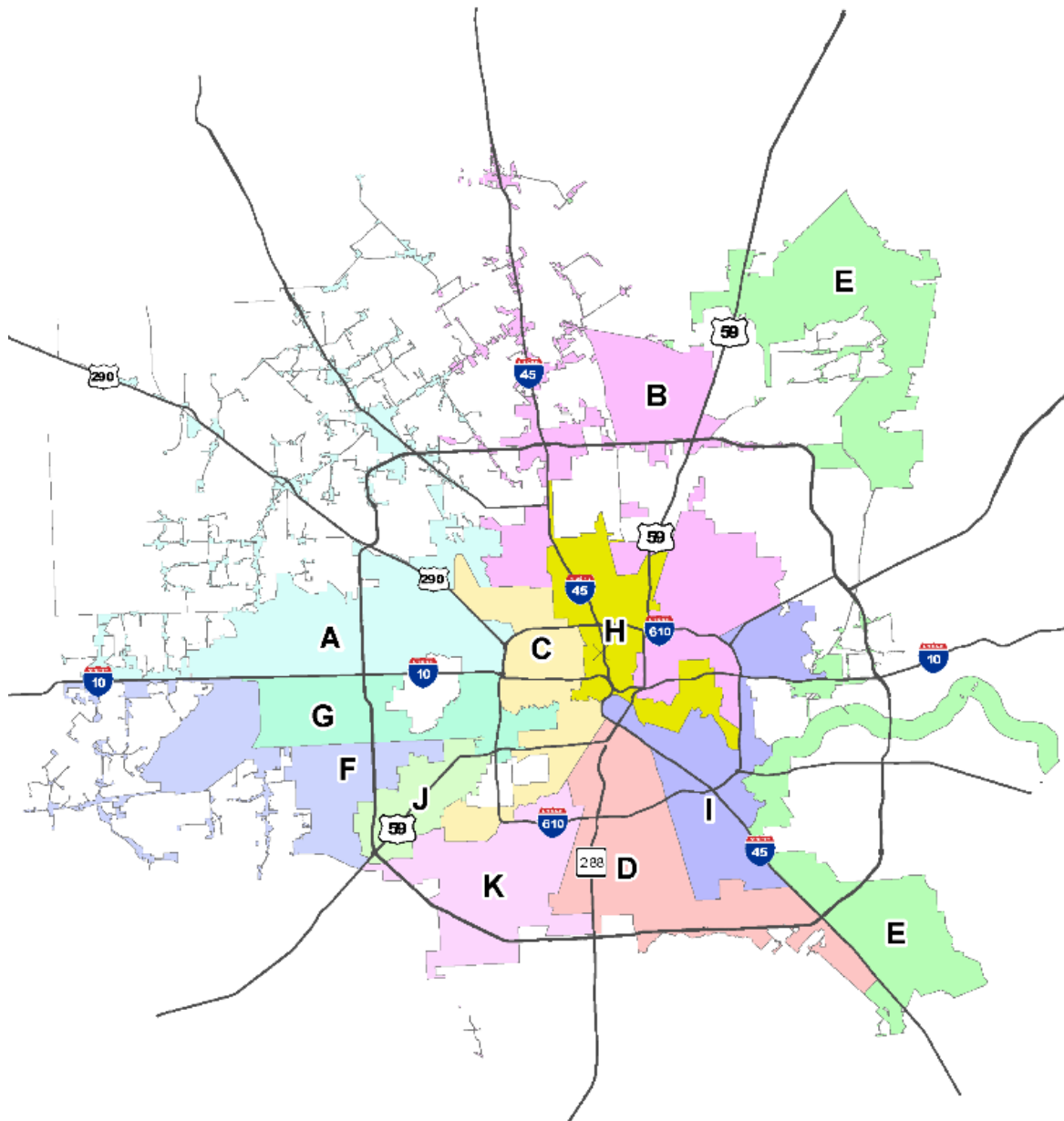
Contract No. : 4600014147

Work Auth. No	Street	From Street	To Street	Key Map	Council Distr	Start Date	Copm Date	Status	Comments
1	Greens Road	Interstate U.S 69	JFK Boulevard	374P, Q & R	B	05-01-2017	07-31-2017	Complete	Work Authorization #1 - Greens Road (59 to JFK)
2	Bedford Street	West Bellfort Street	Sam Houston BW 8	569D	J	11-27-2017	01-31-2018	Complete	Work Authorization #2 - Bedford, Part A
2	Dover Street	West Bellfort Street	Ruffino Road	569D	J	11-27-2017	01-31-2018	Complete	Work Authorization #2 - Bedford, Part A
3	Bedford Street	West Bellfort Street	Dorrance Road	569D	K	02-26-2018	06-01-2018	Complete	Work Authorization #3 - Bedford, Part B
3	Dover Street	West Bellfort Street	Dorrance Road	569D	K	02-26-2018	06-01-2018	Complete	Work Authorization #3 - Bedford, Part B
3	Dorrance Road	Dover Street	Bedford Street	569D	K	02-26-2018	06-01-2018	Complete	Work Authorization #3 - Bedford, Part B
4	Briar Bayou Drive	Briar Forest Drive	Briar Patch Drive	488L	G	06-11-2018	10-05-2018	Complete	Work Authorization #4 - Briar Bayou Drive

DEPARTMENT OF HOUSTON PUBLIC WORKS  
TRANSPORTATION AND DRAINAGE OPERATIONS



NOT TO SCALE

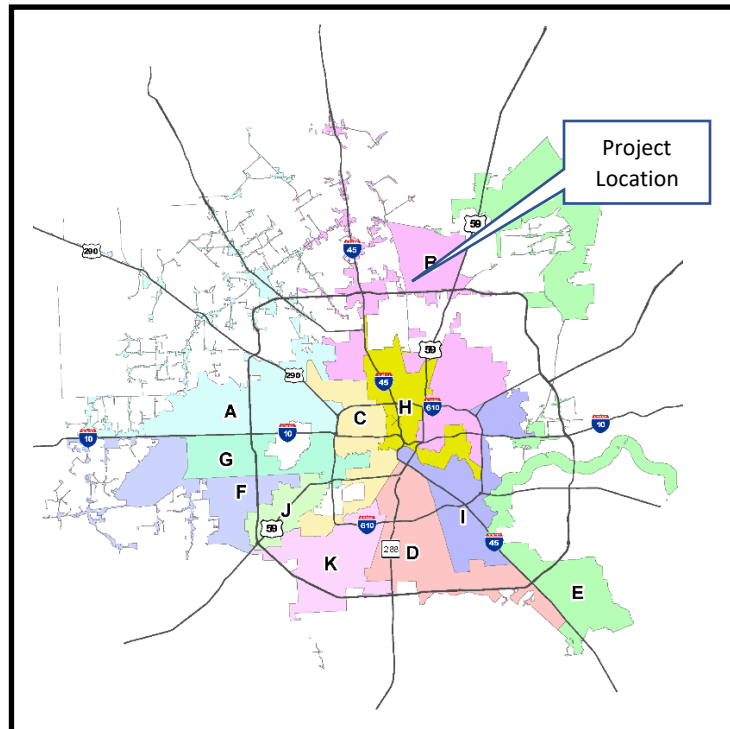


FY2017 Ditches Rehab Work Orders#1

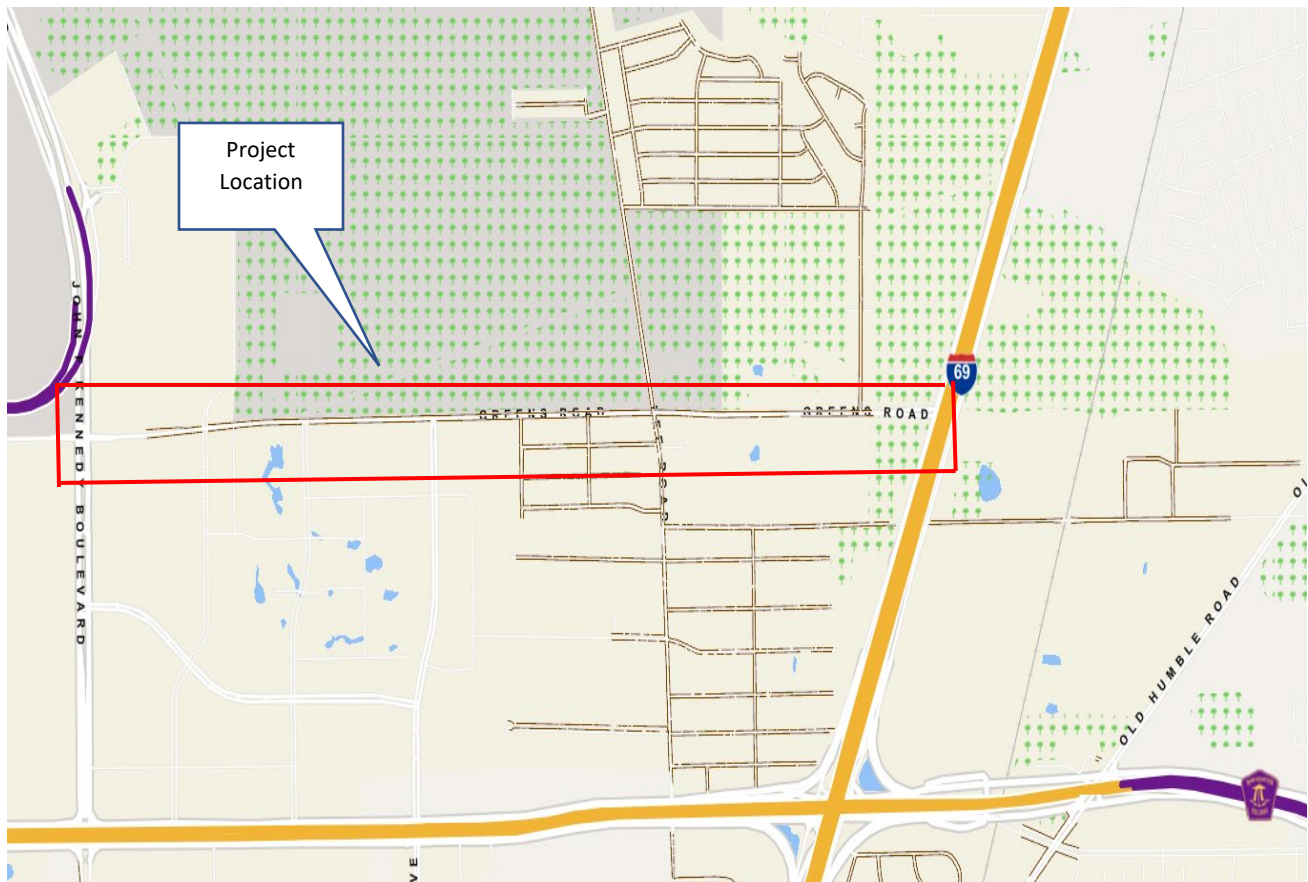
WBS No. M-430003-004-4  
Citywide

City Council District Map/Vicinity

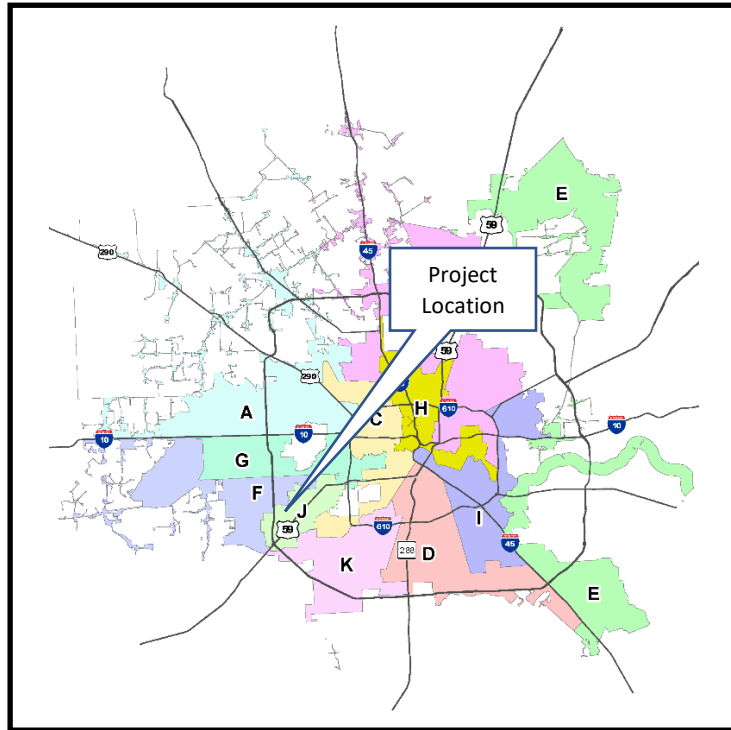
Work Authorization #1  
Greens Road - (from Interstate U.S. 69 to JFK Boulevard)  
Council District - B



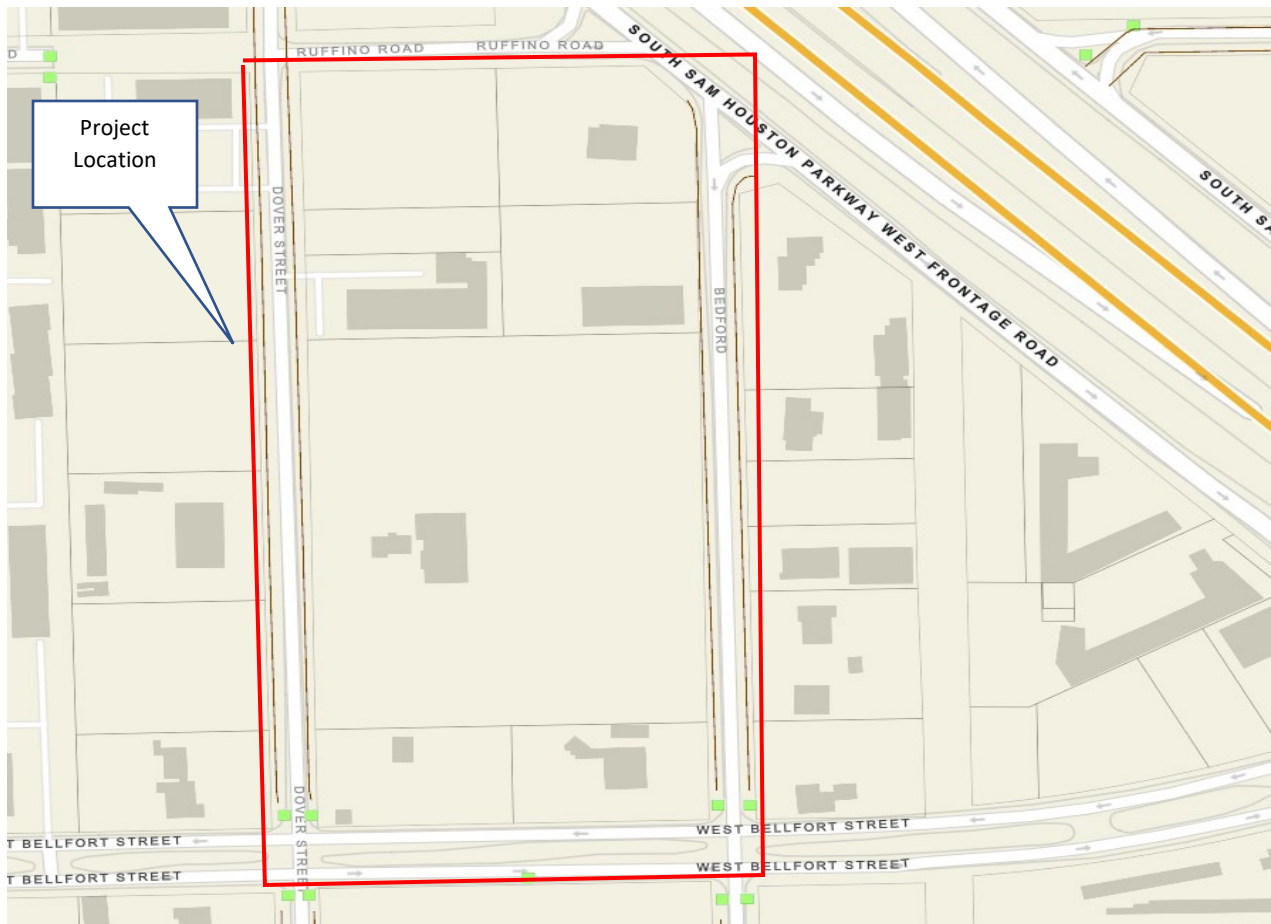
LOCATION MAP



Work Authorization #2  
Bedford Street– (from West Belfort Avenue to Sam Houston BW8)  
Dover Street – (West Belfort Avenue to Ruffino Road)  
Council District - J

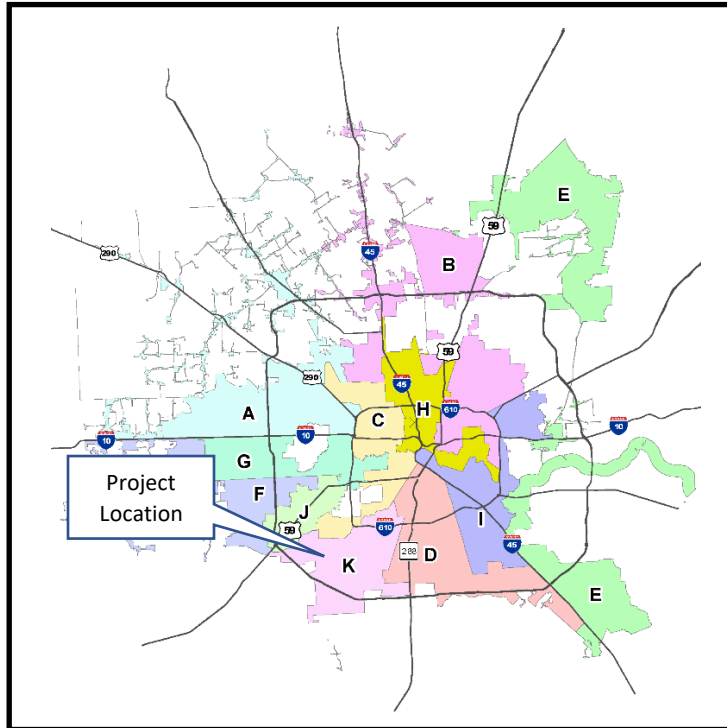


LOCATION MAP





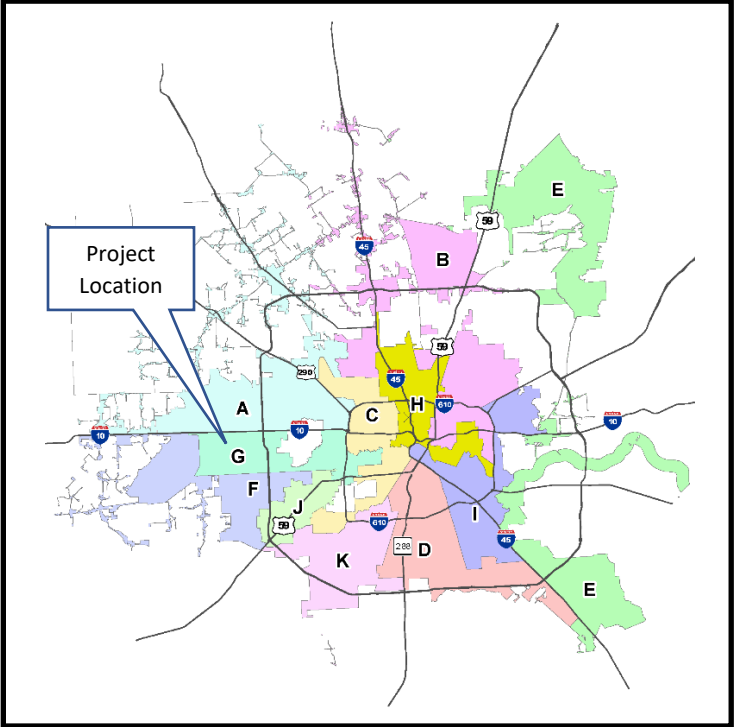
Work Authorization #3  
Bedford Street – (from West Belfort Avenue to Dorrance Road)  
Dover Street (from West Belfort Avenue to Dorrance Road)  
Dorrance Road – (from Dover Street to Bedford Street)  
Council District - K



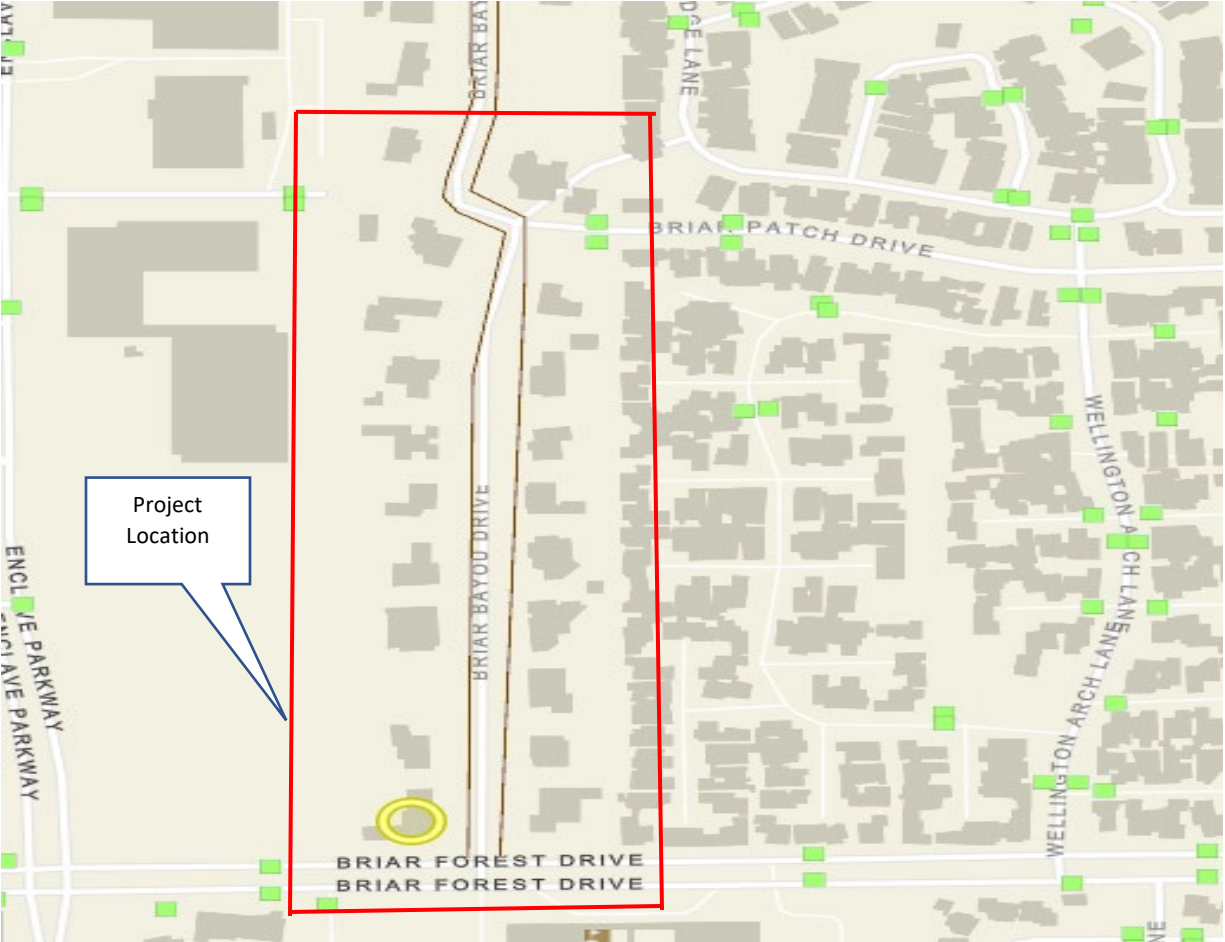
LOCATION MAP



Work Authorization #4  
Briar Bayou Drive – (from Briar Forest Drive to Briar Patch Drive)  
Council District – G



LOCATION MAP





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

N31276 - Fuel Trailers (Texas Boom Company, LLC) - MOTION

Agenda Item#: 7.

### **Summary:**

**TEXAS BOOM COMPANY, LLC** for purchase of Fuel Trailers for Fleet Management Department - \$163,210.00 - Equipment Acquisition Consolidated Fund

### **Background:**

**Formal Bids received April 14, 2022, for S80-N31276 – Approve the purchase of fuel trailers from Texas Boom Company, LLC in the total amount of \$163,210.00 for the Fleet Management Department.**

### **Specific Explanation:**

The Director of Fleet Management and the Chief Procurement Officer recommend that City Council approve the purchase of ten fuel trailers from **Texas Boom Company, LLC** on its low bid meeting specifications in the total amount of **\$163,210.00** for the Fleet Management Department and that authorization be given to issue a purchase order. These new fuel trailers will serve as front line and reserve fuel distribution units for the departments during inclement, seasonal weather and other types of emergencies. The funding for these fuel trailers are included in the FY2022 Capital Improvement Plan.

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

<b><u>Company</u></b>	<b><u>Amount</u></b>
1. <b>Texas Boom Company, LLC</b>	<b>\$163,210.00</b>
2. Kinetic Motorwerks, LLC	\$196,081.90

These units will come with a one-year warranty of parts and labor, and is an addition to the Departments fleet.

### **M/WBE Subcontracting:**

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

### **Hire Houston First:**

The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. **Texas Boom Company, LLC** is a designated HHF company, but they were the successful awardee without application of the HHF preference.

### **Fiscal Note:**

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

---

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

---

**Department Approval Authority**

### **Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY2022</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Fleet Management Department	\$163,210.00	\$0	\$163,210.00

### **Prior Council Action:**

Appropriation Ordinance 2021-0702 approved by City Council August 24, 2021

**Amount and Source of Funding:**

\$ 163,210.00 – Equipment Acquisition Consolidated Fund (1800)

**\$ 163,210.00 - Total Amount**

**Previously appropriated by Ord. No.:2021-0702**

**Contact Information:**

Jordan Hargrove	SPD	832-393-9125
Lena Farris	SPD	832-393-8729
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:****Description**

N31276 - Fuel Trailers (Texas Boom Company, LLC)

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

N31276 - Fuel Trailers (Texas Boom Company, LLC) - MOTION

Agenda Item#: 11.

### **Background:**

**Formal Bids received April 14, 2022, for S80-N31276 – Approve the purchase of fuel trailers from Texas Boom Company, LLC in the total amount of \$163,210.00 for the Fleet Management Department.**

### **Specific Explanation:**

The Director of Fleet Management and the Chief Procurement Officer recommend that City Council approve the purchase of ten fuel trailers from **Texas Boom Company, LLC** on its low bid meeting specifications in the total amount of **\$163,210.00** for the Fleet Management Department and that authorization be given to issue a purchase order. These new fuel trailers will serve as front line and reserve fuel distribution units for the departments during inclement, seasonal weather and other types of emergencies. The funding for these fuel trailers are included in the FY2022 Capital Improvement Plan.

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

<b><u>Company</u></b>	<b><u>Amount</u></b>
<b>1. Texas Boom Company, LLC</b>	<b>\$163,210.00</b>
<b>2. Kinetic Motorwerks, LLC</b>	<b>\$196,081.90</b>

These units will come with a one-year warranty of parts and labor, and is an addition to the Departments fleet.

### **M/WBE Subcontracting:**

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


### **Hire Houston First:**

The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. **Texas Boom Company, LLC** is a designated HHF company, but they were the successful awardee without application of the HHF preference.

### **Fiscal Note:**

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

6/1/2022

DocuSigned by:  
  
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**Jerry Adams, Chief Procurement Officer**  
**Finance/Strategic Procurement Division**

**Department Approval Authority**

### **Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY2022</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Fleet Management Department	\$163,210.00	\$0	\$163,210.00

### **Prior Council Action:**

Appropriation Ordinance 2021-0702 approved by City Council August 24, 2021

### **Amount and Source of Funding:**

**\$ 163,210.00 – Equipment Acquisition Consolidated Fund (1800) - Previously appropriated by Ord. No.:2021-0702**

**\$ 163,210.00 - Total Amount**

### **Contact Information:**

Jordan Hamrova      SPD      832-393-9125

Jordan Margrove	SPD	832-393-8729
Lena Farris	SPD	832-393-8729
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:**

**Description**

Fiscal Form A FMD  
OBO Waiver  
Delinquent Tax Report Texas Boom Company  
Affidavit of Ownership Texas Boom Company  
Fund 1800 Summary  
Appropriation Ordinance  
Bid Tab

**Type**

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



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32328 - Hydraulic Crane Repair (Holt Crane and Equipment) - MOTION

Agenda Item#: 8.

### **Summary:**

**HOLT CRANE AND EQUIPMENT** for Hydraulic Crane Replacement Parts and Repair Services for the Fleet Management Department - \$68,746.36 - Fleet Management Fund

### **Background:**

**Sole Source for S80-E32328 – Approve an award to Holt Crane and Equipment in an amount not to exceed \$68,746.36 for hydraulic crane replacement parts and repair services for the Fleet Management Department.**

### **Specific Explanation:**

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an award to **Holt Crane and Equipment** on its sole source in an amount not to exceed **\$68,746.36** for hydraulic crane replacement parts and services for the Fleet Management Department (FMD) and that authorization be given to issue a purchase order. The replacement parts will be used to repair a hydraulic crane due to a cracked boom and hydraulic issues.

This recommendation is made pursuant to subsection 252.022(a)(2) of the Texas Local Government Code, which provides that "a procurement of items that are available from only one source" is exempt from the competitive requirements for purchases.

### **M/WBE Subcontracting:**

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

### **Hire Houston First:**

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

### **Fiscal Note:**

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

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

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**Department Approval Authority**

### **Estimated Spending Authority**

<b>Department</b>	<b>FY2022</b>	<b>Out Years</b>	<b>Total</b>
Fleet Management Department	\$68,746.36	\$0	\$68,746.36

### **Amount and Source of Funding:**

**\$68,746.36** - Fleet Management Fund (1005)

**\$68,746.36 - Total Amount**

### **Contact Information:**

Jordan Hargrove      SPD      832-393-9125

Lena Farris	SPD	832-393-8729
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
E32328 - Hydraulic Crane Repair (Holt Crane and Equipment)	Signed Cover sheet





# CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32328 - Hydraulic Crane Repair (Holt Crane and Equipment) - MOTION

Agenda Item#: 10.

## **Summary:**

## **Background:**

**Sole Source for S80-E32328 – Approve an award to Holt Crane and Equipment in an amount not to exceed \$68,746.36 for hydraulic crane replacement parts and repair services for the Fleet Management Department.**

## **Specific Explanation:**

The Director of the Fleet Management Department and the Chief Procurement Officer recommend that City Council approve an award to **Holt Crane and Equipment** on its sole source in an amount not to exceed **\$68,746.36** for hydraulic crane replacement parts and services for the Fleet Management Department (FMD) and that authorization be given to issue a purchase order. The replacement parts will be used to repair a hydraulic crane due to a cracked boom and hydraulic issues.

This recommendation is made pursuant to subsection 252.022(a)(2) of the Texas Local Government Code, which provides that "a procurement of items that are available from only one source" is exempt from the competitive requirements for purchases.

## **M/WBE Subcontracting:**

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

## **Hire Houston First:**

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

## **Fiscal Note:**

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

DocuSigned by:

*Jerry Adams*

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6/1/2022

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

**Department Approval Authority**

## **Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY2022</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Fleet Management Department	\$68,746.36	\$0	\$68,746.36

## **Amount and Source of Funding:**

**\$68,746.36** - Fleet Management Fund (1005)

**\$68,746.36** - Total Amount

## **Contact Information:**

Jordan Hargrove	SPD	832-393-9125
Lena Farris	SPD	832-393-8729
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:**

**Description**

Delinquent Tax Report Holt Texas  
Affidavit of Ownership Holt  
Fund 1005 Summary  
Sole Source Justification  
Sole Source Letter  
Sole Source Approval Email  
Quote  
Fiscal Form A FMD

**Type**

Backup Material  
Backup Material  
Financial Information  
Backup Material  
Backup Material  
Backup Material  
Financial Information  
Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32313 - Parts and Accessories for Workstations (AFMA, Inc. dba. Core Office Interiors) - MOTION

Agenda Item#: 9.

### **Summary:**

**AFMA, INC dba CORE OFFICE INTERIORS** for the Reconfiguration of Workstations through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners contractor for Houston Health Department - \$72,196.45 - Health Special Fund

### **Background:**

**S80-E32313 - Approve the purchase of parts and accessories for the reconfiguration of workstations from AFMA, Inc. dba. Core Office Interiors in the total amount of \$72,196.45 through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners for the Houston Health Department.**

### **Specific Explanation:**

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve the purchase of parts and accessories to reconfigure eleven (11) new workstations in the total amount of **\$72,196.45** for the Houston Health Department and that authorization be given to issue a purchase order to the National Intergovernmental Purchasing Alliance Company dba Omnia Partners contractor **AFMA, Inc. dba. Core Office Interiors**. This furniture will be used to accommodate eleven new staff members.

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

### **M/WBE Subcontracting:**

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

### **Hire Houston First:**

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

### **Fiscal Note:**

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

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

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**Department Approval Authority**

### **Estimated Spending Authority**

<b>Department</b>	<b>FY2022</b>	<b>Out Years</b>	<b>Total</b>
Houston Health Department	\$72,196.45	\$0	\$72,196.45

### **Amount and Source of Funding:**

\$72,196.45

Health Special Fund

Fund 2002

**Contact Information:**

Jordan Hargrove	SPD	832-393-9125
Lena Farris	SPD	832-393-8729

**ATTACHMENTS:**

**Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32313 - Parts and Accessories for Workstations (AFMA, Inc. dba. Core Office Interiors)  
- MOTION

Agenda Item#: 8.

### **Background:**

**S80-E32313 - Approve the purchase of parts and accessories for the reconfiguration of workstations from AFMA, Inc. dba. Core Office Interiors in the total amount of \$72,196.45 through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners for the Houston Health Department.**

### **Specific Explanation:**

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve the purchase of parts and accessories to reconfigure eleven (11) new workstations in the total amount of **\$72,196.45** for the Houston Health Department and that authorization be given to issue a purchase order to the National Intergovernmental Purchasing Alliance Company dba Omnia Partners contractor **AFMA, Inc. dba. Core Office Interiors**. This furniture will be used to accommodate eleven new staff members.

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

### **M/WBE Subcontracting:**

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

### **Hire Houston First:**

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

### **Fiscal Note:**

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

DocuSigned by:

*Jerry Adams*

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6/1/2022

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

**Department Approval Authority**

### **Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY2022</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Houston Health Department	\$72,196.45	\$0	\$72,196.45

### **Amount and Source of Funding:**

\$ 72,196.45 – Health Special Fund (2002)

### **Contact Information:**

Jordan Hargrove	SPD	832-393-9125
Lena Farris	SPD	832-393-8729

### **ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
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Fiscal Form A HHD  
Delinquent Tax Report  
Affidavit of Ownership Core Office Interiors  
Certificate of Insurance  
Interlocal Justification Approval  
Drug Policy  
Quote

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



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/22/2022

I05977 - Pipe Fittings - MOTION (Pivotal Industries dba  
Devon Sankar)

Agenda Item#: 10.

### **Summary:**

**PIVOTAL INDUSTRIES dba DEVON SANKAR** for the purpose of Pipe Fittings for Houston Public Works - \$1,476.50 - Enterprise Fund

### **Background:**

**Informal Bids Received April 14, 2022, for I05977 – Approve an award to Pivotal Industries dba Devon Sankar, in the total amount of \$1,476.50 for the purchase of pipe fittings for Houston Public Works.**

### **Specific Explanation:**

The Director of Houston Public Works (HPW) and the Chief Procurement Officer recommend that City Council approve an award to **Pivotal Industries dba Devon Sankar** in the total amount of **\$1,476.50** for the purchase of pipe fittings and that authorization be given to issue a purchase order for Houston Public Works.

This is for the purchase of steel pipe connectors in a variety of sizes used on water distribution pipes and other industrial applications. The fittings are galvanized to protect against corrosion.

This project was advertised in accordance with the requirements of the State of Texas bid laws for an informal procurement. Pivotal Industries dba Devon Sankar has already received \$49,801.05 for other good and/or services this fiscal year. This purchase would put them above the \$50,000 threshold and therefore requires Council action. Eighteen (18) prospective bidders downloaded the solicitation document from SPD's e-bidding website and five (5) bids were received as outlined below:

<b><u>Company</u></b>	<b><u>Total Amount</u></b>
<b>1. Pivotal Industries dba Devon Sankar</b>	<b>\$1,476.50</b>
2. Core & Main	\$1,635.00
3. Industry Nations	\$1,723.00
4. Bevco Company	\$2,845.50
5. SCM Consultants Inc.	\$3,229.00

**Pivotal Industries dba Devon Sankar:** Award on its overall low bid meeting specifications in the total amount of \$1,476.50.

**MWBE Participation:**

This procurement is exempt from the City's MWBE subcontracting requirements as the total expenditure does not exceed the \$100,000.00 threshold. However, HPW does solicit bids through SPD's e-bidding website which is promoted to all registered MWBE vendors.

**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, Pivotal Industries dba Devon Sankar is a designated HHF company, and they were the successful awardee without application of the HHF preference.

**Fiscal Note:**

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

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

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

<u>Estimated Spending Authority:</u>			
Department	FY2022	Out Years	Total
Houston Public Works	\$1,476.50	\$0.00	\$1,476.50

**Amount and Source of Funding:**

\$1,476.50  
Water and Sewer System Operating Fund  
Fund 8300

**Contact Information:**

Jedediah Greenfield, Assistant Director  
Houston Public Works Department  
**Phone:** (832) 395-3754

**ATTACHMENTS:****Description**

Signed Coversheet

**Type**

Signed Cover sheet





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 5/22/2022

I05977 - Pipe Fittings - MOTION (Pivotal Industries dba Devon Sankar)

Agenda Item#:

### **Background:**

#### **Background:**

**Informal Bids Received April 14, 2022, for I05977 – Approve an award to Pivotal Industries dba Devon Sankar, in the total amount of \$1,476.50 for the purchase of pipe fittings for Houston Public Works.**

#### **Specific Explanation:**

The Director of Houston Public Works (HPW) and the Chief Procurement Officer recommend that City Council approve an award to **Pivotal Industries dba Devon Sankar** in the total amount of **\$1,476.50** for the purchase of pipe fittings and that authorization be given to issue a purchase order for Houston Public Works.

This is for the purchase of steel pipe connectors in a variety of sizes used on water distribution pipes and other industrial applications. The fittings are galvanized to protect against corrosion.

This project was advertised in accordance with the requirements of the State of Texas bid laws for an informal procurement. Pivotal Industries dba Devon Sankar has already received \$49,801.05 for other good and/or services this fiscal year. This purchase would put them above the \$50,000 threshold and therefore requires Council action. Eighteen (18) prospective bidders downloaded the solicitation document from SPD's e-bidding website and five (5) bids were received as outlined below:

<b><u>Company</u></b>	<b><u>Total Amount</u></b>
<b>1. Pivotal Industries dba Devon Sankar</b>	<b>\$1,476.50</b>
2. Core & Main	\$1,635.00
3. Industry Nations	\$1,723.00
4. Bevco Company	\$2,845.50
5. SCM Consultants Inc.	\$3,229.00

**Pivotal Industries dba Devon Sankar:** Award on its overall low bid meeting specifications in the total amount of \$1,476.50.

#### **MWBE Participation:**

This procurement is exempt from the City's MWBE subcontracting requirements as the total expenditure does not exceed the \$100,000.00 threshold. However, HPW does solicit bids through SPD's e-bidding website which is promoted to all registered MWBE vendors.

#### **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, Pivotal Industries dba Devon Sankar is a designated HHF company, and they were the successful awardee without application of the HHF preference.

#### **Fiscal Note:**

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

DocuSigned by:

*Jerry Adams*

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Jerry Adams, Chief Procurement Officer  
Finance/Strategic Procurement Division

DocuSigned by:

*Carol Ellinger Haddock*

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



<b><u>Estimated Spending Authority:</u></b>			
Department	FY2022	Out Years	Total
Houston Public Works	\$1,476.50	\$0.00	\$1,476.50

**Amount and Source of Funding:**

\$1,476.50 – Water and Sewer System Operating Fund (8300)

**Contact Information:**

Jedediah Greenfield, Assistant Director (832) 395-3754

**ATTACHMENTS:**

Description	Type
Bid Tab	Backup Material
Ownership Form	Backup Material
Tax Report	Backup Material
Conflict of Interest Form	Backup Material
HHF Certification	Backup Material
Form A	Financial Information



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

ALL

Item Creation Date:

FIN-Over 65/Disabled Exemption

Agenda Item#: 11.

### **Summary:**

**ORDINANCE AMENDING SECTION 44-4 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the amount of the Tax Exemption for the Tax Year 2022 and each year thereafter on residence homesteads owned by persons 65 years of age or older or by certain persons with disabilities; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

### **Background:**

Ordinance amending Section 44-4 of the Code of Ordinances to increase the age 65 or older and disabled exemption to \$260,000 for Tax Year 2022 and each year thereafter.

Section 44-4(a) of the City Code of Ordinances provides the ad valorem tax exemption amount of \$160,000 for Tax Year 2015, and each year thereafter, of the appraised value of residence homesteads of persons 65 years of age or older, or disabled.

This Ordinance amends Section 44-4 of the Code of Ordinances to reflect the increased exemption for the residence homesteads of those who are age 65 or older or disabled. Accordingly, it is recommended that City Council pass an ordinance that amends Section 44-4 of the Code of Ordinances and authorizes an increase of the age 65 or older and disabled exemption from \$160,000 to \$260,000 starting with Tax Year 2022.

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Tantri Emo, Chief Business Officer/Finance Director

### **Prior Council Action:**

Ordinance 2015-0554 (6/10/2015)

### **Contact Information:**

Melissa Dubowski, Deputy Director Phone: 832-393-9101

Alma Tamborello, Division Manager Phone: 832-393-9099

### **ATTACHMENTS:**

**Description**

**Type**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/23/2022

LGL-Petition Circulator Amendment

Agenda Item#: 12.

### **Summary:**

**ORDINANCE AMENDING CHAPTER 2, ARTICLE I, OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, recognizing and affirming that certain provisions of Articles VII-a and VII-b of the City of Houston's Charter pertaining to the Qualified Voter Status of Petition Circulators are unconstitutional and unenforceable

### **Background:**

The Legal Department recommends that City Council approve an ordinance amending Chapter 2 of the City's Code of Ordinances to provide a petition circulator affidavit form for circulators of petitions under the City of Houston Charter (the "City Charter") who (1) are not registered to vote in the City of Houston or (2) are not residents of the City of Houston.

The City Charter authorizes direct legislation by the public through the initiative and referendum petition process (Article VII-b, Sections 2 and 3) and authorizes the removal from office of any holder of public office in the City by recall petition (Article VII-a). Articles VII-a and VII-b of the City Charter provide that each signature on an initiative, referendum, and recall petition must be acknowledged (notarized) or verified with an affidavit by a circulator of the petition. The circulator's affidavit requires the circulator to swear under oath that he or she is a signer of the petition. All signers of a petition must be qualified voters registered to vote in the City of Houston.

In *Buckley v. American Constitutional Law Found., Inc.*, 525 U.S. 182, 119 S.Ct. 636 (1999) ("Buckley"), the United States Supreme Court held, among other things, that a Colorado statute requiring that initiative-petition circulators be registered voters violated the First Amendment free speech guarantee. The Fifth Circuit, in *Pool v. City of Houston*, 19-20828, 2020 WL 6253444 (5th Cir. Oct. 23, 2020), opined that absent Houston City Council action, it is not clear that the City has changed its policy and will comply with *Buckley*.

In response to the Fifth Circuit's decision, City Council passed City Ordinance 2020-1033 (Dec. 2, 2020), which expressed the City's formal policy to enforce only the requirements relating to petition circulator qualifications that are valid under the U.S. Constitution, as well as codified an alternate petition circulator affidavit for circulators who are not registered to vote in the City of Houston. See Houston, Tex., Code of Ordinances § 2-3.1.

On February 22, 2022, the United States District Court for the Southern District of Texas, Houston Division, declared Articles VII-a and VII-b of the Charter unconstitutional to the extent they require petition circulators to be qualified voters of the City of Houston, and the Court provided that City Council may now enact a new ordinance in light of the Court's declaratory judgment.

The Legal Department recommends that City Council adopt an ordinance recognizing the Court's declaratory judgment and replacing any prior versions of the alternate circulator affidavit for use by circulators who (1) are not registered to vote in the City of Houston or (2) are not residents of the City of Houston.

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Arturo G. Michel  
City Attorney

**Prior Council Action:**

Ordinance No. 2020-1033

**Contact Information:**

Arturo G. Michel, City Attorney  
Phone: (832) 393-6202

**ATTACHMENTS:**

**Description**

**Type**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/25/2022

ARA - CenterPoint GRIP Approve

Agenda Item#: 13.

### **Summary:**

ORDINANCE relating to the Retail Gas Utility Rates of **CENTERPOINT ENERGY RESOURCES CORP. d/b/a CENTERPOINT ENERGY ENTEX** and as **CENTERPOINT ENERGY TEXAS GAS**; approving an Interim Rate Adjustment subject to refund and otherwise maintaining current rates in effect until changed

### **Background:**

The Administration and Regulatory Affairs Department (ARA) recommends that City Council adopt an ordinance relating to the retail gas utility rates of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (CenterPoint or Company), approving an interim rate adjustment. CenterPoint provides natural gas distribution services in the Houston metropolitan area, serving approximately 430,000 residential, 27,000 small general service and 1,000 large volume customers in Houston. The City of Houston exercises original jurisdiction over the rates, operations, and services of CenterPoint under the provisions of the Texas Utilities Code for customers inside city limits.

On March 3, 2022, CenterPoint filed an annual Gas Reliability Infrastructure Program (GRIP) interim rate adjustment for customers within its Houston Division. CenterPoint has requested a revenue requirement increase of \$19.3 million for service to retail gas customers within the Houston Division.

The GRIP permits CenterPoint to implement an interim rate adjustment to recover return on the change in invested capital and changes in depreciation, federal and other taxes related to the new investment without filing a full base rate change request. The GRIP was established during the 78<sup>th</sup> Legislative Session to incentivize investment in Texas' gas pipeline infrastructure to meet continuing growth in the state and to enhance safety by replacing aging facilities. The current GRIP is the Company's fifth GRIP Adjustment since its last full base rate proceeding.

Pursuant to State Law, the City's role in the GRIP proceeding is to review the application to ensure compliance with GRIP statutory requirements. This includes a ministerial review of the filing to test whether GRIP calculations are correct. As a result, on March 29, 2022, City Council approved an ordinance suspending the proposed effective date for 45 days — from May 2, 2022 to June 16, 2022. The suspension period allowed additional time for City Staff, with the assistance of the City's rate consultant, to review the request, request, and review data from the Company, address any potential ministerial corrections to the Company's calculations, and prepare a final recommendation

for consideration by City Council.

If CenterPoint's request is approved, the fixed customer charge for all customer classes would increase as follows:

<b>CenterPoint Monthly Fixed Customer Charge Current vs. Proposed</b>			
<b><u>Customer Class</u></b>	<b><u>Current Rate</u></b>	<b><u>Proposed Rate</u></b>	<b><u>Proposed Increase</u></b>
Residential	\$ 18.38	\$ 19.74	\$ 1.36
General Service Small	\$ 22.41	\$ 24.50	\$ 2.09
General Service Large	\$ 247.28	\$ 290.11	\$ 42.83

Based on Staff's review of the Company's GRIP request, ARA determined that the GRIP Adjustment complies with the Statutory GRIP requirements. Therefore, ARA recommends that City Council adopt an ordinance approving the GRIP interim rate adjustment.

**Fiscal Note**

There is no impact to the fiscal budget. 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:**

Nicholas Hadjigeorge Phone: (832) 393-8507

Alisa Talley Phone: (832) 393-8643

Naelah Yahya Phone: (832) 393-8530

**ATTACHMENTS:**

**Description**

5.25.2022 CP Gas GRIP Approve 2022

**Type**

Signed Cover sheet





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/8/2022

ALL

Item Creation Date: 5/25/2022

ARA - CenterPoint GRIP Approve

Agenda Item#: 47.

### **Background:**

The Administration and Regulatory Affairs Department (ARA) recommends that City Council adopt an ordinance relating to the retail gas utility rates of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (CenterPoint or Company), approving an interim rate adjustment. CenterPoint provides natural gas distribution services in the Houston metropolitan area, serving approximately 430,000 residential, 27,000 small general service and 1,000 large volume customers in Houston. The City of Houston exercises original jurisdiction over the rates, operations, and services of CenterPoint under the provisions of the Texas Utilities Code for customers inside city limits.

On March 3, 2022, CenterPoint filed an annual Gas Reliability Infrastructure Program (GRIP) interim rate adjustment for customers within its Houston Division. CenterPoint has requested a revenue requirement increase of \$19.3 million for service to retail gas customers within the Houston Division.

The GRIP permits CenterPoint to implement an interim rate adjustment to recover return on the change in invested capital and changes in depreciation, federal and other taxes related to the new investment without filing a full base rate change request. The GRIP was established during the 78<sup>th</sup> Legislative Session to incentivize investment in Texas' gas pipeline infrastructure to meet continuing growth in the state and to enhance safety by replacing aging facilities. The current GRIP is the Company's fifth GRIP Adjustment since its last full base rate proceeding.

Pursuant to State Law, the City's role in the GRIP proceeding is to review the application to ensure compliance with GRIP statutory requirements. This includes a ministerial review of the filing to test whether GRIP calculations are correct. As a result, on March 29, 2022, City Council approved an ordinance suspending the proposed effective date for 45 days — from May 2, 2022 to June 16, 2022. The suspension period allowed additional time for City Staff, with the assistance of the City's rate consultant, to review the request, request, and review data from the Company, address any potential ministerial corrections to the Company's calculations, and prepare a final recommendation for consideration by City Council.

If CenterPoint's request is approved, the fixed customer charge for all customer classes would increase as follows:

<b>CenterPoint Monthly Fixed Customer Charge Current vs. Proposed</b>			
<b><u>Customer Class</u></b>	<b><u>Current Rate</u></b>	<b><u>Proposed Rate</u></b>	<b><u>Proposed Increase</u></b>
Residential	\$ 18.38	\$ 19.74	\$ 1.36
General Service Small	\$ 22.41	\$ 24.50	\$ 2.09
General Service Large	\$ 247.28	\$ 290.11	\$ 42.83

Based on Staff's review of the Company's GRIP request, ARA determined that the GRIP Adjustment complies with the Statutory GRIP requirements. Therefore, ARA recommends that City Council adopt an ordinance approving the GRIP interim rate adjustment.

### **Fiscal Note**

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

### **Departmental Approval Authority:**

DocuSigned by:

*Tina Paez*

606AE9EC66A94CC

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

**Other Authorization**

**Contact Information:**

Nicholas Hadjigeorge Phone: (832) 393-8507

Alisa Talley Phone: (832) 393-8643

Naelah Yahya Phone: (832) 393-8530



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District I

Item Creation Date: 5/9/2022

HAS - Design-Build Contract with Christensen Building Group, LLC for Construction and Relocation of the TSA & HPD Bunker and K-9 Facility at HOU; Project No. 775B

Agenda Item#: 14.

### **Summary:**

ORDINANCE appropriating \$363,387.17 out of Airport System Consolidated 2011 Construction Fund and \$6,359.28 out of Airports Improvement Fund and approving and authorizing a Design-Build Contract between City of Houston and **CHRISTENSEN BUILDING GROUP, LLC** for Construction and Relocation of the TSA and HPD Bunker and K-9 Facility at William P. Hobby Airport for the Houston Airport System; (Project No. 775B); providing funding for Pre-Construction Design Services, Construction Demolition Services and Civic Art Program - **DISTRICT I - GALLEGOS**

### **Background:**

#### **RECOMMENDATION:**

Enact an ordinance approving and authorizing a Design-Build Contract with Christensen Building Group, LLC for the Construction and Relocation of the TSA and HPD Bunker and K-9 Facility at William P. Hobby Airport (HOU) and appropriating the necessary funds for Phase 1 services. (Project No. 775B)

#### **SPECIFIC EXPLANATION:**

Pursuant to the Memorandum of Understanding (MOU) between the City of Houston (City) and Southwest Airlines Co. for the latter's Maintenance Hangar Development Project, the City agreed to relocate impacted facilities, including HPD offices, K-9 kennels, Transportation Security Administration (TSA) bunkers, and a container dump site, from their existing location.

The Houston Airport System (HAS) identified a proposed site located at 9201 and 9311 Telephone Road to be used as an HPD training facility for K-9 unit dogs and as a container dump site at HOU. This site will be a gated, fenced secured facility. Two existing houses and a warehouse will need to be demolished, and existing vegetation and debris from this site will need to be removed and properly disposed.

On January 14, 2021, in response to a Request for Qualifications (RFQ) for this project, six Statements of Qualifications (SOQ) were received from the following firms:

1. American Renewable Energy
2. Anslow Bryant Construction, Ltd.

3. Butler-Cohen Design+Build
4. Christensen Building Group
5. Construction LTD
6. Manhattan Construction Company

The Evaluation Committee members read and evaluated the SOQs prior to the scoring sessions held on February 11, 2021. The Committee short-listed the top five firms that were invited to Step Two of the evaluation for technical proposals. Three firms were interviewed, and the Evaluation Committee recommended Christensen Building Group, LLC for contract award.

The contractor will be responsible for the design and construction of a new TSA-HPD K-9 Training Facility and Trash Dump area to be completed in three phases. Phase 1 will consist of Design and Demolition of buildings at the Telephone Road Site (to be completed in 60 calendar days). Phase 2 consists of the Construction of the new TSA-HPD Bunker, K-9, and Trash Dump facility at the Telephone Road Site (120 calendar days). Phase 3 consists of Relocation, Demolition, and Restoration Construction services to relocate the existing bunker magazines and trash dump area (30 calendar days). The total contract time for all three phases is 210 calendar days.

**Project Costs (this appropriation):**

Pre-Construction Services (Design) (Fund 8206)	\$314,003.17
Construction Services (Demolition) (Fund 8206)	\$ 49,384.00
Civic Art (Fund 8011)	\$ 6,359.28
<b>TOTAL</b>	<b>\$369,746.45</b>

At a later date, City Council will be asked to approve the Construction Guaranteed Maximum Price (GMP) and appropriate the necessary funds for those services.

**Pay or Play:**

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, Christensen Building Group, LLC, has opted to comply with the provisions of the Pay or Play Program by exercising the "Play" option.

**M/WBE Participation:**

The MBE design goal for this project is 18%. Christensen Building Group, LLC has committed to fulfilling this goal using the following certified subcontractor:

Firms	Type of Work	Classification	Amount	%
RdIR Architects, Inc.	Architectural design and consultation services	MBE	\$56,520.57	18%

The construction goal will be 36% (23% MBE and 13% WBE). HAS OBO will present HAS and City Council with the Construction Services participation plan at such time as the Construction Guaranteed Maximum Price (GMP) is presented for approval.

**Capital Fiscal Note:**

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

**Director's Signature:**

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Mario C. Diaz  
Houston Airport System

**Amount and Source of Funding:**

\$363,387.17 Airport System Consolidated 2011 Construction Fund (8206)

\$ 6,359.28 Airports Improvement Fund (8011)

\$369,746.45 TOTAL

**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 I

Item Creation Date: 5/9/2022

HAS - Design-Build Contract with Christensen Building Group, LLC for Construction and Relocation of the TSA & HPD Bunker and K-9 Facility at HOU; Project No. 775B

Agenda Item#:

### **Background:**

### **RECOMMENDATION:**

Enact an ordinance approving and authorizing a Design-Build Contract with Christensen Building Group, LLC for the Construction and Relocation of the TSA and HPD Bunker and K-9 Facility at William P. Hobby Airport (HOU) and appropriating the necessary funds for Phase 1 services. (Project No. 775B)

### **SPECIFIC EXPLANATION:**

Pursuant to the Memorandum of Understanding (MOU) between the City of Houston (City) and Southwest Airlines Co. for the latter's Maintenance Hangar Development Project, the City agreed to relocate impacted facilities, including HPD offices, K-9 kennels, Transportation Security Administration (TSA) bunkers, and a container dump site, from their existing location.

The Houston Airport System (HAS) identified a proposed site located at 9201 and 9311 Telephone Road to be used as an HPD training facility for K-9 unit dogs and as a container dump site at HOU. This site will be a gated, fenced secured facility. Two existing houses and a warehouse will need to be demolished, and existing vegetation and debris from this site will need to be removed and properly disposed.

On January 14, 2021, in response to a Request for Qualifications (RFQ) for this project, six Statements of Qualifications (SOQ) were received from the following firms:

1. American Renewable Energy
2. Anslow Bryant Construction, Ltd.
3. Butler-Cohen Design+Build
4. Christensen Building Group
5. Construction LTD
6. Manhattan Construction Company

The Evaluation Committee members read and evaluated the SOQs prior to the scoring sessions held on February 11, 2021. The Committee short-listed the top five firms that were invited to Step Two of the evaluation for technical proposals. Three firms were interviewed, and the Evaluation Committee recommended Christensen Building Group, LLC for contract award.

The contractor will be responsible for the design and construction of a new TSA-HPD K-9 Training Facility and Trash Dump area to be completed in three phases. Phase 1 will consist of Design and Demolition of buildings at the Telephone Road Site (to be completed in 60 calendar days). Phase 2 consists of the Construction of the new TSA-HPD Bunker, K-9, and Trash Dump facility at the Telephone Road Site (120 calendar days). Phase 3 consists of Relocation, Demolition, and Restoration Construction services to relocate the existing bunker magazines and trash dump area (30 calendar days). The total contract time for all three phases is 210 calendar days.

### **Project Costs (this appropriation):**

Pre-Construction Services (Design) (Fund 8206)	\$314,003.17
Construction Services (Demolition) (Fund 8206)	\$ 49,384.00
Civic Art (Fund 8011)	\$ 6,359.28
<b>TOTAL</b>	<b>\$369,746.45</b>

At a later date, City Council will be asked to approve the Construction Guaranteed Maximum Price (GMP) and appropriate the necessary funds for those services.

### **Pay or Play:**

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, Christensen Building Group, LLC, has opted to comply with the provisions of the Pay or Play Program by exercising the "Play" option.

### **M/WBE Participation:**

The MBE design goal for this project is 18%. Christensen Building Group, LLC has committed to fulfilling this goal using the following

certified subcontractor:

Firms	Type of Work	Classification	Amount	%
RdlR Architects, Inc.	Architectural design and consultation services	MBE	\$56,520.57	18%

The construction goal will be 36% (23% MBE and 13% WBE). HAS OBO will present HAS and City Council with the Construction Services participation plan at such time as the Construction Guaranteed Maximum Price (GMP) is presented for approval.

**Capital Fiscal Note:**

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

**Director's Signature:**

DS  
JS

DocuSigned by:  
*Jim Szyzemiak*

Mario C. Diaz  
Houston Airport System

**Amount and Source of Funding:**

\$363,387.17 Airport System Consolidated 2011 Construction Fund (8206)  
\$ 6,359.28 Airports Improvement Fund (8011)  
\$369,746.45 TOTAL

**Contact Information:**

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



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/12/2022

HPL - CIP Appropriation for Public Facing Computers

Agenda Item#: 15.

### **Summary:**

ORDINANCE appropriating \$100,000.00 out of Equipment Acquisition Consolidated Fund for purchase of Computer and Hardware Equipment for the CIP Project-Public Facing Computers for the Houston Public Library

### **Background:**

ORDINANCE appropriating the sum of \$100,000.00 from the Equipment Acquisition Consolidated Fund for the purchase of computers and hardware equipment for public access under the PC Replacement Project for the Houston Public Library.

The Director of the Houston Public Library recommends that City Council approve an ordinance to appropriate \$100,000.00 from the Equipment Acquisition Consolidated Fund (1800) for the purchase of computers and hardware equipment to replace aging and non-functioning public access computers. The Houston Public Library (HPL) will follow all procurement policies and procedures related to this purchase.

The project description with allocation is as follows: PROJECT PROJECT NO. AMOUNT CIP Project-Public Facing computers X-340014 \$100,000 Fiscal Note: Funding for this item is included in the FY2022 Capital Improvement Plan. No significant Fiscal Operating impact is anticipated as a result of this project.

---

Dr. Rhea Brown Lawson, Director,  
Houston Public Library

Estimated Spending Authority			
DEPARTMENT	FY 2023	OUT YEARS	TOTAL
Houston Public Library	\$100,000.00	\$0	\$100,000.00

### **Amount and Source of Funding:**

\$100,000.00

Equipment Acquisition Consolidated Fund

Fund 1800



**Contact Information:**

Ricardo Perez  
Hope Waobikeze

Library  
Library

832-393-1400  
832-393-1348

**ATTACHMENTS:****Description**

Coversheet

**Type**

Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 05/25/2022

Council Districts:

Item Creation Date: 05/12/2022

RCA title:

HPL FY22 Appropriation for Public Facing Computers

Agenda Item #:

**Summary:**

ORDINANCE appropriating the sum of \$100,000.00 from the Equipment Acquisition Consolidated Fund for the purchase of computers and hardware equipment for public access under the PC Replacement Project for the Houston Public Library.

**Background:**

ORDINANCE appropriating the sum of \$100,000.00 from the Equipment Acquisition Consolidated Fund for the purchase of computers and hardware equipment for public access under the PC Replacement Project for the Houston Public Library.

**Specific Explanation:**

The Director of the Houston Public Library recommends that City Council approve an ordinance to appropriate \$100,000.00 from the Equipment Acquisition Consolidated Fund (1800) for the purchase of computers and hardware equipment to replace aging and non-functioning public access computers. The Houston Public Library (HPL) will follow all procurement policies and procedures related to this purchase.

The project description with allocation is as follows:

<b><u>PROJECT</u></b>	<b><u>PROJECT NO.</u></b>	<b><u>AMOUNT</u></b>
CIP Project-Public Facing computers	X-340014	\$100,000

**Fiscal Note:**

Funding for this item is included in the FY2022 Capital Improvement Plan.  
No significant Fiscal Operating impact is anticipated as a result of this project.

DocuSigned by:

Dr. Rhea Brown Lawson

5/12/2022

Dr. Rhea Brown Lawson, Director,

Houston Public Library

**Estimated Spending Authority**

<b>DEPARTMENT</b>	<b>FY 2023</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Houston Public Library	\$100,000	\$	\$100,000

**Amount of Funding:**

\$100,000  
Equipment Acquisition Consolidated Fund  
Fund 1800

**Contact Information:**

NAME:	DEPARTMENT/DIVISION	PHONE
Ricardo Peralez	Library	832-393-1400
Hope Waobikeze	Library	832-393-1348

**ATTACHMENTS:**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District I

Item Creation Date: 5/5/2022

25DSGN130– Professional Architectural Services Contract  
– English + Associates Architects, Inc. 611 Walker Mitigation  
- Hurricane Harvey

Agenda Item#: 16.

### **Summary:**

ORDINANCE approving Professional Architectural Services Contract between City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC.**, to perform Design and Construction Phase Services for 611 Walker Mitigation-Hurricane Harvey Project for Houston Public Works; providing funding for Salary Recovery - **DISTRICT I - GALLEGOS**

### **Background:**

**RECOMMENDATION:** Approve professional architectural services contract.

**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve a professional architectural services contract with English + Associates Architects, Inc. to perform design and construction phase services for the 611 Walker Mitigation – Hurricane Harvey project for Houston Public Works (HPW).

On December 10, 2021 and December 17, 2021, GSD advertised a Request for Qualifications containing selection criteria that ranked respondents on experience, key personnel experience, proposed design team consultants, and project approach. The Statements of Qualifications were due on January 13, 2022, and four firms responded. GSD formed a selection committee comprised of representatives from GSD and HPW to evaluate the respondents. The selection committee evaluated and interviewed all four firms. English + Associates Architects, Inc. received the highest points based on the advertised criteria and offers the best value for the City.

**PROJECT LOCATION:** 611 Walker St., Houston, TX 77002

**PROJECT DESCRIPTION:** In late August 2017, the Bob Lanier Public Works Building sustained damage due to Hurricane Harvey. This project is intended to make all necessary mitigation repairs/replacements to flood-proof the building to avoid future damages. All work will be designed in accordance with the latest City of Houston standards.

**SCOPE OF CONTRACT AND FEE:** The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$ 208,259.00	Basic Services Fee
\$ 34,950.00	Additional Services Fee
\$ 11,700.00	Reimbursable Expenses
<b>\$ 254,909.00</b>	<b>Total Contract Services</b>
\$ 50,000.00	Salary Recovery
<b>\$ 304,909.00</b>	<b>Total Funding</b>

**M/WBE INFORMATION:** A 24% M/WBE goal has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

Firm	Work Description	Amount	Contract %
English + Associates Architects, Inc (Prime)	Architectural Services	\$31,000	12%
E&C Engineers & Consultants	MEP Engineering Services	\$31,000	12%
<b>Total</b>		<b>\$62,000</b>	<b>24%</b>

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

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

No Fiscal Note is required on grant items.

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

Estimated Spending Authority			
Department	Current FY	Out Year	Total
Houston Public Works	\$30,000	\$0	\$30,000

**WBS No:** D-200006-0001-3

DIRECTOR'S SIGNATURE/DATE:

---

C. J. Messiah, Jr.  
General Services Department

---

Carol Ellinger Haddock, P.E.  
Houston Public Works

**Prior Council Action:**

-

**Amount and Source of Funding:**

\$ 30,000.00 HPW-Combined Utility System General Purpose Fund (8305)

\$ 274,909.00 2015 Flood Disaster and Recovery Fund (8386)

**\$ 304,909.00 Total Funding**

**Contact Information:**

Enid M. Howard

Council Liaison

**Phone:** 832.393.8023

**ATTACHMENTS:**

**Description**

Signed Coversheet (Revised)

25DSGN130 - Maps

**Type**

Signed Cover sheet

Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/1/2022

District I

Item Creation Date: 5/5/2022

25DSGN130– Professional Architectural Services Contract – English + Associates  
Architects, Inc. 611 Walker Mitigation - Hurricane Harvey

Agenda Item#: 7.

### **Summary:**

ORDINANCE approving a Professional Architectural Services Contract between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC.**, to perform design and construction phase services for the 611 Walker Mitigation-Hurricane Harvey Project for Houston Public Works; providing funding for Salary Recovery; containing provisions relating to the subject - **DISTRICT I - GALLEGOS**

### **Background:**

**RECOMMENDATION:** Approve professional architectural services contract.

**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve a professional architectural services contract with English + Associates Architects, Inc. to perform design and construction phase services for the 611 Walker Mitigation – Hurricane Harvey project for Houston Public Works (HPW).

On December 10, 2021 and December 17, 2021, GSD advertised a Request for Qualifications containing selection criteria that ranked respondents on experience, key personnel experience, proposed design team consultants, and project approach. The Statements of Qualifications were due on January 13, 2022, and four firms responded. GSD formed a selection committee comprised of representatives from GSD and HPW to evaluate the respondents. The selection committee evaluated and interviewed all four firms. English + Associates Architects, Inc. received the highest points based on the advertised criteria and offers the best value for the City.

**PROJECT LOCATION:** 611 Walker St., Houston, TX 77002

**PROJECT DESCRIPTION:** In late August 2017, the Bob Lanier Public Works Building sustained damage due to Hurricane Harvey. This project is intended to make all necessary mitigation repairs/replacements to flood-proof the building to avoid future damages. All work will be designed in accordance with the latest City of Houston standards.

**SCOPE OF CONTRACT AND FEE:** The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$ 208,259.00	Basic Services Fee
\$ 34,950.00	Additional Services Fee
\$ 11,700.00	Reimbursable Expenses
<b>\$ 254,909.00</b>	<b>Total Contract Services</b>
\$ 50,000.00	Salary Recovery
<b>\$ 304,909.00</b>	<b>Total Funding</b>

**M/WBE INFORMATION:** A 24% M/WBE goal has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

Firm	Work Description	Amount	Contract %
English + Associates Architects, Inc (Prime)	Architectural Services	\$31,000	12%
E&C Engineers & Consultants	MEP Engineering Services	\$31,000	12%
<b>Total</b>		<b>\$62,000</b>	<b>24%</b>

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

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


No Fiscal Note is required on grant items.

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

Estimated Spending Authority			
Department	Current FY	Out Year	Total
Houston Public Works	\$30,000	\$0	\$30,000

**WBS No:** D-200006-0001-3

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:  
 5/18/2022  
 C. J. Messiah, Jr.  
 General Services Department

Carol Ellinger Haddock, P.E.  
 Houston Public Works

**Prior Council Action:**

**Amount and Source of Funding:**

\$ 30,000.00 HPW-Combined Utility System General Purpose Fund (8305)  
 \$ 274,909.00 2015 Flood Disaster and Recovery Fund (8386)  
**\$ 304,909.00 Total Funding**

**Contact Information:**

Enid M. Howard  
 Council Liaison  
**Phone:** 832.393.8023

**ATTACHMENTS:**

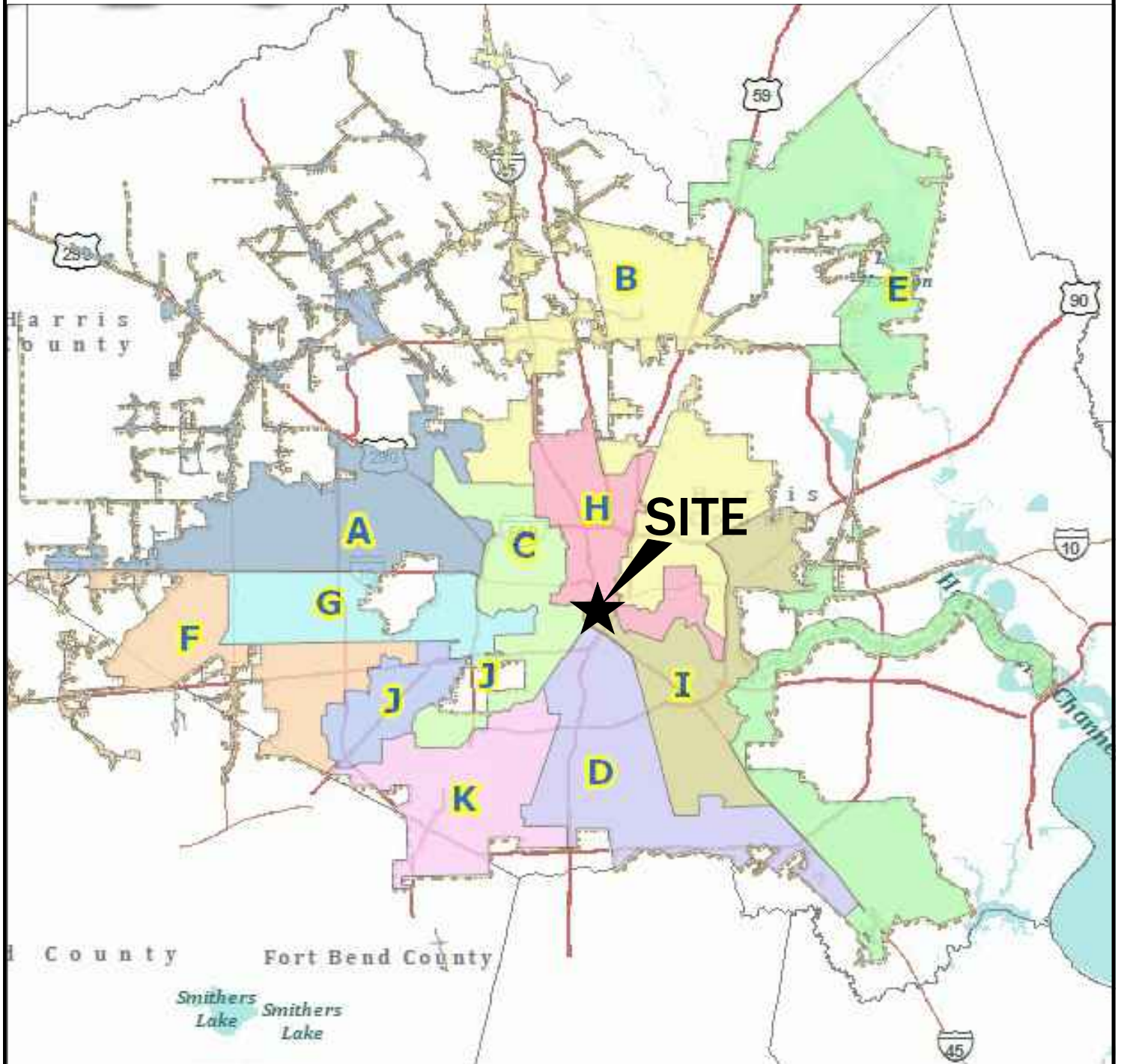
Description	Type
<u>25DSGN130 - Maps</u>	Backup Material
<u>25DSGN130 - 1295 Certificate</u>	Backup Material
<u>25DSGN130 - Tax Delinquent Report</u>	Backup Material
<u>25DSGN130 - CIP Form A</u>	Backup Material
<u>Ordinance</u>	Signed Cover sheet
<u>Contract</u>	Signed Cover sheet



Funding 8305 - RCA  
Funding Verification

Financial Information  
Financial Information

**CITY OF HOUSTON  
HARRIS COUNTY, TEXAS**



**611 WALKER MITIGATION - HURRICANE HARVEY  
611 WALKER ST. HOUSTON, TX 77002**



**KEYMAP No. 493K**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32348 (1of3) - Mitigating the Effects of Systemic Racism  
and Misinformation during the SARS-CoV-2 Pandemic -  
ORDINANCE (University of Houston)

Agenda Item#: 17.

### **Summary:**

ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and **UNIVERSITY OF HOUSTON** for services addressing COVID-19 Health Disparities among populations at high-risk and underserved regarding the project Mitigating the Effect of Systematic Racism and Misinformation during the SARS-COV-2 Pandemic for the Houston Health Department; providing a maximum contract amount - 1 Year - \$500,000.00 - Grant Fund

### **Background:**

**S38-E32348 - Approve an ordinance awarding a Subrecipient Agreement to the University of Houston in the amount not to exceed \$500,000.00 for services addressing COVID-19 health disparities among populations at high-risk and underserved (Project Mitigating the Effects of Systemic Racism and Misinformation during the SARS-CoV-2 Pandemic) for the Houston Health Department.**

### **Specific Explanation:**

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a contract between the City of Houston and the **University of Houston** in an amount not to exceed **\$500,000.00** for a **term of one year** for a study that includes an interdisciplinary investigative team to research the effects of systemic racism and misinformation during COVID-19 for the Houston Health Department.

The scope of work for this study will include an interdisciplinary investigative team of scientist and trainees that will execute two (2) specific approaches using a mixed methods approach. The first approach is a community engagement plan for executing forums that address the effects of systemic racism, medical mistrust, misinformation, and lack of confidence in SARS-2-Cov-2 vaccine uptake in BIPOC (Black, Indigenous, and People of Color) communities. The second approach is to develop a toolkit that facilitates community access to culturally informed health education materials in addition to culturally congruent strategies for navigating a complex healthcare system.

This recommendation is made pursuant to subsections 252,022(1)(2a) of the Texas Local Government Code, which provides that "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" is exempt from the competitive requirements for

purchases.

**M/WBE Participation:**

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

**Hire Houston First:**

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

**Disaster Note**

This item is related to the impact of COVID-19 and expenditures eligible to be paid under the federal funds and is subject to specific procurement rules of the federal government.

**Fiscal Note:**

No Fiscal Note is required on grant items.

---

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

---

**Department Approval Authority Signature**

**Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY22</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Houston Health Department	\$250,000.00	\$250,000.00	\$500,000.00

**Amount and Source of Funding:**

**\$500,000.00**

Federal Government-Grant Funded

Fund No.: 5000

**Contact Information:**

Lena Farris	FIN/SPD	832-393-8729
Jerry Adams	FIN/SPD	832-393-9126
Porfirio Villarreal	HHD	832-393-5041

**ATTACHMENTS:**

**Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date:

E32348 (1of3) - Mitigating the Effects of Systemic Racism and Misinformation during the  
SARS-CoV-2 Pandemic -ORDINANCE (The University of Houston)

Agenda Item#:

### **Background:**

**S38-E32348 - Approve an ordinance awarding a Subrecipient Agreement to the University of Houston in the amount not to exceed \$500,000.00 for services addressing COVID-19 health disparities among populations at high-risk and underserved (Project Mitigating the Effects of Systemic Racism and Misinformation during the SARS-CoV-2 Pandemic) for the Houston Health Department.**

### **Specific Explanation:**

The Director of the Houston Health Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a contract between the City of Houston and the **University of Houston** in an amount not to exceed **\$500,000.00** for a **term of one year** for a study that includes an interdisciplinary investigative team to research the effects of systemic racism and misinformation during COVID-19 for the Houston Health Department.

The scope of work for this study will include an interdisciplinary investigative team of scientist and trainees that will execute two (2) specific approaches using a mixed methods approach. The first approach is a community engagement plan for executing forums that address the effects of systemic racism, medical mistrust, misinformation, and lack of confidence in SARS-2-Cov-2 vaccine uptake in BIPOC (Black, Indigenous, and People of Color) communities. The second approach is to develop a toolkit that facilitates community access to culturally informed health education materials in addition to culturally congruent strategies for navigating a complex healthcare system.

This recommendation is made pursuant to subsections 252.022(1)(2a) of the Texas Local Government Code, which provides that "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" is exempt from the competitive requirements for purchases.

### **M/WBE Participation:**

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

### **Hire Houston First:**

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

### **Disaster Note**

This item is related to the impact of COVID-19 and expenditures eligible to be paid under the federal funds and is subject to specific procurement rules of the federal government.

### **Fiscal Note:**

No Fiscal Note is required on grant items.

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

**Department Approval Authority Signature**

5/16/2022

5/16/2022

### **Estimated Spending Authority**

Department	FY22	Out Years	Total
Houston Health Department	\$250,000.00	\$250,000.00	\$500,000.00

**Amount and Source of Funding:**  
**\$500,000.00**  
Federal Government-Grant Funded  
Fund No.: 5000

**Contact Information:**  
Lena Farris            FIN/SPD            832-393-8729  
Jerry Adams            FIN/SPD            832-393-9126  
Porfirio Villarreal            HHD            832-393-5041

**ATTACHMENTS:**

Description	Type
E32348 - Fiscal Form A	Backup Material
E32348 - OBO Waiver	Backup Material
U of H Subrecipient Agreement	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date:

E32350 (3of3) - WE'VE GOT NEXT PROJECT -  
ORDINANCE (University of Houston)

Agenda Item#: 18.

### **Summary:**

ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and **UNIVERSITY OF HOUSTON** for services addressing COVID-19 Health Disparities among populations at high-risk and underserved regarding We've Got Next Project for the Houston Health Department; providing a maximum contract amount - 1 Year - \$499,120.00 - Grant Fund

### **Background:**

**S38-E32350 - Approve an ordinance awarding a Subrecipient Agreement to the University of Houston in an amount not to exceed \$499,120.00 for services addressing COVID-19 health disparities among populations at high-risk and underserved (WE'VE GOT NEXT PROJECT) for the Houston Health Department.**

### **Specific Explanation:**

The Director of Houston Health Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a contract between the City of Houston and the **University of Houston** in an amount not to exceed **\$499,120.00** for a **term of one year** to encourage vaccinations through all social media platforms for the Houston Health Department.

The scope of work requires the University of Houston to encourage vaccinations through all widely used social media platforms. A Houston Health Department committee will collaborate with the University of Houston to develop messages, to include but not limited to "pop-up" vaccination events, and direct home testing distribution.

This recommendation is made pursuant to subsections 252.022(1)(2a) of the Texas Local Government Code, which provides that "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" is exempt from the competitive requirements for purchases.

### **M/WBE Participation:**

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

### **Hire Houston First:**

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



**Disaster Note**

This item is related to the impact of COVID-19 and expenditures eligible to be paid under the federal funds and is subject to specific procurement rules of the federal government.

**Fiscal Note:**

No Fiscal Note is required on grant items.

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

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**Department Approval Authority Signature**

**Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY22</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Houston Health Department	\$249,000.00	\$250,120.00	\$499,120.00

**Amount and Source of Funding:**

**\$499,120.00**

Federal Government-Grant Funded

Fund No.: 5000

**Contact Information:**

Lena Farris	FIN/SPD	832-393-8729
Jerry Adams	FIN/SPD	832-393-9126
Porfirio Villarreal	HHD	832-393-5041

**ATTACHMENTS:****Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/24/2022

ALL

Item Creation Date:

E32350 (3of3) - WE'VE GOT NEXT PROJECT - ORDINAQNCE (University of Houston)

Agenda Item#: 49.

### **Background:**

**S38-E32350 - Approve an ordinance awarding a Subrecipient Agreement to the University of Houston in an amount not to exceed \$499,120.00 for services addressing COVID-19 health disparities among populations at high-risk and underserved (WE'VE GOT NEXT PROJECT) for the Houston Health Department.**

### **Specific Explanation:**

The Director of Houston Health Department and the Chief Procurement Officer recommend that City Council approve an ordinance authorizing a contract between the City of Houston and the **University of Houston** in an amount not to exceed **\$499,120.00** for a **term of one year** to encourage vaccinations through all social media platforms for the Houston Health Department.

The scope of work requires the University of Houston to encourage vaccinations through all widely used social media platforms. A Houston Health Department committee will collaborate with the University of Houston to develop messages, to include but not limited to "pop-up" vaccination events, and direct home testing distribution.

This recommendation is made pursuant to subsections 252.022(1)(2a) of the Texas Local Government Code, which provides that "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" is exempt from the competitive requirements for purchases.

### **M/WBE Participation:**

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

### **Hire Houston First:**

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

### **Disaster Note**

This item is related to the impact of COVID-19 and expenditures eligible to be paid under the federal funds and is subject to specific procurement rules of the federal government.

### **Fiscal Note:**

No Fiscal Note is required on grant items.

5/16/2022

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

DocuSigned by:  
*Stephen Williams*  
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**Department Approval Authority Signature**

5/16/2022

### **Estimated Spending Authority**

<b><u>Department</u></b>	<b><u>FY22</u></b>	<b><u>Out Years</u></b>	<b><u>Total</u></b>
Houston Health Department	\$249,000.00	\$250,120.00	\$499,120.00

### **Amount and Source of Funding:**

**\$499,120.00**

Federal Government-Grant Funded

Fund No.: 5000

### **Contact Information:**

Lena Farris	FIN/SPD	832-393-8729
Jerry Adams	FIN/SPD	832-393-9126
Porfirio Villarreal	HHD	832-393-5041

**ATTACHMENTS:**

Description	Type
E32350- Fiscal Form A	Financial Information
E32350 - OBO Waiver	Backup Material
E32350 - Subrecipient Agreement	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 4/26/2022

### L26031.A1 - Tire Repair Services (Southern Tire Mart, LLC) - ORDINANCE

Agenda Item#: 19.

#### **Summary:**

ORDINANCE amending Ordinance No. 2017-0333 (Passed on May 10, 2017) to increase maximum contract amount; approving and authorizing first amendment to contract between City of Houston and **SOUTHERN TIRE MART, LLC** for Tire Repair Services for the Fleet Management Department (Approved by Ordinance 2017-0333) - \$355,455.00 - Fleet Management Fund

#### **Background:**

**P06-L26031.A1 – Approve an ordinance authorizing a first amendment to Contract No. 4600014075 between the City of Houston and Southern Tire Mart, LLC (approved by Ordinance No. 2017-333 passed on May 10, 2017) to increase the maximum contract amount from \$1,421,820.00 to \$1,777,275.00 and amend Exhibit H (Fee Schedule) for Tire Repair Services for the Fleet Management Department .**

#### **Specific Explanation:**

The Director of Fleet Management 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 **Southern Tire Mart, LLC** to increase the maximum contract amount from **\$1,421,820.00** to **\$1,777,275.00** and **amend Exhibit H (Fee Schedule)** for tire repair services for the Fleet Management Department.

This contract was awarded on May 17, 2017, by Ordinance No. 2017-333 for a three-year term with two one-year options to renew in the amount not to exceed \$1,421,820.00. The contract term was from May 18, 2017 through May 18, 2022. Prior to expiration, the contract was extended for 180-days until November 17, 2022. Expenditures as of May 10, 2022 totaled \$1,059,039.39. The additional spending authority will enable the department to continue services until a new contract is presented to City Council within the next 180-days. The Fee Schedule is being amended to increase unit prices due to major increases in costs related to fuel, labor, supplies, and labor shortage.

The scope of work requires the contractor to furnish all supervision, labor, parts, tools, materials, transportation, equipment, and supplies necessary to perform tire repair services on City owned/leased agricultural equipment, industrial equipment, light and heavy duty trucks, trailers, passenger cars, mower/tractors and/or attachments, ambulances and fire trucks, as required. The Contractor shall also be required to repair tires and/or tubes that have gone flat, as a result of damage from punctures or leaks. This service is available twenty-four (24) hours a day, seven (7) days a week, fifty-two (52) weeks a year, including all holidays.

#### **MWBE Subcontractor:**

This contract was awarded with a 4% goal for MWBE Participation. **Southern Tire Mart, LLC** is

achieving 43.60% of the required MWBE goal.

**Fiscal Note:**

Funding for this item will be included in the FY2023 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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

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**Department Approval Authority Signature**

**Estimated Spending Authority**

<b>Department</b>	<b>FY2022</b>	<b>FY2023</b>	<b>Total</b>
Fleet Management	\$0.00	\$355,455.00	\$355,455.00

**Prior Council Action:**

Ordinance No.: 2017-333 - Approved by City Council on May 17, 2017

**Amount and Source of Funding:**

**\$355,455.00**

Fleet Management Fund

Fund No.: 1005

**Contact Information:**

Desiree Heath	FIN/SPD	832-393-8742
David Martinez	FIN/SPD	832-393-8797
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:**

**Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/26/2022

L26031.A1 - Tire Repair Services - ORDINANCE (Southern Tire Mart, LLC)

Agenda Item#:

### **Background:**

**P06-L26031.A1 – Approve an ordinance authorizing a first amendment to Contract No. 4600014075 between the City of Houston and Southern Tire Mart, LLC (approved by Ordinance No. 2017-333 passed on May 10, 2017) to increase the maximum contract amount from \$1,421,820.00 to \$1,777,275.00 and amend Exhibit H (Fee Schedule) for Tire Repair Services for the Fleet Management Department .**

### **Specific Explanation:**

The Director of Fleet Management 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 **Southern Tire Mart, LLC** to increase the maximum contract amount from **\$1,421,820.00** to **\$1,777,275.00** and **amend Exhibit H (Fee Schedule)** for tire repair services for the Fleet Management Department.

This contract was awarded on May 17, 2017, by Ordinance No. 2017-333 for a three-year term with two one-year options to renew in the amount not to exceed \$1,421,820.00. The contract term was from May 18, 2017 through May 18, 2022. Prior to expiration, the contract was extended for 180-days until November 17, 2022. Expenditures as of May 10, 2022 totaled \$1,059,039.39. The additional spending authority will enable the department to continue services until a new contract is presented to City Council within the next 180-days. The Fee Schedule is being amended to increase unit prices due to major increases in costs related to fuel, labor, supplies, and labor shortage.

The scope of work requires the contractor to furnish all supervision, labor, parts, tools, materials, transportation, equipment, and supplies necessary to perform tire repair services on City owned/leased agricultural equipment, industrial equipment, light and heavy duty trucks, trailers, passenger cars, mower/tractors and/or attachments, ambulances and fire trucks, as required. The Contractor shall also be required to repair tires and/or tubes that have gone flat, as a result of damage from punctures or leaks. This service is available twenty-four (24) hours a day, seven (7) days a week, fifty-two (52) weeks a year, including all holidays.

### **MWBE Subcontractor:**

This contract was awarded with a 4% goal for MWBE Participation. **Southern Tire Mart, LLC** is achieving 43.60% of the required MWBE goal.

### **Fiscal Note:**

Funding for this item will be included in the FY2023 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

5/26/2022

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*Jerry Adams*

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

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*Gary Glasscock*

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**Department Approval Authority Signature**

5/31/2022

### **Estimated Spending Authority**

Department	FY2022	FY2023	Total
Fleet Management	\$0.00	\$355,455.00	\$355,455.00

### **Prior Council Action:**

Ordinance No.: 2017-333 - Approved by City Council on May 17, 2017

### **Amount and Source of Funding:**

**\$355,455.00**

Fleet Management Fund

Fund No.: 1005

### **Contact Information:**

Desiree Heath	FIN/SPD	832-393-8742
David Martinez	FIN/SPD	832-393-8797
Keysha Grayson	FMD	832-393-6902

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
L26031-A1 Verification of MWDBE	Backup Material
Prior RCA	Backup Material
L26031 - Signed Contract	Contract/Exhibit
Ordinance 2017-333	Backup Material
L26031-A1 Tax Report	Backup Material
Southern Tire Mart, LLC Ownership Forms	Backup Material
L26031-A1 FMD Form A	Financial Information



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/5/2022

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

Agenda Item#: 20.

### **Summary:**

ORDINANCE approving and authorizing Derivative Agreement between City of Houston and **FORD AUDIO-VIDEO SYSTEMS, LLC** for Television Production Equipment Repairs and Maintenance Services for the Mayor's Houston Television Department; providing a maximum contract amount - 5 Years - \$200,000.00 - State Cable TV Fund

### **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 al 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, Chief Procurement Officer**  
**Finance/Strategic Procurement Division**

**Department Approval Authority**

**Estimated Spending Authority**

<b>Department</b>	<b>FY2022</b>	<b>Out Years</b>	<b>Total</b>
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:**

<b>NAME:</b>	<b>DEPARTMENT/DIVISIO</b>	<b>PHONE NO</b>
Barbara Fisher, Purchasing Manager	FIN/SPD	(832) 393-8722
Katie Moore, Sr. Procurement Specialist	FIN/SPD	(832) 393-8710
Ted Irving, Director	HTV	(832) 393-1277

**ATTACHMENTS:**

**Description**

Coversheet

**Type**

Signed Cover sheet



## 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, 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

(832) 393-1277

## Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

Item Creation Date: 5/5/2022

T25920.A1 - Merchant Credit Card Services (Paymentech, LLC, and JPMorgan Chase Bank, N.A.) - ORDINANCE

Agenda Item#: 21.

### **Summary:**

ORDINANCE approving and authorizing first amendment to agreement for Credit Card Processing Services between City, **PAYMENTECH, LLC**, and **JPMORGAN CHASE BANK, N.A.**

### **Background:**

**S36-T25920.A1 - Approve an ordinance authorizing a First Amendment to Contract No. 4600014807 between the City of Houston and Paymentech, LLC, and JPMorgan Chase Bank, N.A. (approved by Ord. No. 2020-0937 on October 28, 2020) to amend the original Agreement to modify certain service terms and the Municipal Courts Department pricing terms for the Finance Department.**

### **Specific Explanation:**

The Chief Business Officer/ Director of the Finance Department and the Chief Procurement Officer recommend that City Council approve an amending ordinance authorizing a First Amendment to the contract between the City of Houston and Paymentech LLC, and JPMorgan Chase Bank, N.A. to amend the original Agreement to modify certain service terms and the Municipal Courts Department pricing terms for the Finance Department.

The contract was originally awarded by City Council on October 28, 2020, per Ordinance No. 2020-0937 with a three-year term with five one-year options. The Amendment will delete the "Pay Connexion" Service Terms in its entirety and replace it with the "Paymentus Fee Schedule". Pay Connexion will be decommissioned in 2023, and be replaced with Paymentus. Paymentus is a more robust payment gateway that offers constituents innovative solutions, simplifying payment operations and improving customer experience. The "Schedule A" to the Merchant Agreement is supplemented with the new pricing table as follows:

Description of Service	Fee
Paymentech Gateway Transaction	\$0.00
Monthly Paymentech Gateway Fee (per division)	\$0.00

Also, a new Exhibit "H" – Paymentus Electronic Billing and Payment Service Terms is added to the original Agreement.

The scope of work requires the contractor to provide all labor, materials, equipment, and supervision required to provide merchant credit card services for electronic payment processing and gateway processing services.

The merchant credit card services contract provides both online and point-of-sales terminal payment capability to customers using credit or debit cards and e-checks, and at various locations for the collection of revenue from the payment of permits, fees, fines, bond postings and specific services provided by the participating departments, which includes Administration and Regulatory Affairs, Finance, Fire, General Services, Health, Library, Houston Public Works, Municipal Courts, Planning and Development, Police and Solid Waste

Departments, the Mayor's Office of Communications and HTV, and the Houston Airport System.

**M/WBE Participation:**

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

**Fiscal Note:**

There is no impact to the fiscal budget, therefore, no fiscal note is required.

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

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**Chief Business Officer/ Director  
Finance Department**

**Prior Council Action:**

Ordinance No. 2020-0937, passed October 28, 2020

**Amount and Source of Funding:**

No Additional Funding Required.

**Contact Information:**

NAME:	DEPARTMENT/DIVISION	PHONE
Yesenia Chuca, Purchasing Manager	FIN/SPD	(832) 393-8727
Valerie Player-Kaufman, Senior Procurement Specialist	FIN/SPD	(832) 393-8749
Melissa Dubowski, Deputy Director	FIN	(832) 393-9101

**ATTACHMENTS:**

**Description**

**Type**



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 4/15/2022

T29482 (3of3) – Digital Databases and Collections Services  
(ProQuest, LLC ) - ORDINANCE

Agenda Item#: 22.

### **Summary:**

ORDINANCE approving and authorizing contract between City of Houston and **PROQUEST LLC** for implementation of Digital Databases and Collection Services for the Houston Public Library; providing a maximum contract amount - 5 Years with 2 one-year options - \$1,375,000.00 - General Fund

### **Background:**

**Request for Proposals received March 11, 2021 for S85-T29482 – Approve an ordinance awarding a contract to ProQuest, LLC in the maximum amount of \$1,375,000.00 for the implementation of digital databases and collection services for the Houston Public Library.**

### **Specific Explanation:**

The Director of the Houston Public Library and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **five (5) year contract, with two (2) one-year options to renew to ProQuest, LLC**. in the maximum contract amount of **\$1,375,000.00** for the implementation of digital databases and collection services for the Houston Public Library. The Director may terminate this Agreement at any time by giving 30 days written notice to Contractor, with a copy of the notice to the CPO.

The scope of work requires the contractor to furnish digital services and resources in a variety of formats. Databases and digital collections may include, but not are limited to, legal resources, business and investing research, genealogical research, educational tools, journal articles and newspaper collections, library collection management tools, and other digital resources of a similar nature in English and other languages.

The Request for Proposals (RFP) was advertised in accordance with the requirements of the State bid laws and as a result, proposals were received from Encyclopedia Britannica, Global Intelligence Services, Gale by Cengage, Mergent, Lexis Nexis, Sirsi Dynix, World Book, EBSCO Publishing Inc., Oxford University, Carahsoft Technology, OverDrive, Supreme Company Warehouse, Grey House Publishing - Salem Press, Grey House Publishing - Weiss Ratings, and ProQuest, LLC. The Evaluation Committee consisted of members from the Houston Public Library and the Houston Information Technology Services. The proposals were evaluated based on the following criteria:

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

ProQuest, LLC received one the highest overall scores and were deemed to be the best qualified contractors to perform the requirements as outlined in the RFP.

**M/WBE Subcontracting:**

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

**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, the firm is not a designated HHF company, therefore the HHF preference was not applied to the contract award.

**Fiscal Note:**

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

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

**Department Approval Authority**

Estimated Spending Authority			
Department Name	FY2022	Out-Years	Total
Houston Public Library	\$140,460.21	\$1,234,539.79	\$1,375,000.00

**Amount and Source of Funding:**

**\$1,375,000.00**

General Fund

Fund No.: 1000

**Contact Information:**

NAME:	DEPARTMENT/DIVISION	PHONE
Yesenia Chuca, Purchasing Manager	FIN/SPD	832.393.8727
Derek Kent, Sr. Procurement Specialist	FIN/SPD	832.393.8733
Patrick Atkins, Deputy Assistant Director – LMS and Frontline Training	HPL	832.393.1567

**ATTACHMENTS:**

**Description**

**Type**

signed Coversheet

Signed Cover sheet





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/15/2022

T29482 (3of3) – Digital Databases and Collections Services - ORDINANCE (ProQuest, LLC )

Agenda Item#:

### **Background:**

**Request for Proposals received March 11, 2021 for S85-T29482 – Approve an ordinance awarding a contract to ProQuest, LLC in the maximum amount of \$1,375,000.00 for the implementation of digital databases and collection services for the Houston Public Library.**

### **Specific Explanation:**

The Director of the Houston Public Library and the Chief Procurement Officer recommend that City Council approve an ordinance awarding a **five (5) year contract, with two (2) one-year options to renew to ProQuest, LLC**, in the maximum contract amount of **\$1,375,000.00** for the implementation of digital databases and collection services for the Houston Public Library. The Director may terminate this Agreement at any time by giving 30 days written notice to Contractor, with a copy of the notice to the CPO.

The scope of work requires the contractor to furnish digital services and resources in a variety of formats. Databases and digital collections may include, but not are limited to, legal resources, business and investing research, genealogical research, educational tools, journal articles and newspaper collections, library collection management tools, and other digital resources of a similar nature in English and other languages.

The Request for Proposals (RFP) was advertised in accordance with the requirements of the State bid laws and as a result, proposals were received from Encyclopedia Britannica, Global Intelligence Services, Gale by Cengage, Mergent, Lexis Nexis, Sirsi Dynix, World Book, EBSCO Publishing Inc., Oxford University, Carahsoft Technology, OverDrive, Supreme Company Warehouse, Grey House Publishing - Salem Press, Grey House Publishing - Weiss Ratings, and ProQuest, LLC. The Evaluation Committee consisted of members from the Houston Public Library and the Houston Information Technology Services. The proposals were evaluated based on the following criteria:

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

ProQuest, LLC received one the highest overall scores and were deemed to be the best qualified contractors to perform the requirements as outlined in the RFP.

### **M/WBE Subcontracting:**

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

### **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, the firm is not a designated HHF company, therefore the HHF preference was not applied to the contract award.

### **Fiscal Note:**

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

DocuSigned by:

*Jerry Adams*

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DocuSigned by:

*Rhea Brown Lawson*

363DA421E89945D...

Jerry Adams, Chief Procurement Officer  
Finance/Strategic Procurement Division

Department Approval Authority

5/12/2022

### **Estimated Spending Authority**

Department Name	FY2022	Out-Years	Total
Houston Public Library	\$140,460.21	\$1,234,539.79	\$1,375,000.00

5/11/2022

**Amount and Source of Funding:****\$1,375,000.00**

General Fund

Fund No.: 1000

**Contact Information:**

NAME:	DEPARTMENT/DIVISION	PHONE
Yesenia Chuca, Purchasing Manager	FIN/SPD	832.393.8727
Derek Kent, Sr. Procurement Specialist	FIN/SPD	832.393.8733
Patrick Atkins, Deputy Assistant Director – LMS and Frontline Training	HPL	832.393.1567

**ATTACHMENTS:****Description**

T29482- ProQuest cleared tax report 2022

T29482- ProQuest OIF 2022

T29482- COF ProQuest

T29482- OBO document

T29482- ProQuest Award Letter

**Type**

Backup Material

Backup Material

Backup Material

Backup Material

Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District B

Item Creation Date: 1/27/2022

PRD - TPWD Urban Outdoor Grant Keith-Wiess Park

Agenda Item#: 23.

### **Summary:**

ORDINANCE approving and authorizing the submission of a Grant Application for and acceptance of Grant Funds through the **TEXAS PARKS & WILDLIFE DEPARTMENT** for its Urban Outdoor Grant Program related to the proposed improvements of Keith-Wiess Park for the City of Houston Parks and Recreation Department ("Grant"); declaring the City's eligibility for such Grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to apply for, accept, and expend the Grant Funds if awarded and to apply for, accept, and expend all subsequent awards, if any, pertaining to the Grant and to extend the budget period - **DISTRICT B - JACKSON**

### **Background:**

The Houston Parks and Recreation Department (HPARD) requests Council approval authorizing the submission of an Urban Outdoor Recreation grant application to the Texas Parks & Wildlife Department (TPWD). Through the efforts of State Representative Armando Walle, \$5,000,000 in grant assistance for improvements of Keith-Wiess Park were secured in the 2021-2022 General Appropriations Act enacted by the 87th Texas Legislature. TPWD requires a grant application authorizing the HPARD Director or designee to act as the city's representative in the application process, with the authority to accept and expend such grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant. The anticipated project period is July 1, 2022 - June 30, 2026. The total grant award is \$5,000,000 and there is no required match.

Keith-Wiess Park, located at 12300 Aldine-Westfield Rd., is a 499.46-acre park acquired by the City of Houston in 1979. The East Aldine District and members of the community were involved with updating the park master plan in 2020. The proposed improvements for this phase will build upon project scope funded with an earlier grant award (also secured by State Representative Walle). The earlier phase includes a vehicular entrance at the Aldine Town Center, a new parking lot, trail connections, outdoor exercise area, and site furnishings. This phase will focus on a Nature Center building with indoor and outdoor classroom and gathering space. Associated detention and utilities including electrical service, water and sanitary sewer service to the building will be necessary and a major part of the project scope and cost. The grant will cover design services as well as construction.

HPARD also requests City Council to authorize the Director or his designee to act as the city's representative in this application process with the authority to extend the budget period, and to authorize the Mayor to execute all related contracts, agreements, and documents with the approval of the City Attorney in connection with the grant not to exceed five years.

**Fiscal Note:** No fiscal note required for grant items.

**Director's Signature:**

---

Kenneth Allen, Director  
Houston Parks and Recreation Department

**Amount and Source of Funding:**

\$5,000,000.00

State Grant Funded

Fund 5010

**Contact Information:**

Jarrel Washington

Phone: 832-395-7069

Email: Jarrel.Washington@houstontx.gov

**ATTACHMENTS:**

**Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/25/2022

District B

Item Creation Date: 1/27/2022

PRD - TPWD Urban Outdoor Grant Keith-Wiess Park

Agenda Item#: 47.

### **Summary:**

#### **NOT A REAL CAPTION**

ORDINANCE approving and authorizing the submission of a grant application to the **TEXAS PARKS & WILDLIFE DEPARTMENT FOR THE URBAN OUTDOOR RECREATION GRANT** (the "Grant") for improvements at Keith-Wiess Park; declaring the City's eligibility for such Grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, with the authority to accept and expend such Grant Funds, as awarded, and to apply for, extend the budget period for, and accept all subsequent awards, if any, pertaining to the Grant - **DISTRICT B - JACKSON**

### **Background:**

The Houston Parks and Recreation Department (HPARD) requests Council approval authorizing the submission of an Urban Outdoor Recreation grant application to the Texas Parks & Wildlife Department (TPWD). Through the efforts of State Representative Armando Walle, \$5,000,000 in grant assistance for improvements of Keith-Wiess Park were secured in the 2021-2022 General Appropriations Act enacted by the 87th Texas Legislature. TPWD requires a grant application authorizing the HPARD Director or designee to act as the city's representative in the application process, with the authority to accept and expend such grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant. The anticipated project period is July 1, 2022 - June 30, 2026. The total grant award is \$5,000,000 and there is no required match.

Keith-Wiess Park, located at 12300 Aldine-Westfield Rd., is a 499.46-acre park acquired by the City of Houston in 1979. The East Aldine District and members of the community were involved with updating the park master plan in 2020. The proposed improvements for this phase will build upon project scope funded with an earlier grant award (also secured by State Representative Walle). The earlier phase includes a vehicular entrance at the Aldine Town Center, a new parking lot, trail connections, outdoor exercise area, and site furnishings. This phase will focus on a Nature Center building with indoor and outdoor classroom and gathering space. Associated detention and utilities including electrical service, water and sanitary sewer service to the building will be necessary and a major part of the project scope and cost. The grant will cover design services as well as construction.

HPARD also requests City Council to authorize the Director or his designee to act as the city's representative in this application process with the authority to extend the budget period, and to authorize the Mayor to execute all related contracts, agreements, and documents with the approval of the City Attorney in connection with the grant not to exceed five years.

**Fiscal Note:** No fiscal note required for grant items.

### **Director's Signature:**

DocuSigned by:

059DCC946690471  
Kenneth Allen, Director

Houston Parks and Recreation Department

### **Amount and Source of Funding:**

\$5,000,000.00

State Grant Funded

Fund 5010

### **Contact Information:**

Jarrel Washington

Phone: 832-395-7069

Email: Jarrel.Washington@houstontx.gov

### **ATTACHMENTS:**

#### **Description**

Grant Application

#### **Type**

Contract/Exhibit



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

District C

Item Creation Date: 12/13/2021

PLN - Special Minimum Lot Size Block App No. 798 (300  
block of Willard Street, south side)

Agenda Item#: 24.

### **Summary:**

ORDINANCE establishing the south side of the 300 Block of Willard Street, within the City of Houston, Texas, as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - KAMIN**

### **Background:**

In accordance with Section 42-197 of the Code of Ordinances, the property owner of 307 Willard Street, E ½ of Lots 7 and 8, Block 1 of the Weston Subdivision, initiated an application for the designation of a Special Minimum Lot Size Block (SMLSB). The application includes written evidence of support from the owners of 74% of the block. The Planning and Development Department mailed notifications to property owners of five (5) lots indicating that the SMLSB application had been submitted. The notification further stated that written protest must be filed with the Planning and Development Department within thirty days of mailing.

In accordance with the Code, since no protest was filed, no action is required by the Houston Planning Commission, the application may be submitted directly to City Council for consideration.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,000 square feet for the 300 block of Willard Street, south side.

---

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

### **Contact Information:**

Anna Sedillo, Council Liaison  
832-393-6578

Davonte Caldwell, Planner  
832-393-6568

### **ATTACHMENTS:**

**Description**

RCA  
Map

**Type**

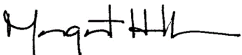
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Backup Material

**Special Minimum Lot Size Block No. 798****Planning Director's Approval**Planning Director Evaluation:

<b>Satisfies</b>	<b>Does Not Satisfy</b>	<b>Criteria</b>
<b>X</b>		<i>SMLSB includes all property within at least one blockface and no more than two opposing blockfaces;</i>  <b>The application is for the 300 block of Willard Street, south side.</b>
<b>X</b>		<i>At least 60% of the proposed SMLSB is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i>  <b>100% of the proposed application area is developed with not more than two SFR units per property.</b>
<b>X</b>		<i>Demonstrated sufficient evidence of support;</i>  <b>Petition signed by owners of 74% of the proposed SMLSB.</b>
<b>X</b>		<i>Establishment of the SMLSB will further the goal of preserving the lot size character of the area; and,</i>  <b>A minimum lot size of 5,000 square feet exists on three (3) lots in the blockfaces.</b>
<b>X</b>		<i>The proposed SMLSB has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i>  <b>The subdivision was platted in 1907. The earliest home was built in 1930. The establishment of a 5,000 square foot minimum lot size will preserve the lot size character of the area.</b>
<i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i>		
<b>Three (3) out of five (5) lots (representing 74% of the application area) are at least 5,000 square feet in size.</b>		

**The Special Minimum Lot Size Block meets the criteria.**

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5/25/2022


Margaret Wallace Brown, AICP, CNU-A  
Director

Date





**Special Minimum Lot Size**  
**300 block of Willard Street, south side,**  
**between Taft and Morgan Streets**  
**5,000 Square Feet**

 Special Minimum Lot Size Boundary

All properties within the application area are single family unless noted as such:

MF	Multi Family
COM	Commercial
VAC	Vacant
EXC	Excluded

Source: Harris County Appraisal District  
 Date: September 17, 2021  
 Reference: MLS 798

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: 6/7/2022

ETJ

Item Creation Date:

PLN - Annexation of 266.1 Acres to Valley Ranch Medical  
Center Management District

Agenda Item#: 25.

### **Summary:**

ORDINANCE consenting to the addition of 266.10 acres of land to **VALLEY RANCH MEDICAL CENTER MANAGEMENT DISTRICT** in the extraterritorial jurisdiction of the City of Houston, Texas, for inclusion in 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.

Valley Ranch Medical Center Management District, authorized by the 84<sup>th</sup> Texas Legislature in 2015, contains approximately 123.472 acres. The District is located entirely in Houston's extraterritorial jurisdiction (ETJ) in Montgomery County. This District's state-authorized powers include, in addition to those listed above, water, sewerage and drainage powers usually reserved for municipal utility districts (MUDs). On March 30, 2016, the City of Houston consented to the creation of the management district based on the requirement of the state law.

A management district is intended to supplement, not supplant, existing public services. Consent to creation or annexation of land into these districts does not release the local 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 annexation of the 266.1 acres of land to Valley Ranch Medical Center Management District.

---

Margaret Wallace Brown, AICP, CNU-A  
Director

Planning and Development Department

**Prior Council Action:**

2016-0233; 3-30-2016

**Contact Information:**

Anna Sedillo, Council Liaison

832-393-6578

Rupesh Koshy

832-393-6552

**ATTACHMENTS:**

**Description**

RCA

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 1/11/2022

ETJ

Item Creation Date:

PLN - Annexation of 266.1 Acres to Valley Ranch Medical Center Management District

Agenda Item#: 9.

### **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.

Valley Ranch Medical Center Management District, authorized by the 84<sup>th</sup> Texas Legislature in 2015, contains approximately 123.472 acres. The District is located entirely in Houston's extraterritorial jurisdiction (ETJ) in Montgomery County. This District's state-authorized powers include, in addition to those listed above, water, sewerage and drainage powers usually reserved for municipal utility districts (MUDs). On March 30, 2016, the City of Houston consented to the creation of the management district based on the requirement of the state law.

A management district is intended to supplement, not supplant, existing public services. Consent to creation or annexation of land into these districts does not release the local 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 annexation of the 266.1 acres of land to Valley Ranch Medical Center Management District.

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

### **Prior Council Action:**

2016-0233; 3-30-2016

### **Contact Information:**

Anna Sedillo, Council Liaison  
832-393-6578

Rupesh Koshy  
832-393-6552

### **ATTACHMENTS:**

Description	Type
Petition for Annexation 42.69 Acres	Backup Material
Petition for Annexation 46.59 Acres	Backup Material
Petition for Annexation 48.71 Acres	Backup Material
Petition for Annexation 55.23 Acres	Backup Material
Petition for Annexation 72.88 Acres	Backup Material
Vicinity Map	Backup Material
Map showing Proposed Annexation	Backup Material
Proposed Site Plan	Backup Material
Flood Plain Map	Backup Material
Certificate of Authority Executed Sig Valley Ranch Multiple Acreage	Backup Material
Certificate of Authority Executed Community Bank 42.69 Acres	Backup Material
Certificate of Authority Executed Origin Bank 42.69 Acres	Backup Material
Certificate of Lienholder's Consent America 42.69 Acres	Backup Material

Certificate of Lienholder's Consent Comerica 42.69 Acres	Backup Material
Certificate of Lienholder's Consent CommunityBank 42.69 Acres	Backup Material
Certificate of Lienholder's Consent Origin Bank 42.69 Acres	Backup Material
Certificate of Authority Executed 42.69 Acres	Backup Material
Certificate of Authority QOZB Executed 46.59 Acres	Backup Material
Certificate of Lienholder's Consent Comerica 46.59 Acres	Backup Material
Certificate of Authority Executed Veritex Community Bank 48.71 Acres	Backup Material
Certificate of Authority QOZB Executed 48.71 Acres	Backup Material
Certificate of Lienholder's Consent Executed Veritex Community Bank 48.71 Acres	Backup Material
Certificate of Lienholder's Consent Executed Comerica 48.71 Acres	Backup Material
Certificate of Authority Executed Valley Ranch Town Center 55.23 Acres	Backup Material
Certificate of Lienholder's Consent Executed Comerica 55.23 Acres	Backup Material
Water District Consent	Backup Material



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

ETJ

Item Creation Date: 4/20/2022

HPW - 20WR370 – Petition Addition (35.5862) Harris  
County Fresh Water Supply District No. 58

Agenda Item#: 26.

### **Summary:**

ORDINANCE consenting to the addition of 35.5862 acres of land to **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 58**, for inclusion in its district

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of 35.5862 acres to Harris County Fresh Water Supply District No. 58.

**RECOMMENDATION:** Petition for the City's consent to the addition of 35.5862 acres to Harris County Fresh Water Supply District No. 58 be approved.

**SPECIFIC EXPLANATION:** Harris County Fresh Water Supply District No. 58 (the "District") was created through the Harris County Commissioner's Court in 1965, and currently consists of 663.230 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 35.5862 acres of developed and undeveloped land, to the District. The proposed tract is to be developed as commercial property and is located in the vicinity of Indian Shores Road, Lake Houston, Big Deer Drive, and FM 2100. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Indian Shores Wastewater Treatment Facility. Potable water is provided by the District.

The nearest major drainage facility for Harris County Fresh Water Supply District No. 58 is Gum Gully which flows into Jackson Bayou, then into the San Jacinto River, and finally into the Houston Ship Channel. Gum Gully is within the Jackson Bayou watershed. The proposed annexation tract is not within the 100 or 500 year floodplain.

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

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

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

---

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

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Maps

**Type**

Signed Cover sheet  
Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 4/20/2022

HPW - 20WR370 – Petition Addition (35.5862) Harris County Fresh Water Supply District  
No. 58

Agenda Item#:

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of 35.5862 acres to Harris County Fresh Water Supply District No. 58.

**RECOMMENDATION:** Petition for the City's consent to the addition of 35.5862 acres to Harris County Fresh Water Supply District No. 58 be approved.

**SPECIFIC EXPLANATION:** Harris County Fresh Water Supply District No. 58 (the "District") was created through the Harris County Commissioner's Court in 1965, and currently consists of 663.230 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add 35.5862 acres of developed and undeveloped land, to the District. The proposed tract is to be developed as commercial property and is located in the vicinity of Indian Shores Road, Lake Houston, Big Deer Drive, and FM 2100. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tract will be provided with wastewater treatment by the Indian Shores Wastewater Treatment Facility. Potable water is provided by the District.

The nearest major drainage facility for Harris County Fresh Water Supply District No. 58 is Gum Gully which flows into Jackson Bayou, then into the San Jacinto River, and finally into the Houston Ship Channel. Gum Gully is within the Jackson Bayou watershed. The proposed annexation tract is not within the 100 or 500 year floodplain.

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

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

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

5/4/2022

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**

Maps

Application

Petition

Backup Material

Fact Sheet

#### **Type**

Backup Material

Backup Material

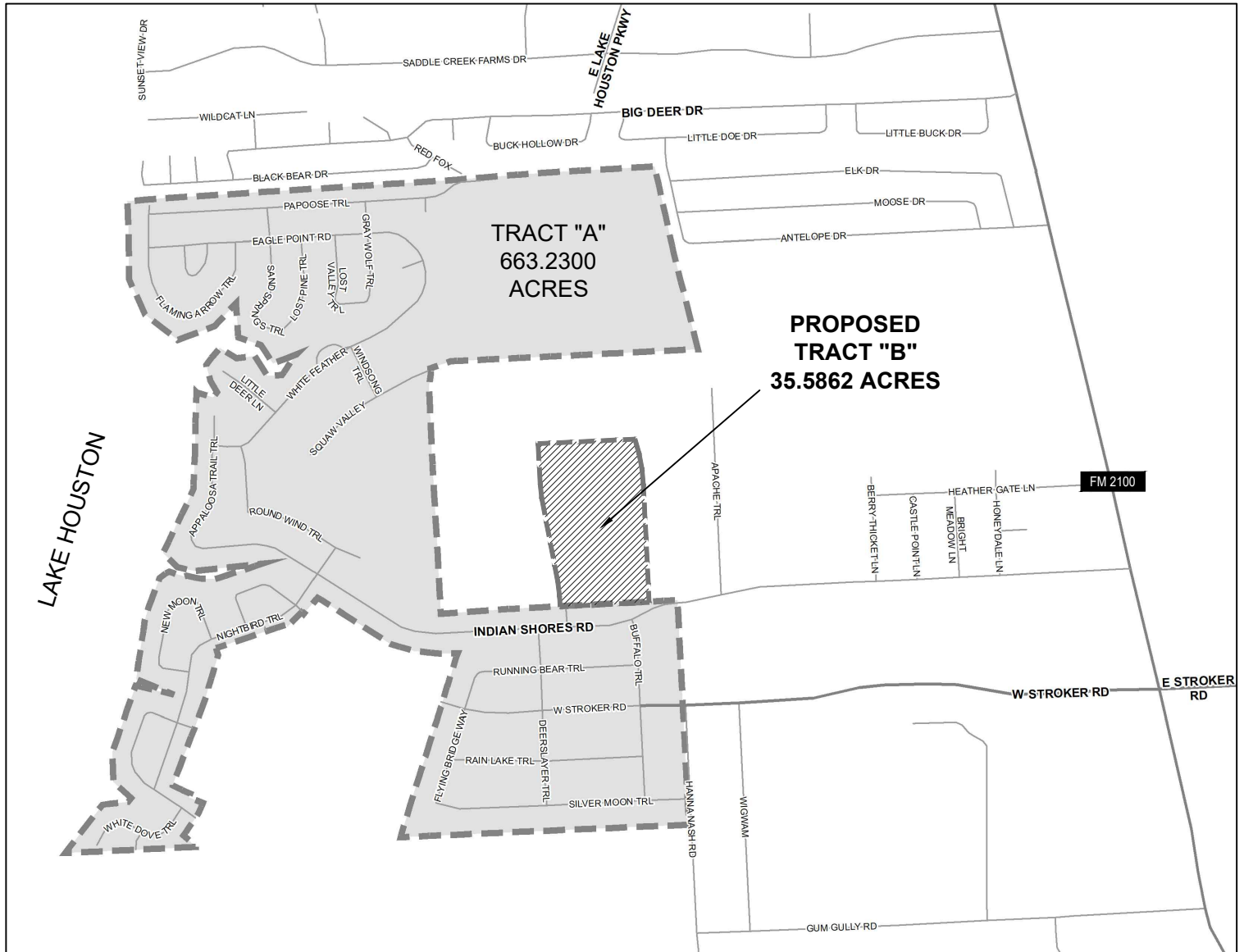
Backup Material

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VICINITY MAP OF  
**HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO.58**  
 BEING 698.8162 ACRES OF LAND  
 OUT OF THE  
 FREDERICK RANKIN SURVEY, A- 57 & WILLIAM WHITLOCK SURVEY, A- 85  
 HARRIS COUNTY, TEXAS



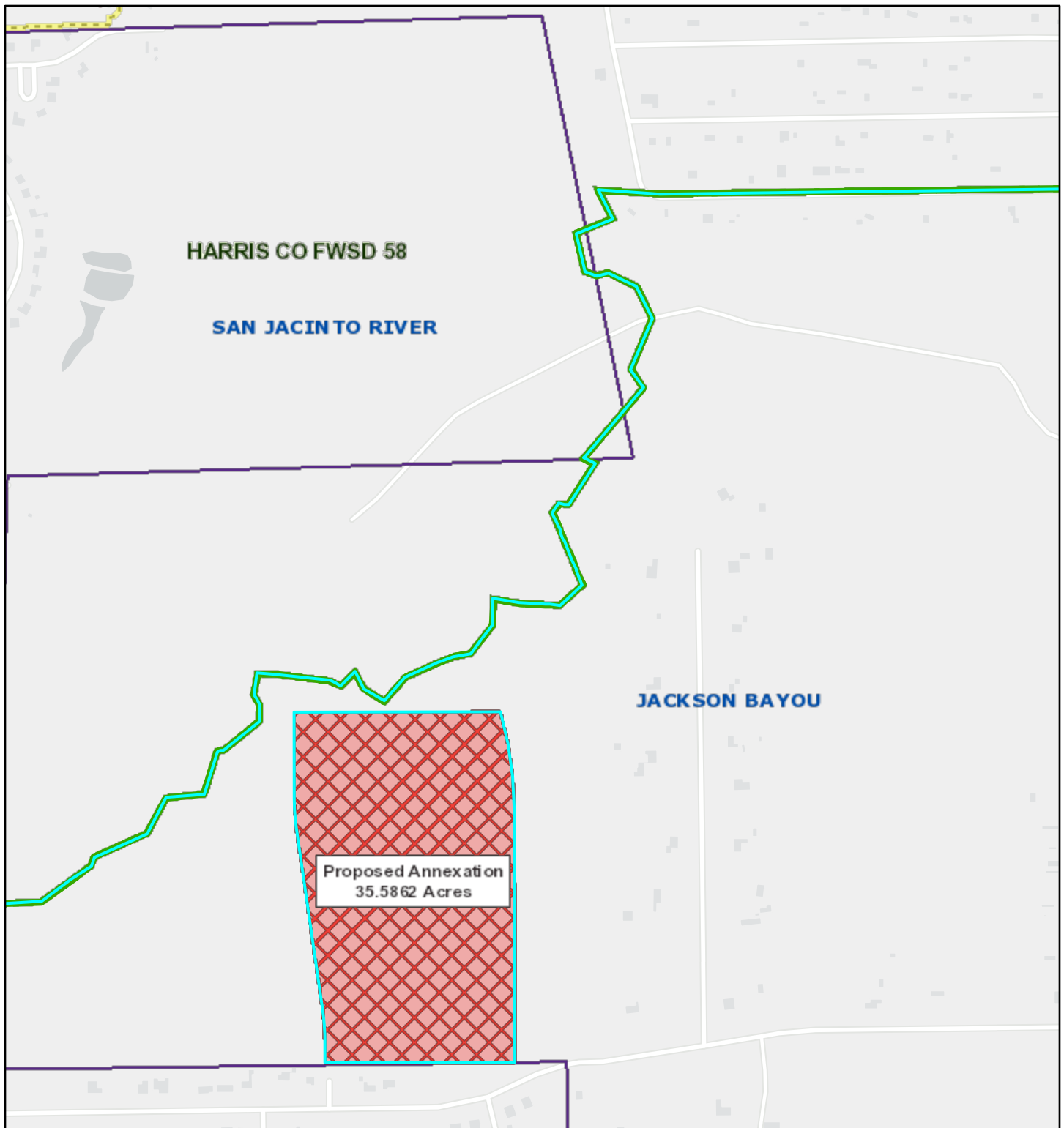
NOT TO SCALE

**LEGEND:**

- HARRIS COUNTY FRESH WATER  
SUPPLY DISTRICT NO 58 BOUNDARY  
TRACT A
- PROPOSED ANNEXATION  
TRACT B

	ACRES
EXISTING TOTAL DISTRICT AREA	663.2300
PROPOSED ANNEXATION TRACT	35.5862
PROPOSED TOTAL DISTRICT AREA	698.8162

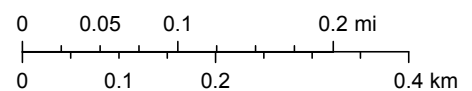
# Harris County Fresh Water Supply District No. 58 (35.5862 acres)



4/20/2022, 9:20:22 AM

1:9,028

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



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: 6/7/2022

ETJ

Item Creation Date: 3/1/2022

HPW - 20WR352 – Petition Addition (44.51) Harris County  
Municipal Utility District No. 531

Agenda Item#: 27.

### **Summary:**

ORDINANCE consenting to the addition of 44.51 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 531**, for inclusion in the district

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of two (2) tracts of land totaling 44.51 acres to Harris County Municipal Utility District No. 531.

**RECOMMENDATION:** Petition for the City's consent to the addition of two (2) tracts of land totaling 44.51 acres to Harris County Municipal Utility District No. 531 be approved.

**SPECIFIC EXPLANATION:** Harris County Municipal Utility District No. 531 (the "District") was created through an act of the Texas Legislature in 2013, and currently consists of 373.844 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add two (2) tracts of vacant land totaling 44.51 acres, proposed to be developed as single family residential and commercial property, to the District. The proposed annexation tracts are located in the vicinity of Edworthy Road, Mason Road, Cumberland Ridge Drive, and Mueschke Road. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Harris County Municipal Utility District No. 531 Wastewater Treatment Plant. Potable water is provided by the District.

The nearest major drainage facility for Harris County Municipal Utility District No. 531 is Little Cypress Creek, which flows into Cypress Creek then to Spring Creek, then to the San Jacinto River, and finally into Lake Houston. The proposed annexation tracts are not within the 100 year floodplain or 500 year floodplain.

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

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

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

---

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

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Maps

**Type**

Backup Material






# HCMUD 531

CITY OF HOUSTON ETJ

## VICINITY MAP

FEBRUARY 2022

### LEGEND

-  HCMUD 531 (373.844 AC.)
-  ANNEXATION TRACT (APPROX. 19.378 AC.)
-  ANNEXATION TRACT (APPROX. 25.132 AC.)
-  PARCELS
-  CHANNELS

DATA SOURCE: CHANNELS - HARRIS COUNTY FLOOD CONTROL DISTRICT (HCFCD)  
PARCELS-HARRIS COUNTY APPRAISAL DISTRICT (HCAD)

0 750 1,500  
FEET



THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.

373.844 AC.

LITTLE CYPRESS CREEK

SCHIEL RD

CUMBERLAND RIDGE DR

25.132 ACRES

19.378 ACRES

EDWORTHY RD

CYPRESS CHURCH RD

LUTHERAN CEMETERY

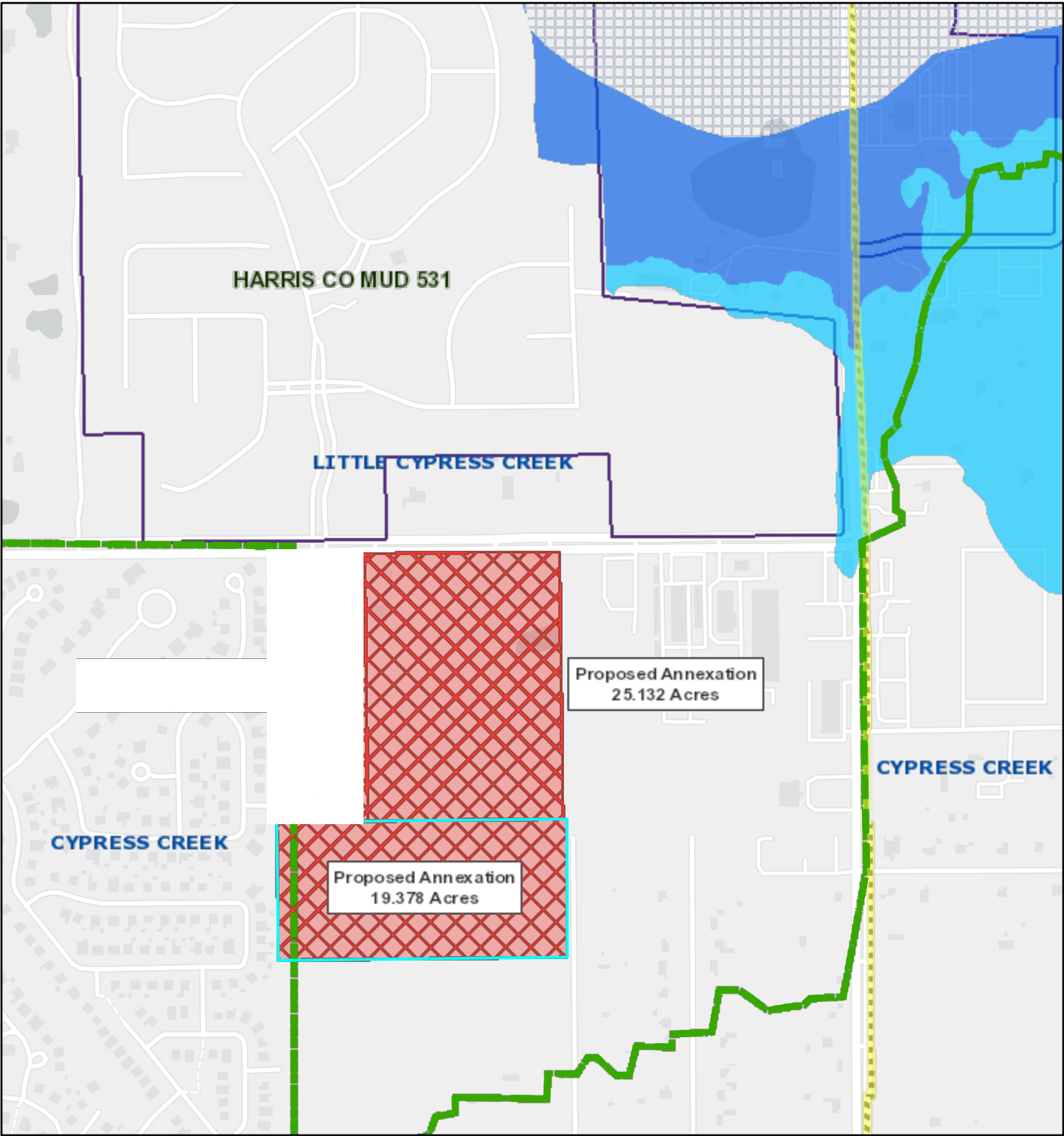
MUSCHER RD

CYPRESS CHURCH RD



LJA ENGINEERING

# Harris County Municipal Utility District No. 531 (44.51 acres)



3/1/2022, 8:24:45 AM

1:9,028

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



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ETJ

Item Creation Date: 4/27/2022

HPW - 20WR371 – Petition Creation (45.924) Harris-Waller  
Counties Municipal Utility District No. 7

Agenda Item#: 28.

### **Summary:**

ORDINANCE consenting to the creation of **HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 7**, containing approximately 45.924 acres of land, within the extraterritorial jurisdiction of the City of Houston, Texas; authorizing the district to issue bonds, subject to certain conditions

### **Background:**

**SUBJECT:** Petition for the City's consent to the creation of 45.924 acres as Harris-Waller Counties Municipal Utility District No. 7.

**RECOMMENDATION:** Petition for the City's consent to the creation of 45.924 acres as Harris-Waller Counties Municipal Utility District No. 7 be approved.

**SPECIFIC EXPLANATION:** The owners of 45.924 acres of land, located within Waller and Harris County and in the extraterritorial jurisdiction of the City of Houston (the "City"), have petitioned the City for consent to create a district. The name of the proposed district shall be Harris-Waller Counties Municipal Utility District No. 7 (the "District"). The proposed District consists of vacant land and is proposed to be developed as single family residential property. The proposed District is located in the vicinity of Mound Creek, Torrey Road, and Mathis Road. The creation of the District does not release it from the City's extraterritorial jurisdiction.

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

The District will be provided with wastewater treatment by the Mathis Wastewater Treatment Facility. Potable water will be provided by the District.

The nearest major drainage facility for Harris-Waller Counties Municipal Utility District No. 7 is Mound Creek, which flows into Cypress Creek, which flows into Spring Creek, then to the San Jacinto River, and finally into Lake Houston. Mound Creek is within the Cypress Creek watershed. The proposed tract is within the 100 year floodplain (6%) and 500 year floodplain (6%).

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

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

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

---

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

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Maps

**Type**

Signed Cover sheet  
Backup Material





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 4/27/2022

HPW - 20WR371 – Petition Creation (45.924) Harris-Waller Counties Municipal Utility District No. 7

Agenda Item#:

### **Background:**

**SUBJECT:** Petition for the City's consent to the creation of 45.924 acres as Harris-Waller Counties Municipal Utility District No. 7.

**RECOMMENDATION:** Petition for the City's consent to the creation of 45.924 acres as Harris-Waller Counties Municipal Utility District No. 7 be approved.

**SPECIFIC EXPLANATION:** The owners of 45.924 acres of land, located within Waller and Harris County and in the extraterritorial jurisdiction of the City of Houston (the "City"), have petitioned the City for consent to create a district. The name of the proposed district shall be Harris-Waller Counties Municipal Utility District No. 7 (the "District"). The proposed District consists of vacant land and is proposed to be developed as single family residential property. The proposed District is located in the vicinity of Mound Creek, Torrey Road, and Mathis Road. The creation of the District does not release it from the City's extraterritorial jurisdiction.

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

The District will be provided with wastewater treatment by the Mathis Wastewater Treatment Facility. Potable water will be provided by the District.

The nearest major drainage facility for Harris-Waller Counties Municipal Utility District No. 7 is Mound Creek, which flows into Cypress Creek, which flows into Spring Creek, then to the San Jacinto River, and finally into Lake Houston. Mound Creek is within the Cypress Creek watershed. The proposed tract is within the 100 year floodplain (6%) and 500 year floodplain (6%).

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

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

DocuSigned by:

A handwritten signature in blue ink that reads "Carol Haddock".

5/9/2022

Carol Ellinger Haddock, P. E.

Director

Houston Public Works

### **Contact Information:**

Sharon Citino, J.D.

Planning Director

Houston Water

Phone: (832) 395-2712

### **ATTACHMENTS:**

#### **Description**

Maps

Application

Petition

Backup Material

Fact Sheet

#### **Type**

Backup Material

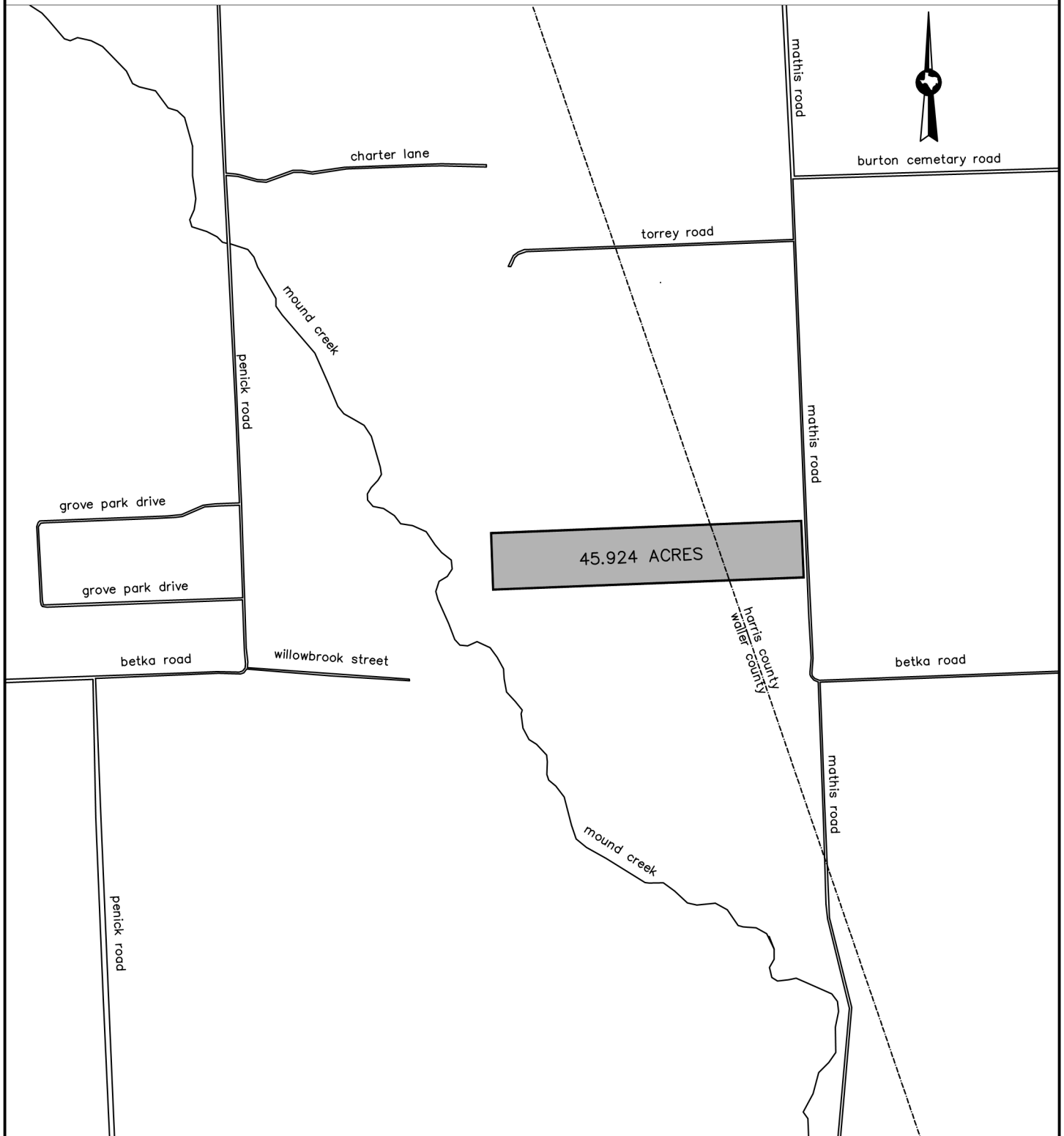
Backup Material

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Backup Material

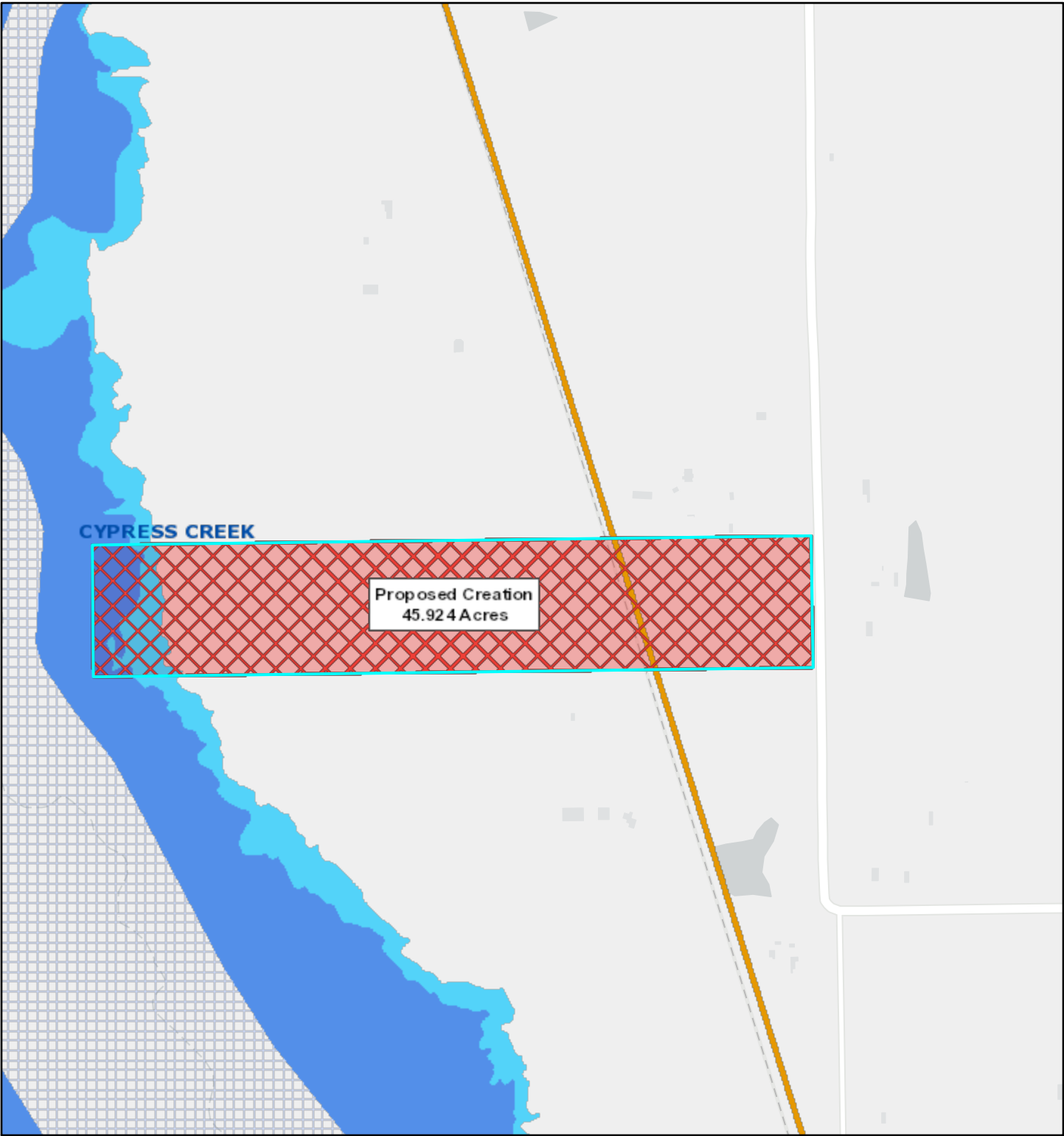
Backup Material

# HARRIS-WALLER COUNTIES M.U.D. NO. 7





**VICINITY MAP**  
N.T.S.


# Harris-Waller Counties Municipal Utility District No. 7 (45.924 acres)






4/28/2022, 10:10:58 AM


-  Watersheds


 Texas Senate Districts


 Texas House Districts


 Flood Hazard Zones

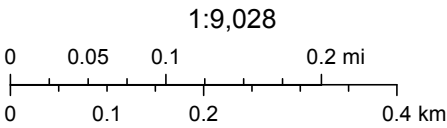
 100 Year Floodplain
-  500 Yyear Floodplain

 Floodway

 City Limits

 Council Districts

 Existing Acreage of District





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ETJ

Item Creation Date: 3/15/2022

HPW - 20WR354 – Petition Addition (1.706) Northgate  
Crossing Municipal Utility District No. 2

Agenda Item#: 29.

### **Summary:**

ORDINANCE consenting to the addition of 1.706 acres of land to **NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 2**, for inclusion in the district

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of two (2) tracts of land totaling 1.706 acres to Northgate Crossing Municipal Utility District No. 2.

**RECOMMENDATION:** Petition for the City's consent to the addition of two (2) tracts of land totaling 1.706 acres to Northgate Crossing Municipal Utility District No. 2 be approved.

**SPECIFIC EXPLANATION:** Northgate Crossing Municipal Utility District No. 2 (the "District") was created through an act of the Texas Legislature in 1985, and currently consists of 469.931 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add two (2) tracts of land totaling 1.706 acres of developed land, proposed to be developed as commercial property, to the District. The proposed annexation tracts need public water and wastewater utility services. The proposed annexation tracts are located in the vicinity of Crossgate Boulevard, Interstate 45 North, Hardy Toll Road, and Northgate Crossing Boulevard. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Northgate Crossing Municipal Utility District No. 2. This regional plant also provides wastewater treatment to Northgate Crossing Municipal Utility District No. 1. Potable water is provided by the District.

The nearest major drainage facility for Northgate Crossing Municipal Utility District No. 2 is Spring Creek, which flows into the San Jacinto River, and finally into Lake Houston. The proposed annexation tracts are not within the 100 year floodplain, but are within the 500 year floodplain (100%).

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

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

---

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

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Maps

**Type**

Signed Cover sheet  
Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/15/2022

HPW - 20WR354 – Petition Addition (1.706) Northgate Crossing Municipal Utility District  
No. 2

Agenda Item#:

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of two (2) tracts of land totaling 1.706 acres to Northgate Crossing Municipal Utility District No. 2.

**RECOMMENDATION:** Petition for the City's consent to the addition of two (2) tracts of land totaling 1.706 acres to Northgate Crossing Municipal Utility District No. 2 be approved.

**SPECIFIC EXPLANATION:** Northgate Crossing Municipal Utility District No. 2 (the "District") was created through an act of the Texas Legislature in 1985, and currently consists of 469.931 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add two (2) tracts of land totaling 1.706 acres of developed land, proposed to be developed as commercial property, to the District. The proposed annexation tracts need public water and wastewater utility services. The proposed annexation tracts are located in the vicinity of Crossgate Boulevard, Interstate 45 North, Hardy Toll Road, and Northgate Crossing Boulevard. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Northgate Crossing Municipal Utility District No. 2. This regional plant also provides wastewater treatment to Northgate Crossing Municipal Utility District No. 1. Potable water is provided by the District.

The nearest major drainage facility for Northgate Crossing Municipal Utility District No. 2 is Spring Creek, which flows into the San Jacinto River, and finally into Lake Houston. The proposed annexation tracts are not within the 100 year floodplain, but are within the 500 year floodplain (100%).

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

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

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 4/13/2022  
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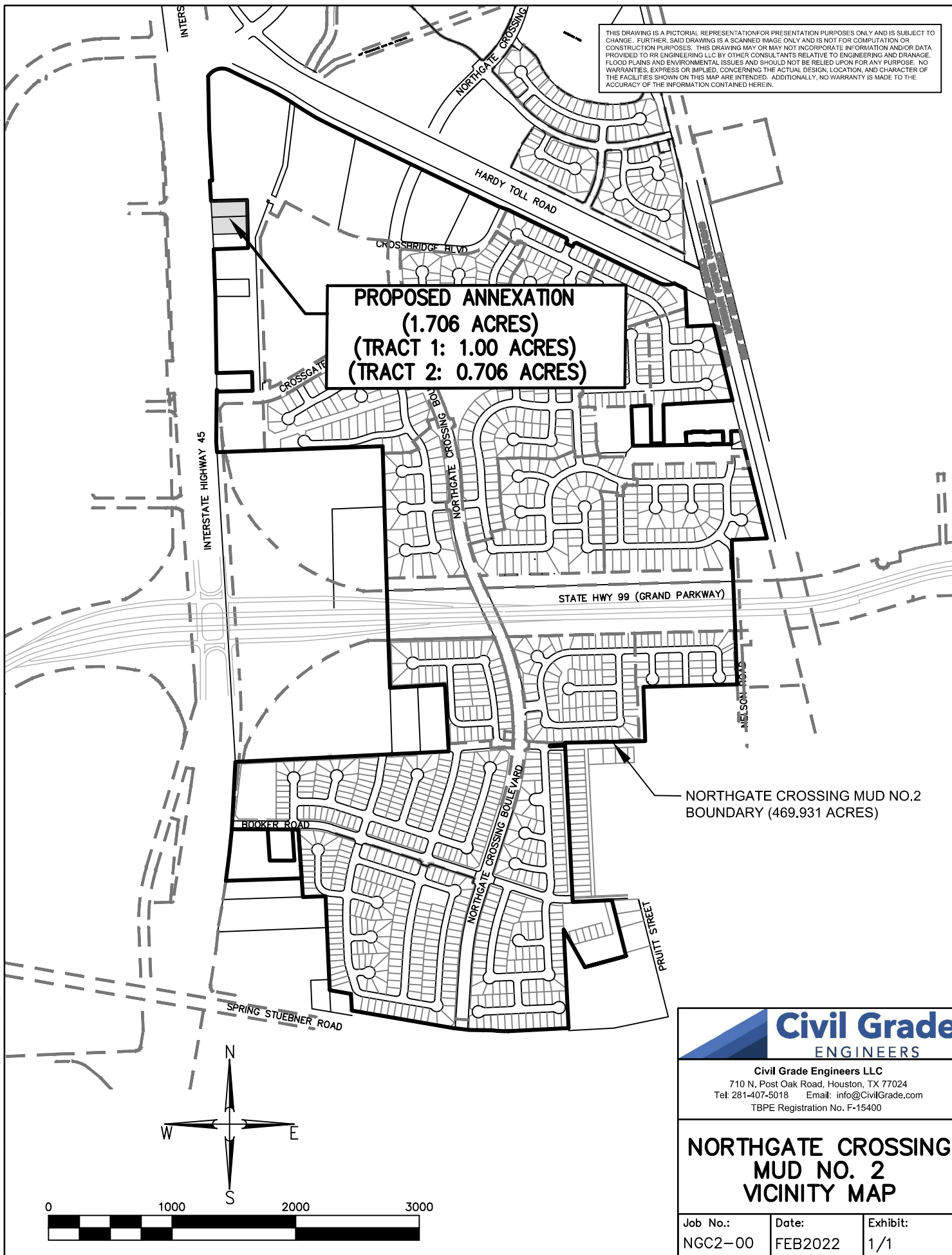
Carol Ellinger Haddock, P. E.  
 Director  
 Houston Public Works

### **Contact Information:**

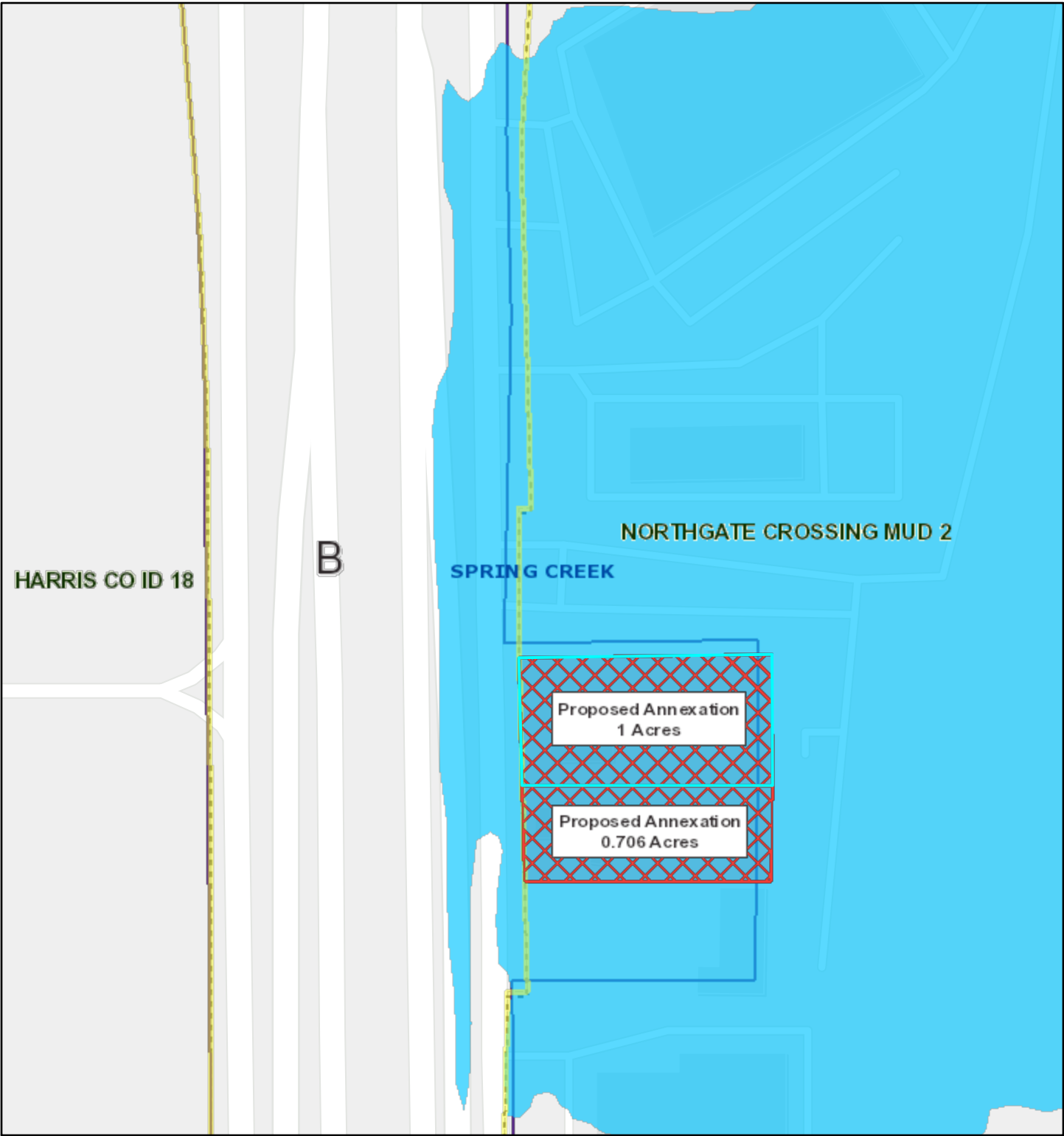
Sharon Citino, J.D.  
 Planning Director  
 Houston Water  
 Phone: (832) 395-2712

### **ATTACHMENTS:**


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





# Northgate Crossing Municipal Utility District No. 2






3/24/2022, 3:37:49 PM


-  Watersheds


 Texas Senate Districts


 Texas House Districts

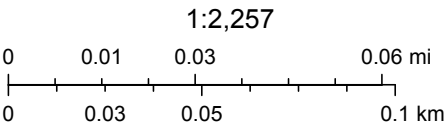
 100 Year Floodplain
-  500 Yyear Floodplain

 Floodway

 City Limits

 Council Districts

 Existing Acreage of District







## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ETJ

Item Creation Date: 3/24/2021

HPW - 20WR289 – Petition Addition (32.7677) Greenwood  
Utility District

Agenda Item#: 30.

### **Summary:**

ORDINANCE consenting to the addition of 32.7677 acres of land to **GREENWOOD UTILITY DISTRICT**, for inclusion in its district

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of three (3) tracts of land totaling 32.7677 acres to Greenwood Utility District.

**RECOMMENDATION:** Petition for the City's consent to the addition of three (3) tracts of land totaling 32.7677 acres to Greenwood Utility District be approved.

**SPECIFIC EXPLANATION:** Greenwood Utility District (the "District") was created through an act of Texas Legislature in 1969, and currently consists of 851.669 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of developed land totaling 32.7677 acres, single family residential property, to the District. The tracts need service by Greenwood Utility District. The proposed annexation tracts are located in the vicinity of Tidwell Road, Van Hut Lane, Little York Road, and Beltway 8. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Tidwell Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Parkway Utility District. Potable water is provided by Tidwell Water Treatment Plant.

The nearest major drainage facility for Greenwood Utility District is Greens Bayou, which flows into the Houston Ship Channel. The proposed annexation tracts are not within the 100 or 500 year floodplain.

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

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

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

---

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

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Maps

**Type**

Signed Cover sheet  
Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 3/24/2021

HPW - 20WR289 – Petition Addition (32.7677) Greenwood Utility District

Agenda Item#:

### **Background:**

**SUBJECT:** Petition for the City's consent to the addition of three (3) tracts of land totaling 32.7677 acres to Greenwood Utility District.

**RECOMMENDATION:** Petition for the City's consent to the addition of three (3) tracts of land totaling 32.7677 acres to Greenwood Utility District be approved.

**SPECIFIC EXPLANATION:** Greenwood Utility District (the "District") was created through an act of Texas Legislature in 1969, and currently consists of 851.669 acres within Harris County. The District is within the extraterritorial jurisdiction of the City of Houston (the "City") and has petitioned the City for consent to add three (3) tracts of developed land totaling 32.7677 acres, single family residential property, to the District. The tracts need service by Greenwood Utility District. The proposed annexation tracts are located in the vicinity of Tidwell Road, Van Hut Lane, Little York Road, and Beltway 8. The addition of land to the District does not release it from the City's extraterritorial jurisdiction.

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

The District has a wastewater collection system and treatment facility. The annexation tracts will be provided with wastewater treatment by the Tidwell Wastewater Treatment Facility. This regional plant also provides wastewater treatment to Parkway Utility District. Potable water is provided by Tidwell Water Treatment Plant.

The nearest major drainage facility for Greenwood Utility District is Greens Bayou, which flows into the Houston Ship Channel. The proposed annexation tracts are not within the 100 or 500 year floodplain.

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

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

DocuSigned by:

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

2/14/2022

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**

Maps

Application

Petition

Backup Material

Fact Sheet

#### **Type**

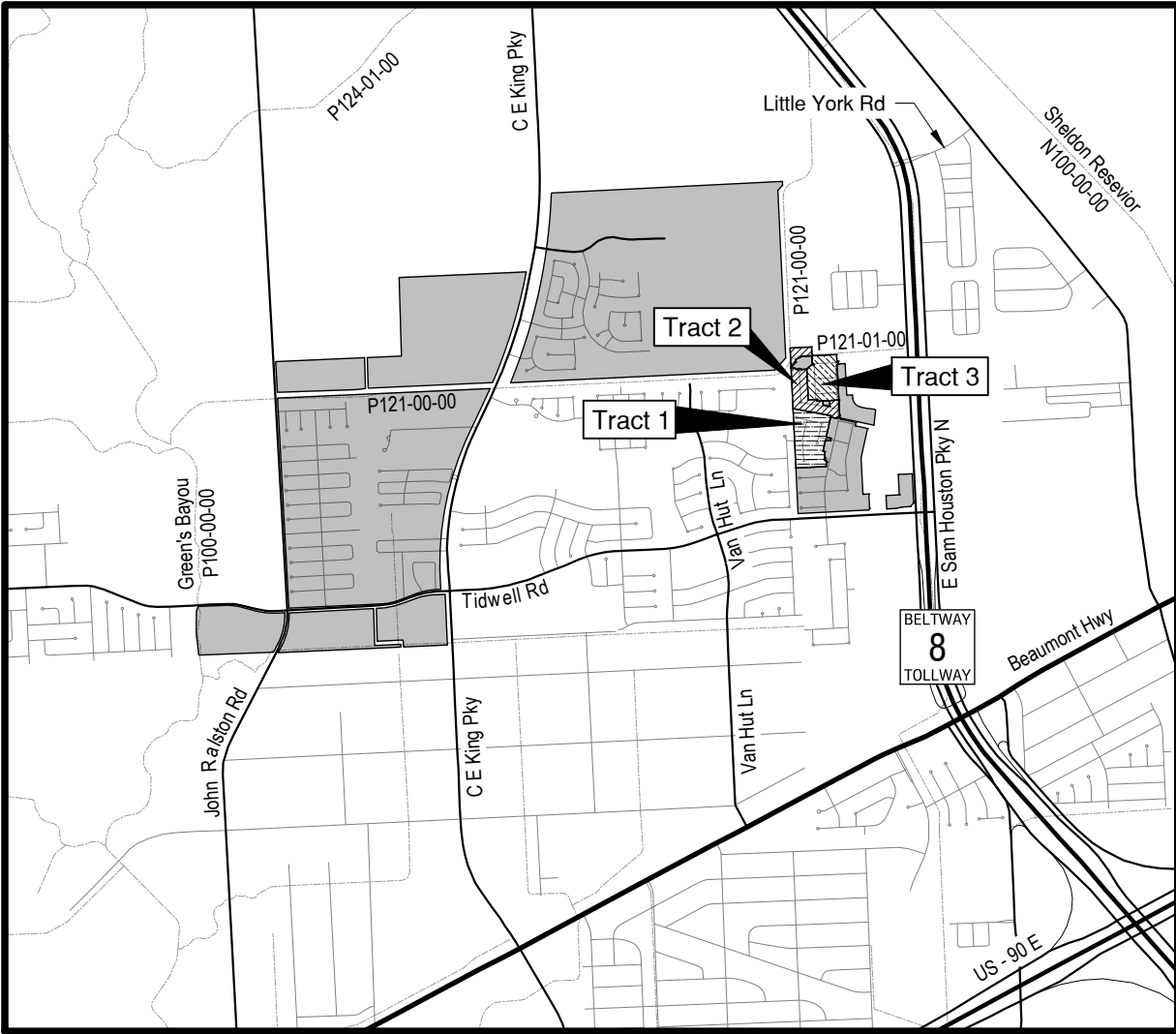
Backup Material

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## VICINITY MAP

Key Map Grid:

**416 X, Y, Z, 417 W, 456 B, C, 457 A**

Scale: Not to Scale



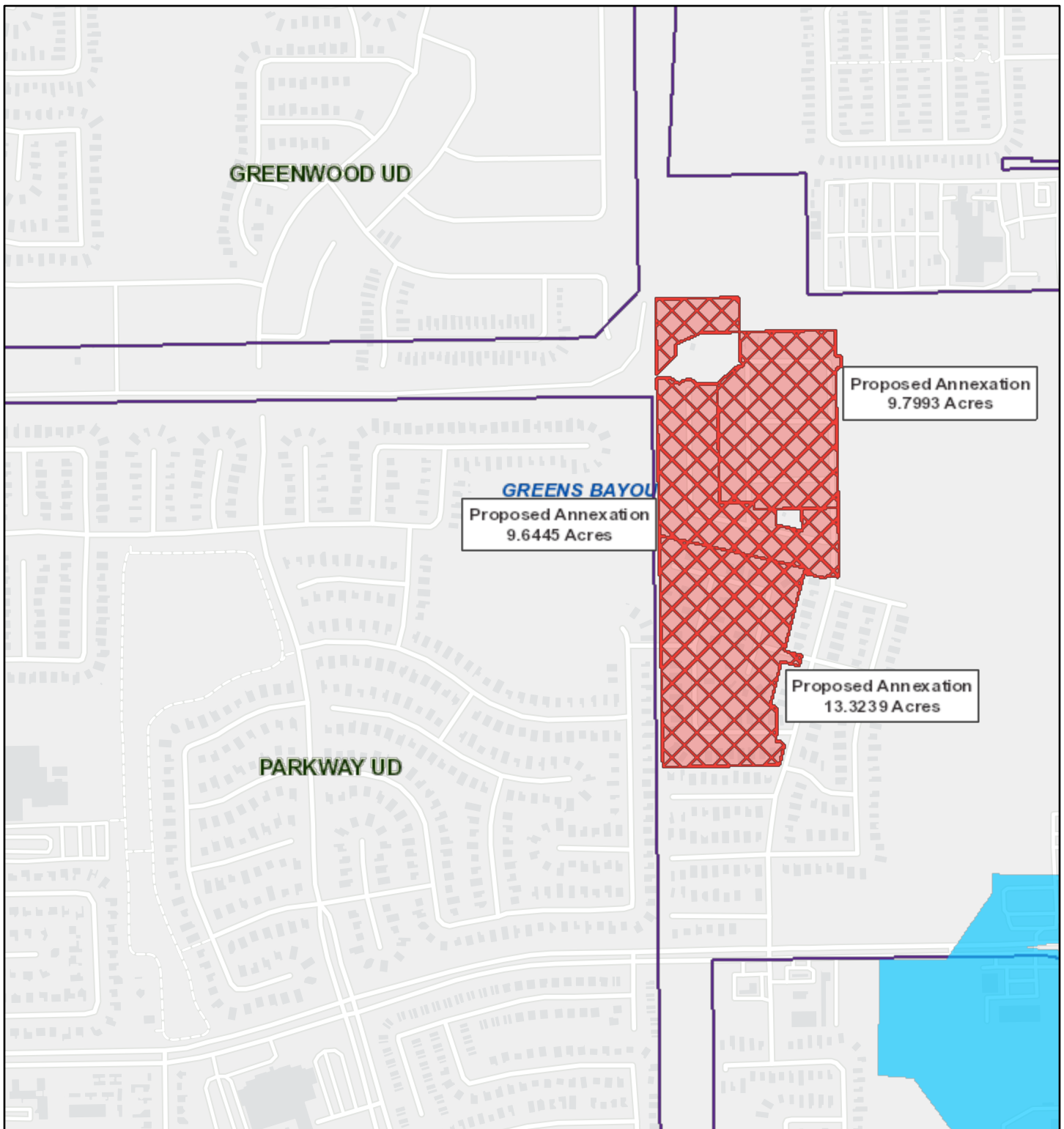
 Existing Greenwood Utility District Boundary  
851.669 Acres

Proposed Area to be Annexed : 32.7677 Acres

	Tract 1	Tidwell Lakes Sec 5	13.3239 Acres
	Tract 2	Tidwell Lakes Sec 3	9.6445 Acres*
	Tract 3	Tidwell Lakes Sec 6	9.7993 Acres

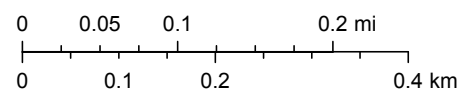
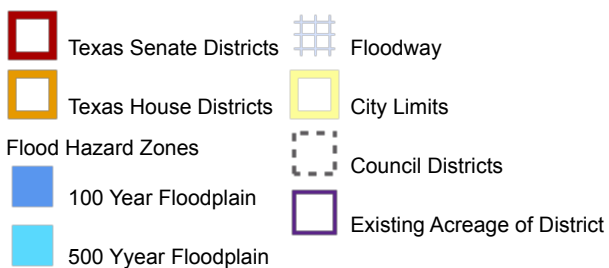
\* Tidwell Lakes Sec 3 (11.443 Acres) Save & Except Restricted Reserves "A" (1.5440 Acres) & "B" (0.2441 Acres).

# Greenwood Utility District (32.7677 acres)



3/25/2021, 4:55:35 PM

1:9,028



HCFC and HCED, Kirt Arthur | GIS Supervisor | Houston Public Works |  
Houston Water, Kirt Arthur | GIS Supervisor | Houston Public Workst |  
Houston Water



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

District D, District E

Item Creation Date: 4/21/2022

### **HPW 20DLT11/WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT**

Agenda Item#: 31.

#### **Summary:**

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests; authorizing the acquisition of fee simple or easement interest to two parcels of land required for the Wastewater Force Main Renewal/Replacement for Highland Meadow and Bay Area Lift Stations Project with two parcels situated in D. Putnam Survey, Abstract No. 638, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Relocation Assistance, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of fee simple or easement interests to the two parcels of land required for the project - **DISTRICTS D - EVANS-SHABAZZ and E - MARTIN**

#### **Background:**

**SUBJECT:** An ordinance for the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**RECOMMENDATION:** (Summary) An ordinance for the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**SPECIFIC EXPLANATION:** Houston Public Works is requesting that an ordinance for the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

This project provides for the renewal and replacement of wastewater force mains throughout the City to provide reliable operation. This project is necessary due to the age and condition of the City's force mains. The funding of this project is required to control operations and maintenance costs in the form of emergency repairs and to ensure regulatory compliance.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a dedication or purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire land, rights-of-way and/or easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land, rights-of-way and/or easements in support of the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT.

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

---

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

R-000035-0015-2

**Prior Council Action:**

Ordinance 2018-0756, passed September 19, 2018

**Amount and Source of Funding:**

No additional funding required. (Funds were appropriated under Ordinance 2018-0756)

**Contact Information:**

Jene Cash  
Acting Assistant Director - Real Estate Services  
Phone: (832) 395-3157

**ATTACHMENTS:**

**Description**

Signed Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:  
District D, District E  
Item Creation Date: 4/21/2022

### HPW 20DLT11/WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT

Agenda Item#:

#### **Background:**

**SUBJECT:** An ordinance for the WASTEWATER FORCE MAIN RENEWAL/ REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

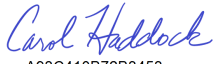
**RECOMMENDATION:** (Summary) An ordinance for the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**SPECIFIC EXPLANATION:** Houston Public Works is requesting that an ordinance for the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

This project provides for the renewal and replacement of wastewater force mains throughout the City to provide reliable operation. This project is necessary due to the age and condition of the City's force mains. The funding of this project is required to control operations and maintenance costs in the form of emergency repairs and to ensure regulatory compliance.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a dedication or purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire land, rights-of-way and/or easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land, rights-of-way and/or easements in support of the WASTEWATER FORCE MAIN RENEWAL/REPLACEMENT FOR HIGHLAND MEADOW AND BAY AREA LIFT STATIONS PROJECT.

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

DocuSigned by:  
  
 5/20/2022  
A03C410B72B3453  
 Carol Ellinger Haddock, P.E., Director  
 Houston Public Works

R-000035-0015-2

#### **Prior Council Action:**

Ordinance 2018-0756, passed September 19, 2018

#### **Amount and Source of Funding:**

No additional funding required. (Funds were appropriated under Ordinance 2018-0756)

#### **Contact Information:**

Jene Cash  
 Acting Assistant Director - Real Estate Services  
 Phone: (832) 395-3157

#### **ATTACHMENTS:**

Description	Type
Location Map	Backup Material
Metes and Bounds and Survey	Backup Material
Ordinance 2018-0756 w/coversheet	Backup Material





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District K

Item Creation Date: 4/25/2022

HPW20ERH10008/Sale of 16,095 square feet being the  
Harris County Water Control Improvement District #51 Water  
Tank

Agenda Item#: 32.

### **Summary:**

ORDINANCE approving and authorizing Purchase and Sale Agreement between City of Houston, Texas, Seller, and **ANDRE P. WARD, Purchaser**, for sale of approximately 16,095 square-feet of land, located at the corner of Candleshade Lane and Jorns Street, being all of Reserve A, Block 5, of Southwest Manor, Section 2, out of the H.S. Bachelder Survey, Abstract 147, Harris County, Texas, for \$107,000.00 - **DISTRICT K - CASTEX-TATUM**

### **Background:**

**SUBJECT:** Purchase and Sale Agreement with Andre P. Ward (Buyer) for the sale of a 16,095 square foot tract of land at the corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147. **Parcel SY21-062**

**RECOMMENDATION:** It is recommended City Council approve an ordinance authorizing a Purchase and Sale Agreement between the City of Houston and Andre P. Ward (Buyer) for the sale of a 16,095 square foot tract of land at the northeast corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147, for a purchase price of \$107,000.00. **Parcel SY21-062**

**SPECIFIC EXPLANATION:** The City acquired the subject property by annexation in 1956 of the Harris County Water Control and Improvement District 51. The HCWCID 51 Water Tank was decommissioned in the 1980s and Houston Public Works - Houston Water - Drinking Water Operations determined that the property was surplus to its needs. All City departments with land needs were canvassed with no interest in the property. The property was advertised for bid sale and received one bid with Andre P. Ward submitting the highest bid of \$107,000.00 which is above the appraised fair market value of \$103,008.00.

The sale is in accordance with Section 2-236 of the City of Houston Code of Ordinances, which provides that any land owned by the City, other than land provided for in Sections 2-237, 2-238 and 2-239, determined not to be needed for City purposes, shall be advertised and may be sold to the highest bidder upon authorization of the City Council, based upon the appraised fair market value of such land.

The City will sell to Andre P. Ward:

**Parcel SY21-062**

16,095 square-foot tract of land

\$107,000.00

**TOTAL SALE****\$107,000.00**

Therefore, it is recommended City Council approve an ordinance authorizing a Purchase and Sale Agreement between the City of Houston and Andre P. Ward (Buyer) for the sale of 16,095 square feet of land, located at the corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147, for a purchase price of \$107,000.00. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest the Special Warranty Deed conveying the property to the Andre P. Ward.

**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.

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

**Prior Council Action:**

Annexation Ordinance No. 56-3351 passed December 31st, 1956.

**Amount and Source of Funding:**

REVENUE

Water and Sewer Operating Fund

Fund 8300

**Contact Information:**

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

**ATTACHMENTS:****Description**

Signed Coversheet

SY21-062 Aerial Map

SY21-062 Council District Map

**Type**

Signed Cover sheet

Backup Material

Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District K

Item Creation Date: 4/25/2022

HPW20ERH10008/Sale of 16,095 square feet being the Harris County Water Control Improvement District #51 Water Tank

Agenda Item#:

### **Background:**

**SUBJECT:** Purchase and Sale Agreement with Andre P. Ward (Buyer) for the sale of a 16,095 square foot tract of land at the corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147.

**Parcel SY21-062**

**RECOMMENDATION:** It is recommended City Council approve an ordinance authorizing a Purchase and Sale Agreement between the City of Houston and Andre P. Ward (Buyer) for the sale of a 16,095 square foot tract of land at the northeast corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147, for a purchase price of \$107,000.00. **Parcel SY21-062**

**SPECIFIC EXPLANATION:** The City acquired the subject property by annexation in 1956 of the Harris County Water Control and Improvement District 51. The HCWCID 51 Water Tank was decommissioned in the 1980s and Houston Public Works - Houston Water - Drinking Water Operations determined that the property was surplus to its needs. All City departments with land needs were canvassed with no interest in the property. The property was advertised for bid sale and received one bid with Andre P. Ward submitting the highest bid of \$107,000.00 which is above the appraised fair market value of \$103,008.00.

The sale is in accordance with Section 2-236 of the City of Houston Code of Ordinances, which provides that any land owned by the City, other than land provided for in Sections 2-237, 2-238 and 2-239, determined not to be needed for City purposes, shall be advertised and may be sold to the highest bidder upon authorization of the City Council, based upon the appraised fair market value of such land.

The City will sell to Andre P. Ward:

### **Parcel SY21-062**

16,095 square-foot tract of land	\$107,000.00
----------------------------------	--------------

<b>TOTAL SALE</b>	<b>\$107,000.00</b>
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Therefore, it is recommended City Council approve an ordinance authorizing a Purchase and Sale Agreement between the City of Houston and Andre P. Ward (Buyer) for the sale of 16,095 square feet of land, located at the corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147, for a purchase price of \$107,000.00. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest the Special Warranty Deed conveying the property to the Andre P. Ward.

### **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:

A blue ink signature of Carol Ellinger Haddock.

5/18/2022

A93C410B72B3453  
Carol Ellinger Haddock, P.E., Director  
Houston Public Works

### **Prior Council Action:**

Annexation Ordinance No. 56-3351 passed December 31st, 1956.

### **Amount and Source of Funding:**

REVENUE  
Water and Sewer Operating Fund  
Fund 8300

**Contact Information:**

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

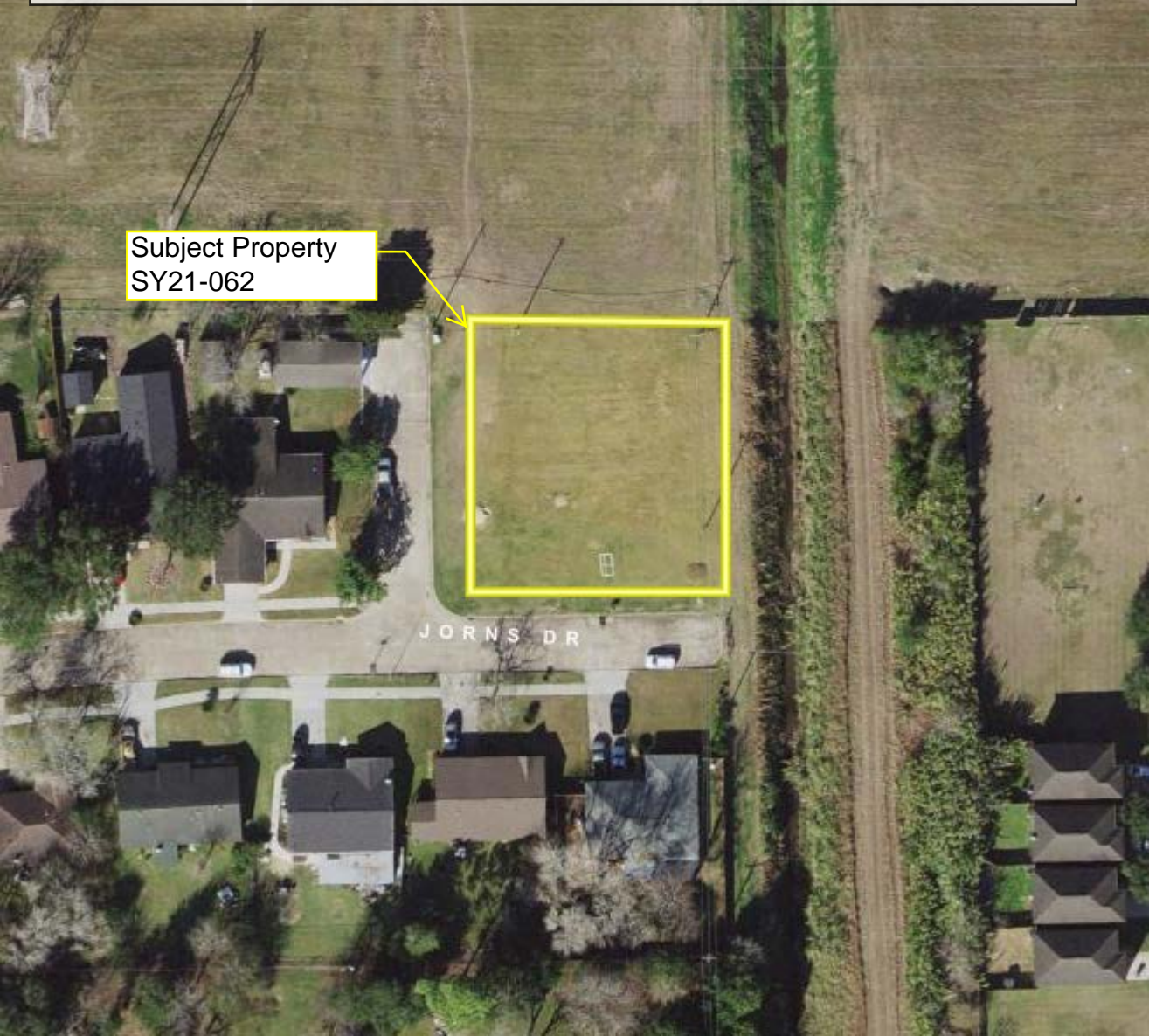
**ATTACHMENTS:**

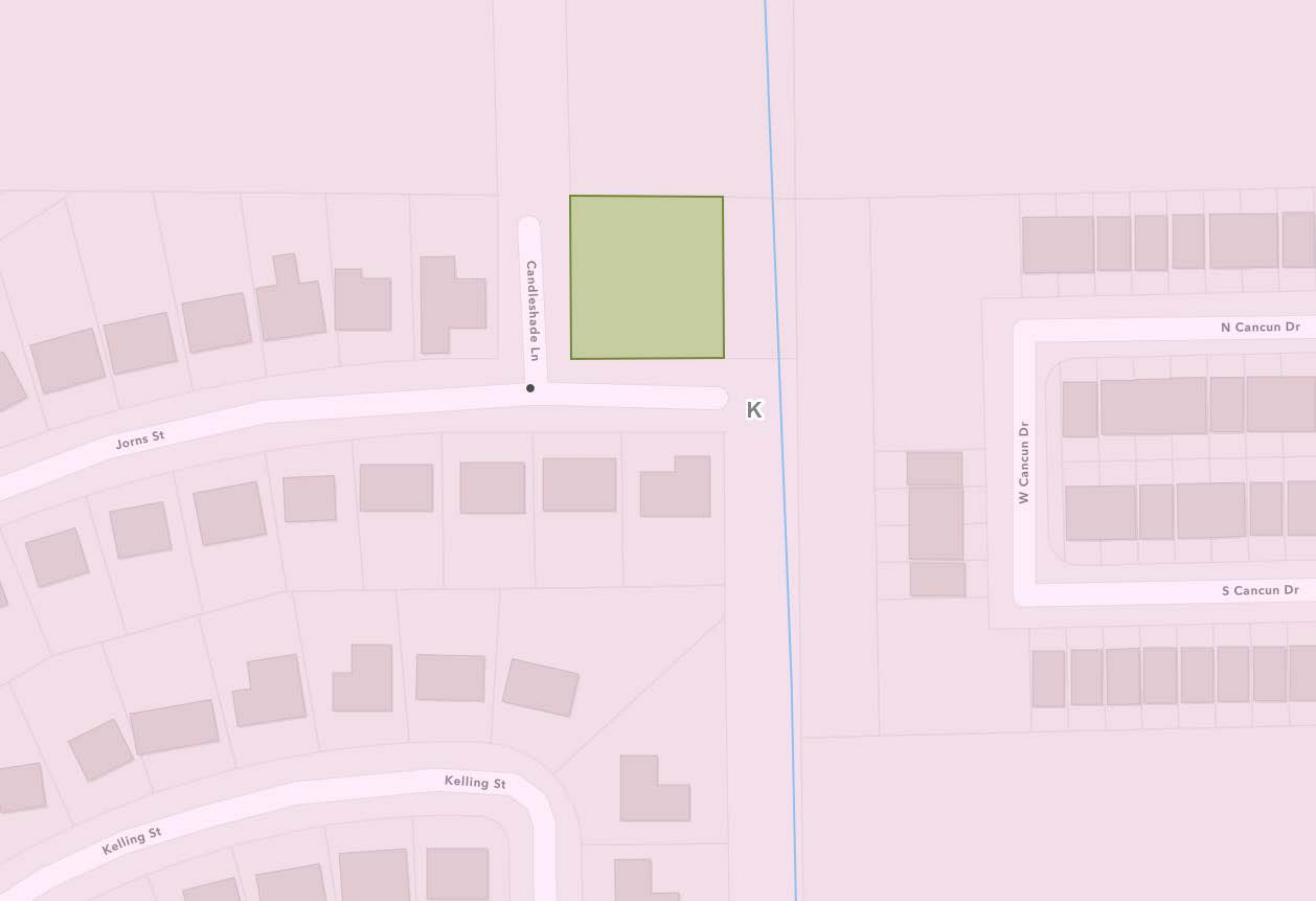
<b>Description</b>	<b>Type</b>
SY21-062 Aerial Map	Backup Material
Budget Funding	Financial Information
SY21-062 Purchase and Sale Agreement	Backup Material
SY21-062 Special Warranty Deed	Backup Material
SY21-062 Metes and Bounds	Backup Material
SY21-062 Survey	Backup Material
SY21-062 Council District Map	Backup Material
SY21-062 Ord. No. 56-3351	Backup Material

## **SY21-062**

Sale of 16,095 square foot tract of land at the northeast corner of Candleshade Lane and Jorns Street, being Reserve A, Block 5, Southwest Manor Section 2, H.S. Bachelder Survey, Abstract 147

Subject Property  
SY21-062





Candleshade Ln

K

Jorns St

Kelling St

Kelling St

N Cancun Dr

S Cancun Dr

W Cancun Dr



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

District C

Item Creation Date: 4/25/2022

HPW20PDP78 2016 FMA Elevation Grant 5035

Heatherglen Drive

Agenda Item#: 33.

### **Summary:**

ORDINANCE approving and authorizing contract between City and **Property Owner(s) at 5035 Heatherglen Drive, Houston, Texas 77096** for FY2016 Flood Mitigation Assistance Home Elevation Project to be performed by **PLANET THREE CONSULTING CORP**; providing a maximum contract amount - \$371,935.73 - Enterprise, Grant and Other Funds - **DISTRICT C - KAMIN**

### **Background:**

**SUBJECT:** Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglen Drive, Houston, Texas 77096 for the disbursement of funds from the Texas Water Development Board under the FEMA Flood Mitigation Assistance Grant.

**RECOMMENDATION: (SUMMARY)** Adopt an ordinance approving and authorizing a Homeowner Agreement for the 2016 Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglen Drive, Houston, Texas 77096; and the disbursement of funds.

**PROJECT NOTICE/JUSTIFICATION:** The 2016 Flood Mitigation Assistance Grant for 40 flood-prone homes was awarded to the City of Houston on the behalf of the homeowners. On February 14, 2018, City Council passed Ordinance No. 2018-0103 approving an agreement between the City of Houston and Texas Water Development Board for administering the Grant and for receiving funds as sub-applicant from the Texas Water Development Board for reimbursement of the cost to complete the elevation of the flood-prone homes up to \$12,364,111.50 for the 40 approved homes.

**DESCRIPTION:** This project consists of elevating the home to comply with the current flood plan ordinance requirement of 2 feet above the 500 year flood level.

**SCOPE OF THIS AGREEMENT:** The City entered into an Agreement with Texas Water Development Board to administer the Grant to complete the elevation of 40 flood-prone homes. The City is to enter into an Agreement with the Homeowner for the performance of the elevation work.

The pre-qualified elevation contractor Planet Three Consulting Corp. was selected by the homeowner and has entered an Agreement for Flood Mitigation Assistance Home Elevation Project with the Contractor for a bid amount of \$347,357.78. The Contractor is responsible for the elevation services required to perform and complete the project per the approved scope of work, as outlined in Exhibit A of the Agreement. The homeowner is responsible for the work performed by the Contractor however the City of Houston will provide inspection construction management, administrative oversight and invoice approval, and fund disbursements directly to the Contractor on behalf of the property owner.

The total construction cost includes the bid amount (\$347,357.78), inspection and survey fee (\$5,000.00), and lodging (\$7,392.00) totaling \$359,749.78. Per the terms of the Agreement, the Homeowner will be responsible for 10% of the total construction cost and the Grant will be responsible for 90% of the construction cost.

The City's administrative and construction management costs were calculated and assessed for the 40 approved homes. The City's Administrative contribution is \$551.30 and the Grant and Project Management contribution is \$12,185.95.

The residence is being elevated 7.14 feet above its current level to conform with the current City of Houston Floodplain Ordinance requiring structures to be 2 feet above 500-year flood level.

**M/WBE:** The Contractor under this Agreement was encouraged but not required to participate in the City's M/WBE Program, because it involves the use of federal funds and is subject to specific contract rules of the federal government for this Grant.

**PROJECT COSTS:** The total project cost is \$371,935.73 to be allocated as follows:

	Cost	Grant Share	Homeowner Share	City of Houston
Bid Amount	\$ 347,357.78	\$ 312,622.00	\$ 34,735.78	\$ 0.00
Subcontractor/Inspector	\$ 5,000.00	\$ 4,500.00	\$500.00	\$ 0.00
Temporary Lodging maximum 56 nights	\$ 7,392.00	\$ 6,652.80	\$739.20	\$ 0.00
Administration/Project Management	\$12,185.95	\$11,634.65	\$0.00	\$ 551.30
<b>Total Project Cost</b>	<b>\$ 371,935.73</b>	<b>\$ 335,409.45</b>	<b>\$ 35,974.98</b>	<b>\$ 551.30</b>

The City will invoice TWDB for reimbursement of actual costs up to the not-to-exceed maximum Grant approved budget amount of \$392,873.50. Funding does not include the City's Administrative



Contribution of \$551.30.

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving and authorizing the Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglen Drive, Houston, Texas 77096 and allocate a not-to-exceed maximum Grant approved budget amount of \$392,873.50 for this property.

**FISCAL NOTE:**

No Fiscal Note is required on grant items.

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

**Prior Council Action:**

Ordinance 2018-0103, Dated 02-14-2018

**Amount and Source of Funding:**

Total Amount: \$ 371,935.73

\$ 335,409.45 – Fund 5030 – Federal State Local - Pass Through Fund

\$ 35,974.98 – Fund 1021 – Grant Matching Fund

\$ 551.30 – Fund 8300 – HPW Water & Sewer System Operating Fund

**Contact Information:**

David Wurdlow, Assistant Director  
Houston Public Works Department

**Phone:** (832) 395-2054

**ATTACHMENTS:**

**Description**

Signed Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 4/25/2022

HPW20PDP78 2016 FMA Elevation Grant 5035 Heatherglenn Drive

Agenda Item#:

### **Background:**

**SUBJECT:** Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglenn Drive, Houston, Texas 77096 for the disbursement of funds from the Texas Water Development Board under the FEMA Flood Mitigation Assistance Grant.

**RECOMMENDATION: (SUMMARY)** Adopt an ordinance approving and authorizing a Homeowner Agreement for the 2016 Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglenn Drive, Houston, Texas 77096; and the disbursement of funds.

**PROJECT NOTICE/JUSTIFICATION:** The 2016 Flood Mitigation Assistance Grant for 40 flood-prone homes was awarded to the City of Houston on the behalf of the homeowners. On February 14, 2018, City Council passed Ordinance No. 2018-0103 approving an agreement between the City of Houston and Texas Water Development Board for administering the Grant and for receiving funds as sub-applicant from the Texas Water Development Board for reimbursement of the cost to complete the elevation of the flood-prone homes up to \$12,364,111.50 for the 40 approved homes.

**DESCRIPTION:** This project consists of elevating the home to comply with the current flood plan ordinance requirement of 2 feet above the 500 year flood level.

**SCOPE OF THIS AGREEMENT:** The City entered into an Agreement with Texas Water Development Board to administer the Grant to complete the elevation of 40 flood-prone homes. The City is to enter into an Agreement with the Homeowner for the performance of the elevation work.

The pre-qualified elevation contractor Planet Three Consulting Corp. was selected by the homeowner and has entered an Agreement for Flood Mitigation Assistance Home Elevation Project with the Contractor for a bid amount of \$347,357.78. The Contractor is responsible for the elevation services required to perform and complete the project per the approved scope of work, as outlined in Exhibit A of the Agreement. The homeowner is responsible for the work performed by the Contractor however the City of Houston will provide inspection construction management, administrative oversight and invoice approval, and fund disbursements directly to the Contractor on behalf of the property owner.

The total construction cost includes the bid amount (\$347,357.78), inspection and survey fee (\$5,000.00), and lodging (\$7,392.00) totaling \$359,749.78. Per the terms of the Agreement, the Homeowner will be responsible for 10% of the total construction cost and the Grant will be responsible for 90% of the construction cost.

The City's administrative and construction management costs were calculated and assessed for the 40 approved homes. The City's Administrative contribution is \$551.30 and the Grant and Project Management contribution is \$12,185.95.

The residence is being elevated 7.14 feet above its current level to conform with the current City of Houston Floodplain Ordinance requiring structures to be 2 feet above 500-year flood level.

**M/WBE:** The Contractor under this Agreement was encouraged but not required to participate in the City's M/WBE Program, because it involves the use of federal funds and is subject to specific contract rules of the federal government for this Grant.

**PROJECT COSTS:** The total project cost is \$371,935.73 to be allocated as follows:

	Cost	Grant Share	Homeowner Share	City of Houston
Bid Amount	\$ 347,357.78	\$ 312,622.00	\$ 34,735.78	\$ 0.00
Subcontractor/Inspector	\$ 5,000.00	\$ 4,500.00	\$500.00	\$ 0.00
Temporary Lodging maximum 56 nights	\$ 7,392.00	\$ 6,652.80	\$739.20	\$ 0.00
Administration/Project Management	\$12,185.95	\$11,634.65	\$0.00	\$ 551.30
<b>Total Project Cost</b>	<b>\$ 371,935.73</b>	<b>\$ 335,409.45</b>	<b>\$ 35,974.98</b>	<b>\$ 551.30</b>

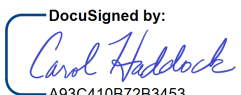
The City will invoice TWDB for reimbursement of actual costs up to the not-to-exceed maximum Grant approved budget amount of \$392,873.50. Funding does not include the City's Administrative Contribution of \$551.30.

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving and authorizing the Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 5035 Heatherglen Drive, Houston, Texas 77096 and allocate a not-to-exceed maximum Grant approved budget amount of \$392,873.50 for this property.

**FISCAL NOTE:**

No Fiscal Note is required on grant items.

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:  
 5/11/2022  
A93CA10B72B3453  
 Carol Ellinger Haddock, P.E.  
 Director  
 Houston Public Works

**Prior Council Action:**

Ordinance 2018-0103, Dated 02-14-2018

**Amount and Source of Funding:**

Total Amount: \$ 371,935.73

\$ 335,409.45 – Fund 5030 – Federal State Local - Pass Through Fund  
 \$ 35,974.98 – Fund 1021 – Grant Matching Fund  
 \$ 551.30 – Fund 8300 – HPW Water & Sewer System Operating Fund

**Contact Information:**

David Wurdlow  
 Assistant Director  
 (832) 395-2054

**ATTACHMENTS:**

Description	Type
Prior Council Action Ordinance 2018-0103	Backup Material
SAP Documents	Financial Information
Ownership Information & Tax Report	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 2/1/2022

20TCN02 PES / Midtown Engineers, LLC

Agenda Item#: 34.

### **Summary:**

ORDINANCE appropriating \$210,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax; approving and authorizing Professional Engineering Services Contract between City of Houston and **MIDTOWN ENGINEERS, LLC** for Technical Support Subsurface Utility Engineering Program; providing funding for CIP Cost Recovery financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax; providing a maximum contract amount

### **Background:**

**SUBJECT:** Professional Engineering Services Contract between the City and Midtown Engineers, LLC for Technical Support Subsurface Utility Engineering (SUE) Program.

**RECOMMENDATION:** An ordinance approving a Professional Engineering Services Contract with Midtown Engineers, LLC for Technical Support Subsurface Utility Engineering (SUE) Program and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project will support various Capital Improvement Plan (CIP) projects that are significantly impacted by potential subsurface conflicts with existing major underground facilities, oil and gas pipelines, and public infrastructures.

**DESCRIPTION/SCOPE AND FEE:** This project consists of, but is not limited to, conducting appropriate records research, investigating site conditions, identifying facilities within the project limits, conducting potholing services, providing a detailed final report, and coordinating, assessing, and monitoring private utility activities and conflicts.

The total maximum contract amount is \$1,380,000.00 for a three-year term with a one-year renewal.

The amount to be appropriated is \$210,000.00 as follows: \$200,000.00 for Contract services and \$10,000.00 for CIP Cost Recovery.

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

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

**M/WBE PARTICIPATION:** The standard M/WBE goal set for the project is 24.00%. The Consultant has proposed a 25.00% MWBE plan to meet the goal.

Name of Firms

Work Description

Amount

% of

			<u>Total Contract</u>
1. RODS Subsurface Utility Engineering, Inc.	Subsurface utility engineering	\$30,000.00	15.00%
2. RODS Surveying, Inc.	Surveying	<u>\$20,000.00</u>	<u>10.00%</u>
	<b>TOTAL</b>	<b>\$50,000.00</b>	<b>25.00%</b>

**FISCAL NOTE:** Funding for this item is included in the FY2023 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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

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

WBS No. N-320396-0033-3

Estimated Spending Authority			
Department	FY22	Outyears	Total
Houston Public Works	\$0.00	\$1,390,000.00	\$1,390,000.00

**Amount and Source of Funding:**

Total \$1,390,000.00

\$ 210,000.00 Fund No. 4046 - Dedicated Drainage and Street Renewal Capital Fund - Ad Valorem Tax  
 \$1,000,000.00 Fund No. 8300 - Water and Sewer System Operating Fund  
 \$ 100,000.00 Fund No. 2312 - Dedicated Drainage and Street Renewal Fund - Metro et al  
 \$ 80,000.00 Fund No. 2302 - Stormwater Fund

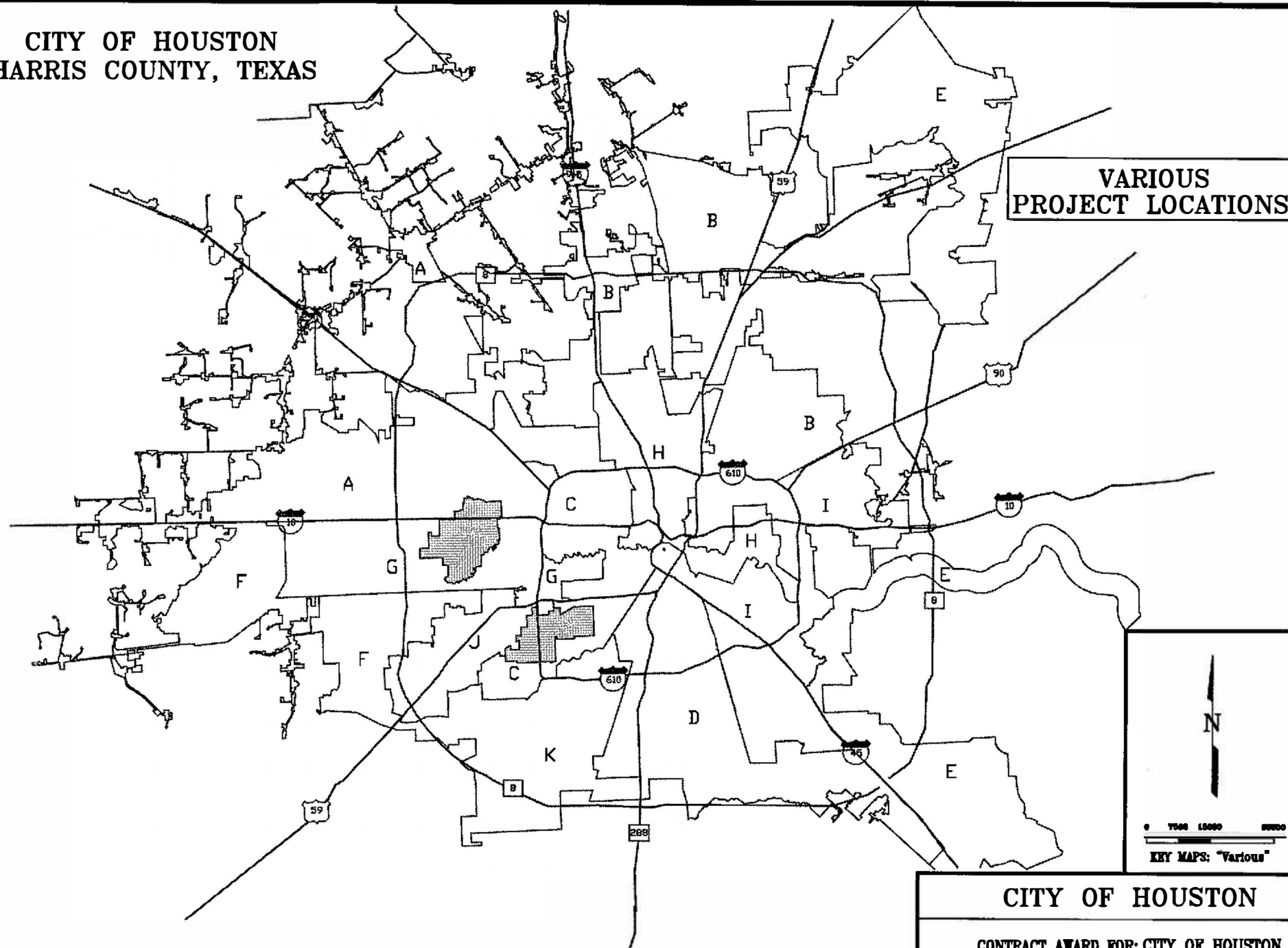
**Contact Information:**

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

**ATTACHMENTS:**

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

**CITY OF HOUSTON  
HARRIS COUNTY, TEXAS**



**CITY OF HOUSTON**

**CONTRACT AWARD FOR: CITY OF HOUSTON**

**Wbs no. N-320396-0033-3**

**COUNCIL DISTRICTS: "ALL"**

**DRAWN BY: Alvin Watts**



# CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 2/1/2022

20TCN02 PES / Midtown Engineers, LLC

Agenda Item#:

## **Background:**

**SUBJECT:** Professional Engineering Services Contract between the City and Midtown Engineers, LLC for Technical Support Subsurface Utility Engineering (SUE) Program.

**RECOMMENDATION:** An ordinance approving a Professional Engineering Services Contract with Midtown Engineers, LLC for Technical Support Subsurface Utility Engineering (SUE) Program and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project will support various Capital Improvement Plan (CIP) projects that are significantly impacted by potential subsurface conflicts with existing major underground facilities, oil and gas pipelines, and public infrastructures.

**DESCRIPTION/SCOPE AND FEE:** This project consists of, but is not limited to, conducting appropriate records research, investigating site conditions, identifying facilities within the project limits, conducting potholing services, providing a detailed final report, and coordinating, assessing, and monitoring private utility activities and conflicts.

The total maximum contract amount is \$1,390,000.00 for a three-year term with a one-year renewal.

The amount to be appropriated is \$210,000.00 as follows: \$200,000.00 for Contract services and \$10,000.00 for CIP Cost Recovery.

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

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

**M/WBE PARTICIPATION:** The standard M/WBE goal set for the project is 24.00%. The Consultant has proposed a 25.00% MWBE plan to meet the goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. RODS Subsurface Utility Engineering, Inc.	Subsurface utility engineering	\$30,000.00	15.00%
2. RODS Surveying, Inc.	Surveying	<u>\$20,000.00</u>	<u>10.00%</u>
	<b>TOTAL</b>	<b>\$50,000.00</b>	<b>25.00%</b>

**FISCAL NOTE:** Funding for this item will be included in the FY2023 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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

DocuSigned by:

5/19/2022

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

WBS No. N-320396-0033-3

Estimated Spending Authority			
Department	FY22	Outyears	Total
Houston Public Works	\$0.00	\$1,180,000.00	\$1,180,000.00

**Amount and Source of Funding:**

Total \$1,390,000.00

- \$ 210,000.00 Fund No. 4046 - Dedicated Drainage and Street Renewal Capital Fund - Ad Valorem Tax
- \$1,000,000.00 Fund No. 8300 - Water and Sewer System Operating Fund
- \$ 100,000.00 Fund No. 2312 - Dedicated Drainage and Street Renewal Fund - Metro et al
- \$ 80,000.00 Fund No. 2302 - Stormwater Fund

**Contact Information:**

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

**ATTACHMENTS:**

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





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 3/11/2022

HPW-20SWO85 Additional Appropriation/Nedu Engineering Services, Inc.

Agenda Item#: 35.

### **Summary:**

ORDINANCE appropriating \$315,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge as an additional appropriation to Professional Engineering Services Contract between City of Houston and **NEDU ENGINEERING SERVICES, INC** for FY2017 Local Drainage Project Work Order Design (Contract #2) (as approved by Ordinance No. 2017-0372, as amended); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge

### **Background:**

**SUBJECT:** Additional Appropriation to the Professional Engineering Services Contract between the City of Houston (City) and Nedu Engineering Services, Inc. for FY2017 Local Drainage Project (LDP) Work Order Design Contract 2.

**RECOMMENDATION:** Approve an Ordinance appropriating additional funds for Professional Engineering Services for FY2017 Local Drainage Project (LDP) Work Order Design Contract 2 with Nedu Engineering Services, Inc.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Capital Improvement Plan (CIP) Program. This program is required to provide professional engineering services to address necessary local storm water drainage system and roadside ditch improvements and repairs citywide.

**DESCRIPTION/SCOPE:** This project consists of professional engineering services to resolve localized storm water drainage problems that have been nominated by Transportation and Drainage Operations. The project scope is established by each work order. The work orders are prioritized based on a range of factors from public safety to level-of-service.

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

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on May 24, 2017, under Ordinance No. 2017-0372. The scope of work under the original contract consisted of Professional Engineering Services for Local Drainage Project (LDP) Work Orders. On November 28, 2018 under Ordinance No. 2018-0945 City Council approved the first additional appropriation. City Council approved the second additional appropriation on October 9, 2019 under Ordinance No. 2019-0772. City Council approved the First Amendment to the Contract on April 29, 2020 under Ordinance No. 2020-0368. On September 16, 2020 by Ordinance No. 2020-0787, City

Council approved the third additional appropriation. On December 1, 2021, under Ordinance No. 2021-1017 City Council approved the fourth additional appropriation.

**SCOPE OF THIS ADDITIONAL APPROPRIATION:** The requested additional appropriation will accomplish the following Phase I Preliminary Design Basic and Additional Services, Phase II Final Design Basic and Additional Services, and Phase III Construction Phase Services, as they relate to existing and future storm water maintenance, rehabilitation, and reconstruction projects. The Basic Design and Additional Services fee for each work order will be negotiated based on the scope of service required and all phases will be paid on a reimbursable basis with an authorization not-to-exceed the agreed amount.

The total requested appropriation is \$315,000.00 to be appropriated as follows:

- Contract Services: \$300,000.00
- CIP Cost Recovery: \$15,000.00

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

**M/WBE PARTICIPATION:** The M/WBE goal established for this project is 15.00%. The original contract amount and subsequent additional appropriations total \$1,400,000.00. The Consultant has been paid \$986,282.76 or 70.45% to date. Of this amount, \$164,023.85 or 16.63% has been paid to the M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$1,700,000.00. The Consultant proposes the following plan to meet the M/WBE goal.

	<u>Amount</u>	<u>% of Contract</u>
Paid Prior M/WBE Commitment	\$164,023.85	9.64%
Unpaid Prior M/WBE Commitment	\$46,496.15	2.74%

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
GC Engineering, Inc.	Engineering Services	\$10,080.00	0.59%
Rahaman and Associates, Inc.	Land Surveying and Mapping Services	\$45,000.00	2.65%
<b>TOTAL</b>		<b>\$265,600.00</b>	<b>15.62%</b>

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

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

WBS No. M-420126-0098-3

**Prior Council Action:**

Ordinance No. 2017-0372, dated 05-24-2017.  
Ordinance No. 2018-0945, dated 11-28-2018.  
Ordinance No. 2019-0772, dated 10-09-2019.  
Ordinance No. 2020-0368, dated 04/29/2020.  
Ordinance No. 2020-0787, dated 09/16/2020.  
Ordinance No. 2021-1017, dated 12/01/2021

**Amount and Source of Funding:**

\$315,000.00 Fund No. 4042 - Dedicated Drainage & Street Renewal Fund Capital Fund – Drainage Charge.

Fourth appropriation of \$262,500.00 From Fund No. 4042 - Dedicated Drainage & Street Renewal Fund Capital Fund – Drainage Charge.

Third Additional Appropriation (previous) of \$385,000.00 from Fund No. 4042 – Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge.

Second Additional Appropriation (previous) of \$275,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage - DDSRF. (Supported by Drainage Utility Charge)

First Additional Appropriation (previous) of \$330,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage - DDSRF. (Supported by Drainage Utility Charge)

Original (previous) appropriation of \$300,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage – DDSRF.

**Contact Information:**

Bijen Malla  
Senior Project Manager  
Transportation & Drainage Operations  
Phone: (832) 395-2214

**ATTACHMENTS:**

**Description**

Signed Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 3/11/2022

HPW-20SWO85 Additional Appropriation/Nedu Engineering Services, Inc.

Agenda Item#:

### **Background:**

**SUBJECT:** Additional Appropriation to the Professional Engineering Services Contract between the City of Houston (City) and Nedu Engineering Services, Inc. for FY2017 Local Drainage Project (LDP) Work Order Design Contract 2.

**RECOMMENDATION:** Approve an Ordinance appropriating additional funds for Professional Engineering Services for FY2017 Local Drainage Project (LDP) Work Order Design Contract 2 with Nedu Engineering Services, Inc.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Capital Improvement Plan (CIP) Program. This program is required to provide professional engineering services to address necessary local storm water drainage system and roadside ditch improvements and repairs citywide.

**DESCRIPTION/SCOPE:** This project consists of professional engineering services to resolve localized storm water drainage problems that have been nominated by Transportation and Drainage Operations. The project scope is established by each work order. The work orders are prioritized based on a range of factors from public safety to level-of-service.

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

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on May 24, 2017, under Ordinance No. 2017-0372. The scope of work under the original contract consisted of Professional Engineering Services for Local Drainage Project (LDP) Work Orders. On November 28, 2018 under Ordinance No. 2018-0945 City Council approved the first additional appropriation. City Council approved the second additional appropriation on October 9, 2019 under Ordinance No. 2019-0772. City Council approved the First Amendment to the Contract on April 29, 2020 under Ordinance No. 2020-0368. On September 16, 2020 by Ordinance No. 2020-0787, City Council approved the third additional appropriation. On December 1, 2021, under Ordinance No. 2021-1017 City Council approved the fourth additional appropriation.

**SCOPE OF THIS ADDITIONAL APPROPRIATION:** The requested additional appropriation will accomplish the following Phase I Preliminary Design Basic and Additional Services, Phase II Final Design Basic and Additional Services, and Phase III Construction Phase Services, as they relate to existing and future storm water maintenance, rehabilitation, and reconstruction projects. The Basic Design and Additional Services fee for each work order will be negotiated based on the scope of service required and all phases will be paid on a reimbursable basis with an authorization not-to-exceed the agreed amount.

The total requested appropriation is \$315,000.00 to be appropriated as follows:

- Contract Services: \$300,000.00
- CIP Cost Recovery: \$15,000.00

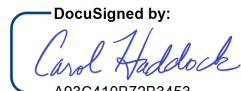
**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Contractor provides health benefits to eligible employees in compliance with City policy.

**M/WBE PARTICIPATION:** The M/WBE goal established for this project is 15.00%. The original contract amount and subsequent additional appropriations total \$1,400,000.00. The Consultant has been paid \$986,282.76 or 70.45% to date. Of this amount, \$164,023.85 or 16.63% has been paid to the M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$1,700,000.00. The Consultant proposes the following plan to meet the M/WBE goal.

	<u>Amount</u>	<u>% of Contract</u>
Paid Prior M/WBE Commitment	\$164,023.85	9.64%
Unpaid Prior M/WBE Commitment	\$46,496.15	2.74%

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
GC Engineering, Inc.	Engineering Services	\$10,080.00	0.59%
Rahaman and Associates, Inc.	Land Surveying and Mapping Services	\$45,000.00	2.65%
<b>TOTAL</b>		<b>\$265,600.00</b>	<b>15.62%</b>

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

DocuSigned by:  
 5/20/2022  
 A93C410B72B3453  
 Carol Ellinger Haddock, P.E.  
 Director  
 Houston Public Works

WBS No. M-420126-0098-3

**Prior Council Action:**

Ordinance No. 2017-0372, dated 05-24-2017.  
 Ordinance No. 2018-0945, dated 11-28-2018.  
 Ordinance No. 2019-0772, dated 10-09-2019.  
 Ordinance No. 2020-0368, dated 04/29/2020.  
 Ordinance No. 2020-0787, dated 09/16/2020.

Ordinance No. 2021-1017, dated 12/01/2021

**Amount and Source of Funding:**

\$315,000.00 Fund No. 4042 - Dedicated Drainage & Street Renewal Fund Capital Fund – Drainage Charge.

Fourth appropriation of \$262,500.00 From Fund No. 4042 - Dedicated Drainage & Street Renewal Fund Capital Fund – Drainage Charge.

Third Additional Appropriation (previous) of \$385,000.00 from Fund No. 4042 – Dedicated Drainage and Street Renewal Capital Fund – Drainage Charge.

Second Additional Appropriation (previous) of \$275,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage - DDSRF. (Supported by Drainage Utility Charge)

First Additional Appropriation (previous) of \$330,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage - DDSRF. (Supported by Drainage Utility Charge)

Original (previous) appropriation of \$300,000.00 from Fund No. 4042 – Street & Traffic Control and Storm Drainage – DDSRF.

**Contact Information:**

Bijen Malla  
 Senior Project Manager  
 Transportation & Drainage Operations  
 Phone: (832) 395-2214

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
SAP Documents	Financial Information
Map	Backup Material
OBO Document	Backup Material
Form B	Backup Material
Ownership Form and Tax Report	Backup Material
POP Documents	Backup Material
Form 1295	Backup Material
Prior Council	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 4/1/2022

HPW - 20WWO995 Contract Award/ Specialized  
Maintenance Services, Inc.

Agenda Item#: 36.

### **Summary:**

ORDINANCE appropriating \$1,565,936.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and contingencies

### **Background:**

**SUBJECT:** Contract Award for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation.

**RECOMMENDATION:** (Summary) Reject low bid, return bid bond, award construction contract to the next low bidder, Specialized Maintenance Services, Inc., and appropriate funds.

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City. The project involves sanitary sewer cleaning and television inspection in support of rehabilitation. The purpose is to reduce sanitary sewer overflows, which is accomplished by cleaning the sewer lines and television inspection to identify sewer lines in need of rehabilitation/renewal.

The work to be performed under this contract award is necessary to maintain compliance with Houston's wastewater consent decree with EPA and TCEQ.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.

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

**BIDS:** Four (4) bids were received on August 26, 2021 for this project as follows:

	<u>Bidder</u>	<u>Bid Amount</u>

1.	Pro-Pipe, Inc.	\$1,392,674.15 rejected
2.	Specialized Maintenance Services, Inc.	\$1,423,578.02
3.	Equix Integrity Southeast	\$1,547,193.50
4.	CSI Consolidated, LLC dba AIMS Companies	\$1,547,193.50

**AWARD:** An examination of the Bid submitted by the Pro-Pipe, Inc. indicated that the said Contractor did not submit the requisite Good Faith Efforts to meet the advertised MWBE goal. After consultation with the Office of Business Opportunity, the Department has indicated that without any explanation from the bidder in regard to not actively and aggressively attempting to meet the advertised MWSBE goal, it is recommended that this construction contract be awarded to Specialized Maintenance Services, Inc., with a low bid of \$1,423,578.02.

**PROJECT COST:** The total cost of this project is \$1,565,936.00 to be appropriated as follows:

Bid Amount	\$1,423,578.02
Contingencies	\$71,179.08
CIP Cost Recovery	\$71,178.90

**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, the proposed contractor is a designated HHF company, but they were the successful awardee without application of the HHF preference.

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

**MWSBE PARTICIPATION:** The contractor has submitted the following proposed program to satisfy the 11.00% MBE goal, and 4.00% WBE goal for this project.

<u>MBE – Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
TB Environmental, Inc.	Sewer Cleaning & Televising	\$156,593.58	11.00%
	MBE TOTAL	\$156,593.58	11.00%
<u>WBE – Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Jaguar Fueling Services, LLC	Supplies	\$56,943.12	4.00%
	WBE TOTAL	\$56,943.12	4.00%

**FISCAL NOTE:**

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

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

---

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

WBS# R-000266-0342-4  
File No. 4277-121

**Amount and Source of Funding:**

\$1,565,936.00  
Water and Sewer System Consolidated Construction  
Fund No. 8500

**Contact Information:**

Greg Eyerly, Senior Assistant Director  
Houston Public Works  
**Phone:** (832) 395-4979

**ATTACHMENTS:**

**Description**

Signed Coversheet

**Type**

Signed Cover sheet





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/1/2022

HPW - 20WWO995 Contract Award/ Specialized Maintenance Services, Inc.

Agenda Item#:

### **Background:**

**SUBJECT:** Contract Award for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation.

**RECOMMENDATION:** (Summary) Reject low bid, return bid bond, award construction contract to the next low bidder, Specialized Maintenance Services, Inc., and appropriate funds.

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City. The project involves sanitary sewer cleaning and television inspection in support of rehabilitation. The purpose is to reduce sanitary sewer overflows, which is accomplished by cleaning the sewer lines and television inspection to identify sewer lines in need of rehabilitation/renewal.

The work to be performed under this contract award is necessary to maintain compliance with Houston's wastewater consent decree with EPA and TCEQ.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.

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

**BIDS:** Four (4) bids were received on August 26, 2021 for this project as follows:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	Pro-Pipe, Inc.	\$1,392,674.15 rejected
2.	Specialized Maintenance Services, Inc.	\$1,423,578.02
3.	Equix Integrity Southeast	\$1,547,193.50
4.	CSI Consolidated, LLC dba AIMS Companies	\$1,547,193.50

**AWARD:** An examination of the Bid submitted by the Pro-Pipe, Inc. indicated that the said Contractor did not submit the requisite Good Faith Efforts to meet the advertised MWBE goal. After consultation with the Office of Business Opportunity, the Department has indicated that without any explanation from the bidder in regard to not actively and aggressively attempting to meet the advertised MWSBE goal, it is recommended that this construction contract be awarded to Specialized Maintenance Services, Inc., with a low bid of \$1,423,578.02.

**PROJECT COST:** The total cost of this project is \$1,565,936.00 to be appropriated as follows:

Bid Amount	\$1,423,578.02
Contingencies	\$71,179.08
CIP Cost Recovery	\$71,178.90

**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, the proposed contractor is a designated HHF company, but they were the successful awardee without application of the HHF preference.

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


**M/WSBE PARTICIPATION:** The contractor has submitted the following proposed program to satisfy the 11.00% MBE goal, and 4.00% WBE goal for this project.

MBE – Name of Firm	Work Description	Amount	% of Contract
TB Environmental, Inc.	Sewer Cleaning & Televising	\$156,593.58	11.00%
	MBE TOTAL	\$156,593.58	11.00%
WBE – Name of Firm	Work Description	Amount	% of Contract
Jaguar Fueling Services, LLC	Supplies	\$56,943.12	4.00%
	WBE TOTAL	\$56,943.12	4.00%

**FISCAL NOTE:**

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

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

DocuSigned by:  
 5/23/2022

A93C410B72B3453...  
 Carol Ellinger Haddock, P.E.  
 Director  
 Houston Public Works

WBS# R-000266-0342-4  
 File No. 4277-121

**Amount and Source of Funding:**

\$1,565,936.00 Fund No. 8500 - Water and Sewer System Consolidated Construction

**Contact Information:**

Greg Eyerly  
 Senior Assistant Director  
 Phone: (832) 395-4979

**ATTACHMENTS:**

Description	Type
SAP Documents	Financial Information
Council District Map	Backup Material
Form B	Backup Material
Ownership Information Form & Tax Report	Backup Material
Fom 1295 - Certificate of Interested Parties	Backup Material
OBO Documents	Backup Material
POP Documents	Backup Material
Bid Extension Letter	Backup Material
Bid Tabulation	Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

District F, District G, District J, District K

Item Creation Date: 3/15/2022

HPW - 20SD173 Contract Award / LEM Construction Company,  
Inc.

Agenda Item#: 37.

### **Summary:**

ORDINANCE appropriating \$10,183,375.50 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO, INC** for Well Sites and Re-Pump Stations - Package 2: 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 testing services, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - THOMAS; G - HUFFMAN; J - POLLARD and K - CASTEX-TATUM**

### **Background:**

**SUBJECT:** Contract Award for Facilities Improvements at Various Well Sites and Re-Pump Stations – Package No. 2.

**RECOMMENDATION:** Award a Construction Contract to LEM Construction Company, Inc. for Facilities Improvements at Various Well Sites and Re-Pump Stations – Package No. 2 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Groundwater Facility/Re-Pump Station Rehabilitation and Replacement Program, and is required to meet the area's water demand and ensures compliance with the Texas Commission on Environmental Quality Regulations.

**DESCRIPTION/SCOPE:** This project consists of the rehabilitation/replacement of valve and piping, electrical switchgear, motor control components, automatic transfer switches, and electrical generation support equipment at various well sites and pump stations. The Contract duration for this project is 784 calendar days. This project was designed by BGE, Inc.

### **LOCATION:**

PROJECT NAME	LOCATION	COUNCIL DISTRICT
BB-Well-2	11331 Carvel Lane	F
D51-Well-1	4325 Baynard	F
BB-Well-6A	8222 South Dairy	F
	Ashford	
BB-Well-6B	8222 South Dairy	F

	Ashford	
D111-Well-1	9603 Cook	F
D54-Well-3A	3322 Crossview	F
SW-Well-09	4410 Westpark	G
SW-Well-10	4426 S.W. Freeway	G
SW-Well-01A	5210 Westpark	J
SW-Well-03A	5730 Westpark	J
SW-Well-03SB	5730 Westpark	J
SW-Well-04A	6002 Westpark	J
SW-Well-05A	6302 Westpark	J
SW-Well-08	8700 Westpark	J
SW-Well-11	9120 Westpark	J
SB-Well-03	13825 Blue Ridge	K
SB-Well-04	12445 Hodges	K
Ridge-Well-02	5230 Castle Creek	K

**BIDS:** This project was advertised for bidding on December 17, 2021. Bids were received on January 27, 2022. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. LEM Construction Company, Inc.	\$ 8,537,700.00
2. Resicom, Inc.	\$10,115,325.00
3. Boyer, Inc.	\$14,265,890.00

**AWARD:** It is recommended that this construction contract be awarded to LEM Construction Company, Inc. with a low bid of \$8,537,700.00 and Addenda Numbers 1, 2 and 3 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$10,183,375.50 to be appropriated as follows:

· Bid Amount	\$ 8,537,700.00
· Contingencies	\$ 426,885.00
· Testing Services	\$ 100,000.00
· CIP Cost Recovery	\$ 426,885.00
· Construction Management	\$ 691,905.50

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

Construction Management Services will be provided by Huitt-Zollars, Inc. under a previously approved contract.

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

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

ensure, in compliance with city policy.

**M/WSBE PARTICIPATION:** The contractor has submitted the following proposed program to satisfy the 10% MBE goal and 3% WBE goal for this project.

	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Elec-Net Supply, LLC	Electrical Materials	\$ 400,000.00	4.69%
2.	Rustbusters Industrial Painting, Inc	Painting	\$ 169,931.00	1.99%
3.	Texas Water Rehab, LLC	Mechanical Construction	\$ 120,000.00	1.41%
		<b>TOTAL</b>	<b>\$ 689,931.00</b>	<b>8.08%</b>

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	BL Technology, Inc.	Instrumentation and Controls	\$ 369,100.00	4.32%
		<b>TOTAL</b>	<b>\$ 369,100.00</b>	<b>4.32%</b>

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Automation Nation, Inc.	Software Engineering	\$ 489,600.00	5.73%
		<b>TOTAL</b>	<b>\$ 489,600.00</b>	<b>5.73%</b>

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

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

---

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

WBS No. S-001000-0045-4

**Amount and Source of Funding:**

\$10,183,375.50 - 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:**

<b>Description</b>	<b>Type</b>
Signed Coversheet (revised)	Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/8/2022

District F, District G, District J, District K

Item Creation Date: 3/15/2022

HPW - 20SD173 Contract Award / LEM Construction Company, Inc.

Agenda Item#: 17.

### **Summary:**

ORDINANCE appropriating the sum of 10,183,375.50 out of the Water and Sewer System Consolidated Construction Fund, awarding a contract to **LEM CONSTRUCTION CO, INC.** for Well Sites and Re-Pump Stations - Package 2: 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 testing services, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT F - THOMAS; G - HUFFMAN; J - POLLARD and K - CASTEX-TATUM**

### **Background:**

**SUBJECT:** Contract Award for Facilities Improvements at Various Well Sites and Re-Pump Stations – Package No. 2.

**RECOMMENDATION:** Award a Construction Contract to LEM Construction Company, Inc. for Facilities Improvements at Various Well Sites and Re-Pump Stations – Package No. 2 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Groundwater Facility/Re-Pump Station Rehabilitation and Replacement Program, and is required to meet the area's water demand and ensures compliance with the Texas Commission on Environmental Quality Regulations.

**DESCRIPTION/SCOPE:** This project consists of the rehabilitation/replacement of valve and piping, electrical switchgear, motor control components, automatic transfer switches, and electrical generation support equipment at various well sites and pump stations. The Contract duration for this project is 784 calendar days. This project was designed by BGE, Inc.

### **LOCATION:**

PROJECT NAME	LOCATION	COUNCIL DISTRICT
BB-Well-2	11331 Carvel Lane	F
D51-Well-1	4325 Baynard	F
BB-Well-6A	8222 South Dairy	F
	Ashford	
BB-Well-6B	8222 South Dairy	F
	Ashford	
D111-Well-1	9603 Cook	F
D54-Well-3A	3322 Crossview	F
SW-Well-09	4410 Westpark	G
SW-Well-10	4426 S.W. Freeway	G
SW-Well-01A	5210 Westpark	J
SW-Well-03A	5730 Westpark	J
SW-Well-03SB	5730 Westpark	J
SW-Well-04A	6002 Westpark	J
SW-Well-05A	6302 Westpark	J
SW-Well-08	8700 Westpark	J
SW-Well-11	9120 Westpark	J
SB-Well-03	13825 Blue Ridge	K
SB-Well-04	12445 Hodges	K
Ridge-Well-02	5230 Castle Creek	K

**BIDS:** This project was advertised for bidding on December 17, 2021. Bids were received on January 27, 2022. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. LEM Construction Company, Inc.	\$ 8,537,700.00

2.	Resicom, Inc.	\$10,115,325.00
3.	Boyer, Inc.	\$14,265,890.00

**AWARD:** It is recommended that this construction contract be awarded to LEM Construction Company, Inc. with a low bid of \$8,537,700.00 and Addenda Numbers 1, 2 and 3 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$10,183,375.50 to be appropriated as follows:

· Bid Amount	\$ 8,537,700.00
· Contingencies	\$ 426,885.00
· Testing Services	\$ 100,000.00
· CIP Cost Recovery	\$ 426,885.00
· Construction Management	\$ 691,905.50

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

Construction Management Services will be provided by Huitt-Zollars, Inc. under a previously approved contract.

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

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

**M/WSBE PARTICIPATION:** The contractor has submitted the following proposed program to satisfy the 10% MBE goal and 3% WBE goal for this project.

	<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Elec-Net Supply, LLC	Electrical Materials	\$ 400,000.00	4.69%
2.	Rustbusters Industrial Painting, Inc	Painting	\$ 169,931.00	1.99%
3.	Texas Water Rehab, LLC	Mechanical Construction	\$ 120,000.00	1.41%
	<b>TOTAL</b>		<b>\$ 689,931.00</b>	<b>8.08%</b>

	<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	BL Technology, Inc.	Instrumentation and Controls	\$ 369,100.00	4.32%
	<b>TOTAL</b>		<b>\$ 369,100.00</b>	<b>4.32%</b>

	<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1.	Automation Nation, Inc.	Software Engineering	\$ 489,600.00	5.73%
	<b>TOTAL</b>		<b>\$ 489,600.00</b>	<b>5.73%</b>

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

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

DocuSigned by:

 5/26/2022

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

WBS No. S-001000-0045-4

**Amount and Source of Funding:**

\$10,183,375.50 - 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
Signed Coversheet	Signed Cover sheet
SAP Documents	Financial Information
Maps	Backup Material
OBO Documents	Backup Material
Form B	Backup Material
Ownership Information Form & Tax Report	Backup Material
Pay or Play	Backup Material
Bid Extension Letter	Backup Material
Bid Tabulations	Backup Material
Form 1295	Backup Material
Ordinance	Ordinance/Resolution/Motion





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 4/19/2022

HPW – 20PMO63 Contract Award / Tikon Group Inc.

Agenda Item#: 38.

### **Summary:**

ORDINANCE appropriating \$11,375,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax, awarding contract to **TIKON GROUP, INC** for Citywide Concrete Panel Replacement Project #1; 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 Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax, contingency, and testing services

### **Background:**

**SUBJECT:** Contract Award for Citywide Concrete Panel Replacement Project #1.

**RECOMMENDATION: (SUMMARY)** Reject first low bidder, return bid bonds, award construction contract to Tikon Group, Inc. for Citywide Concrete Panel Replacement Project #1 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Roadway Rehabilitation Program and will provide construction services to include but not limited to the construction repair, rehabilitation, removal, disposal, and/or replacement of roadway pavement and other pavement related improvements.

**DESCRIPTION/SCOPE:** This Citywide program provides construction services to include but not limited to the construction repair, rehabilitation, removal, disposal, and/or replacement of roadway pavement and other pavement related improvements. The Contract duration for this project is 365 calendar days.

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

**BIDS:** This project was advertised for bidding on February 25, 2022 and March 4, 2022. Bids were received on March 17, 2022. The six (6) bids are as follows:

<u>No.</u>	<u>Bidder</u>	<u>Adjustment Factor</u>
1	CTI Houston	0.250 (Non-Responsive)
2	Tikon Group, Inc.	0.879
3	Total Contracting Limited	0.895
4	JFT Construction, Inc.	0.946
5	Times Construction, Inc.	1.023
6	Main Lane Industries, Ltd.	1.095

**AWARD:** The first bidder, CTI Houston was considered non-responsive as per the City of Houston Code of Ordinance, Sec. 15.85 due to not submitting an acceptable MWBE plan. Therefore, it is recommended that this construction contract be awarded to the second low bidder, Tikon Group, Inc. with a low bid of \$10,000,000.00 (0.879 Adjustment Factor).

**PROJECT COST:** The total cost of this project is \$11,375,000.00 to be appropriated as follows:

• Bid Amount	\$10,000,000.00
• Contingency	\$500,000.00
• Testing Services	\$375,000.00
• CIP Cost Recovery	\$500,000.00

Testing Services will be provided by Ninyo & Moore Geotechnical & Environmental Sciences Consultants under a previously approved contract.

**HIRE HOUSTON FIRST:** The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that

promotes economic opportunity for Houston business and supports job creation. In this case Tikon Group, Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

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

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

<b><u>MBE Name of Firms</u></b>	<b><u>Work Description</u></b>	<b><u>Amount</u></b>	<b><u>% of Contract</u></b>
Tikon Group, Inc.	Concrete Services / Construction Management	\$ 527,400.00	6%
Unotec Construction Co. LLC	Concrete Services	\$ 351,600.00	4%
Match and Mix Construction	Concrete Services	\$ 351,600.00	4%
Texas Concrete Enterprises Ready Mix, Inc	Ready Mix Concrete	\$ 263,700.00	3%
	<b>Total:</b>	<b>\$ 1,494,300.00</b>	<b>17%</b>
<b><u>WBE Name of Firms</u></b>	<b><u>Work Description</u></b>	<b><u>Amount</u></b>	<b><u>% of Contract</u></b>
Tancoe	Construction Supplies	\$ 263,700.00	3%
	<b>Total:</b>	<b>\$ 263,700.00</b>	<b>3%</b>
<b><u>SBE Name of Firms</u></b>	<b><u>Work Description</u></b>	<b><u>Amount</u></b>	<b><u>% of Contract</u></b>
Fabco LLC	Construction Supplies	\$ 351,600.00	4%
	<b>Total:</b>	<b>\$ 351,600.00</b>	<b>4%</b>

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

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

WBS No. N-321040-0057-4

**Amount and Source of Funding:**

\$11,375,000.00 - Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax

**Contact Information:**

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

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Map

**Type**

Signed Cover sheet  
Backup Material



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/19/2022

HPW – 20PMO63 Contract Award / Tikon Group Inc.

Agenda Item#:

### **Background:**

**SUBJECT:** Contract Award for Citywide Concrete Panel Replacement Project #1.

**RECOMMENDATION: (SUMMARY)** Reject first low bidder, return bid bonds, award construction contract to Tikon Group, Inc. for Citywide Concrete Panel Replacement Project #1 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Roadway Rehabilitation Program and will provide construction services to include but not limited to the construction repair, rehabilitation, removal, disposal, and/or replacement of roadway pavement and other pavement related improvements.

**DESCRIPTION/SCOPE:** This Citywide program provides construction services to include but not limited to the construction repair, rehabilitation, removal, disposal, and/or replacement of roadway pavement and other pavement related improvements. The Contract duration for this project is 365 calendar days.

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

**BIDS:** This project was advertised for bidding on February 25, 2022 and March 4, 2022. Bids were received on March 17, 2022. The six (6) bids are as follows:

No.	Bidder	Adjustment Factor
1	CTI Houston	0.250 (Non-Responsive)
2	Tikon Group, Inc.	0.879
3	Total Contracting Limited	0.895
4	JFT Construction, Inc.	0.946
5	Times Construction, Inc.	1.023
6	Main Lane Industries, Ltd.	1.095

**AWARD:** The first bidder, CTI Houston was considered non-responsive as per the City of Houston Code of Ordinance, Sec. 15.85 due to not submitting an acceptable MWBE plan. Therefore, it is recommended that this construction contract be awarded to the second low bidder, Tikon Group, Inc. with a low bid of \$10,000,000.00 (0.879 Adjustment Factor).

**PROJECT COST:** The total cost of this project is \$11,375,000.00 to be appropriated as follows:

- Bid Amount \$10,000,000.00
- Contingency \$500,000.00
- Testing Services \$375,000.00
- CIP Cost Recovery \$500,000.00

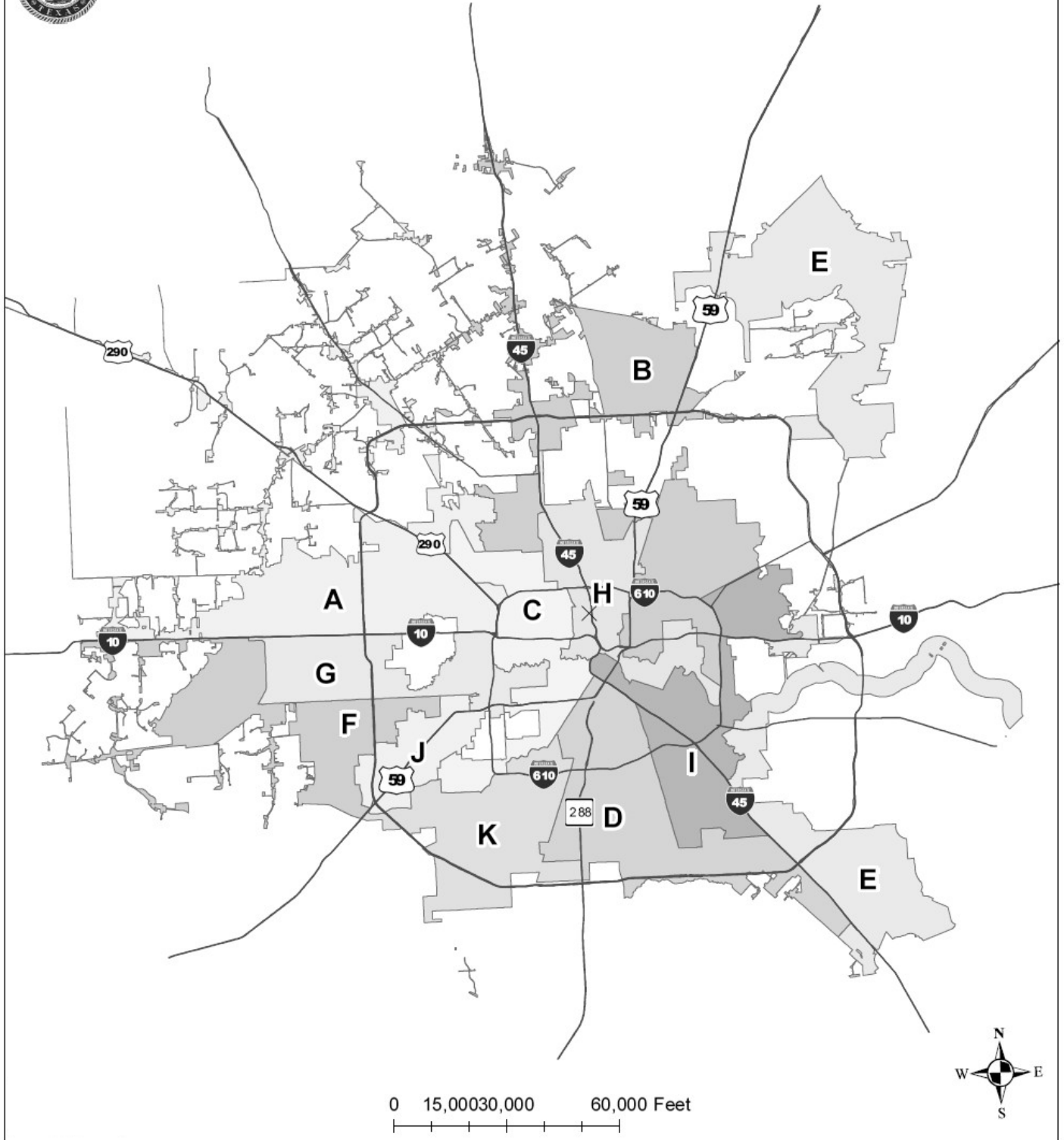
Testing Services will be provided by Ninyo & Moore Geotechnical & Environmental Sciences Consultants under a previously approved contract.

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

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

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





Citywide Concrete Panel  
Replacement Project #1

WBS No. N-321040-0057-4  
City Wide

City Council District Map/Vicinity Map



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/7/2022

ALL

Item Creation Date: 2/21/2022

HPW-20SWO74 Contract Award/Grava LLC

Agenda Item#: 39.

### **Summary:**

ORDINANCE appropriating \$4,950,000.00 out of Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax; awarding contract to **GRAVA LLC** for FY2022 Street & Drainage Rehabilitation Contract #2; 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 testing services, contingency, construction management and CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax

### **Background:**

**SUBJECT:** Contract Award for FY2022 Street & Drainage Rehabilitation Contract #2

**RECOMMENDATION: (SUMMARY)** Award a Construction Contract to Grava LLC for FY2022 Street & Drainage Rehabilitation Contract #2 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Transportation and Drainage Operations Program and will provide work authorization on a location by location as needed basis, to preserve, repair, rehabilitate or reconstruct the storm water drainage asset along with street rehabilitation to such a condition that it may be effectively used for its designated functional purpose.

**DESCRIPTION/SCOPE:** This Citywide program provides construction services to resolve localized storm water drainage problems and rehabilitate the street to further improved the drainage. The scope is established by each work authorization. The contract duration for this project is 730 calendar days.

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

**BIDS:** This project was advertised for bidding on January 7, 2022, and January 14, 2022. Bids were received on January 27, 2022. The seven (7) bids are as follows:

<u>Bidder</u>	<u>Adjustment Factor</u>
1. Grava LLC	0.760
2. C&A Construction LLC	0.771
3. Nerie Construction	0.860
4. J Rivas Construction, LLC	0.875
5. Total Contracting Limited	0.890
6. T Construction LLC	1.185
7. Main Lane Industries, Ltd.	1.298

**AWARD:** It is recommended that this construction contract be awarded to Grava LLC with a low bid of \$4,000,000.00 (0.760 Adjustment Factor).

**PROJECT COST:** The total cost of this project is \$4,950,000.00 to be appropriated as follows:

• Bid Amount	\$4,000,000.00
• CIP Cost Recovery	\$ 200 000 00

· Contingencies	\$ 200,000.00
· Testing Services	\$ 250,000.00
· CM&I Services	\$ 300,000.00

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

Construction Management Services will be provided by IDCUS, Inc. under a previously approved contract.

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

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

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

	<b><u>MBE - Name of Firms</u></b>	<b><u>Work Description</u></b>	<b><u>Amount</u></b>	<b><u>% of Contract</u></b>
1.	Match & Mix Construction, LLC	Concrete paving (i.e., highway, road, street, public sidewalk)	\$160,000.00	4.00%
2.	Texas Concrete Enterprise Ready Mix, Inc	Ready Mix Concrete Only/ Concrete Manufacturing and Hauling	\$200,000.00	5.00%
		TOTAL:	\$360,000.00	9.00%
	<b><u>SBE - Name of Firms</u></b>			
1.	Ceballos Construction, LLC	Paving, Sidewalk, and Driveway	\$160,000.00	4.00%
		TOTAL:	\$160,000.00	4.00%
	<b><u>WBE - Name of Firms</u></b>			
1.	J.A. Gamez Trucking Services	Trucking Services/Supplier of Earth Materials	\$160,000.00	4.00%
2.	SEBL Service Supplier Inc.	Barrels, Mesh Fencing, Barricades, Safety Equipment and Piping	\$120,000.00	3.00%
		TOTAL:	\$280,000.00	7.00%
		<b>CONTRACT TOTAL</b>	<b>\$800,000.00</b>	<b>20.00%</b>

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

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

WBS No. N-321040-0055-4

**Amount and Source of Funding:**

\$4,950,000.00 from Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund- Ad Valorem Tax

**Contact Information:**

Bijen Malla, Senior Project Manager

Transportation & Drainage Operations  
Phone: (832) 395-2214

**ATTACHMENTS:**

**Description**

Signed Coversheet  
Map

**Type**

Signed Cover sheet  
Backup Material





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 2/21/2022

HPW-20SWO74 Contract Award/Grava LLC

Agenda Item#:

### **Background:**

**SUBJECT:** Contract Award for FY2022 Street & Drainage Rehabilitation Contract #2

**RECOMMENDATION: (SUMMARY)** Award a Construction Contract to Grava LLC for FY2022 Street & Drainage Rehabilitation Contract #2 and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Transportation and Drainage Operations Program and will provide work authorization on a location by location as needed basis, to preserve, repair, rehabilitate or reconstruct the storm water drainage asset along with street rehabilitation to such a condition that it may be effectively used for its designated functional purpose.

**DESCRIPTION/SCOPE:** This Citywide program provides construction services to resolve localized storm water drainage problems and rehabilitate the street to further improved the drainage. The scope is established by each work authorization. The contract duration for this project is 730 calendar days.

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

**BIDS:** This project was advertised for bidding on January 7, 2022, and January 14, 2022. Bids were received on January 27, 2022. The seven (7) bids are as follows:

	<u>Bidder</u>	<u>Adjustment Factor</u>
1.	Grava LLC	0.760
2.	C&A Construction LLC	0.771
3.	Nerie Construction	0.860
4.	J Rivas Construction, LLC	0.875
5.	Total Contracting Limited	0.890
6.	T Construction LLC	1.185
7.	Main Lane Industries, Ltd.	1.298

**AWARD:** It is recommended that this construction contract be awarded to Grava LLC with a low bid of \$4,000,000.00 (0.760 Adjustment Factor).

**PROJECT COST:** The total cost of this project is \$4,950,000.00 to be appropriated as follows:

· Bid Amount	\$4,000,000.00
· CIP Cost Recovery	\$ 200,000.00
· Contingencies	\$ 200,000.00
· Testing Services	\$ 250,000.00
· CM&I Services	\$ 300,000.00

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

Construction Management Services will be provided by IDCUS, Inc. under a previously approved contract.

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

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

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

<b><u>MBE - Name of Firms</u></b>	<b><u>Work Description</u></b>	<b><u>Amount</u></b>	<b><u>% of Contract</u></b>
1. Match & Mix Construction, LLC	Concrete paving (i.e., highway, road, street, public sidewalk)	\$160,000.00	4.00%
2. Texas Concrete Enterprise Ready Mix, Inc	Ready Mix Concrete Only/ Concrete Manufacturing and Hauling	\$200,000.00	5.00%
	TOTAL:	\$360,000.00	9.00%
<b><u>SBE - Name of Firms</u></b>			
1. Ceballos Construction, LLC	Paving, Sidewalk, and Driveway	\$160,000.00	4.00%
	TOTAL:	\$160,000.00	4.00%
<b><u>WBE - Name of Firms</u></b>			
1. J.A. Gamez Trucking Services	Trucking Services/Supplier of Earth Materials	\$160,000.00	4.00%
2. SEBL Service Supplier Inc.	Barrels, Mesh Fencing, Barricades, Safety Equipment and Piping	\$120,000.00	3.00%
	TOTAL:	\$280,000.00	7.00%
<b>CONTRACT TOTAL</b>		<b>\$800,000.00</b>	<b>20.00%</b>

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

DocuSigned by:

 5/24/2022

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Carol Ellinger Haddock, P.E.

Director

Houston Public Works

WBS No. N-321040-0055-4

**Amount and Source of Funding:**

\$4,950,000.00 from Fund No. 4046 – Dedicated Drainage and Street Renewal Capital Fund- Ad Valorem Tax

**Contact Information:**

Bijen Malla, Senior Project Manager

Transportation & Drainage Operations

Phone: (832) 395-2214

**ATTACHMENTS:**

**Description**

Map

SAP Documents

OBO Documents

Form B

Ownership Information Form & Tax Report

POP Documents

Bid Extension

Bid Tabulations

Form 1295

Hire Houston First

**Type**

Backup Material

Financial Information

Backup Material

Backup Material

Backup Material

Backup Material

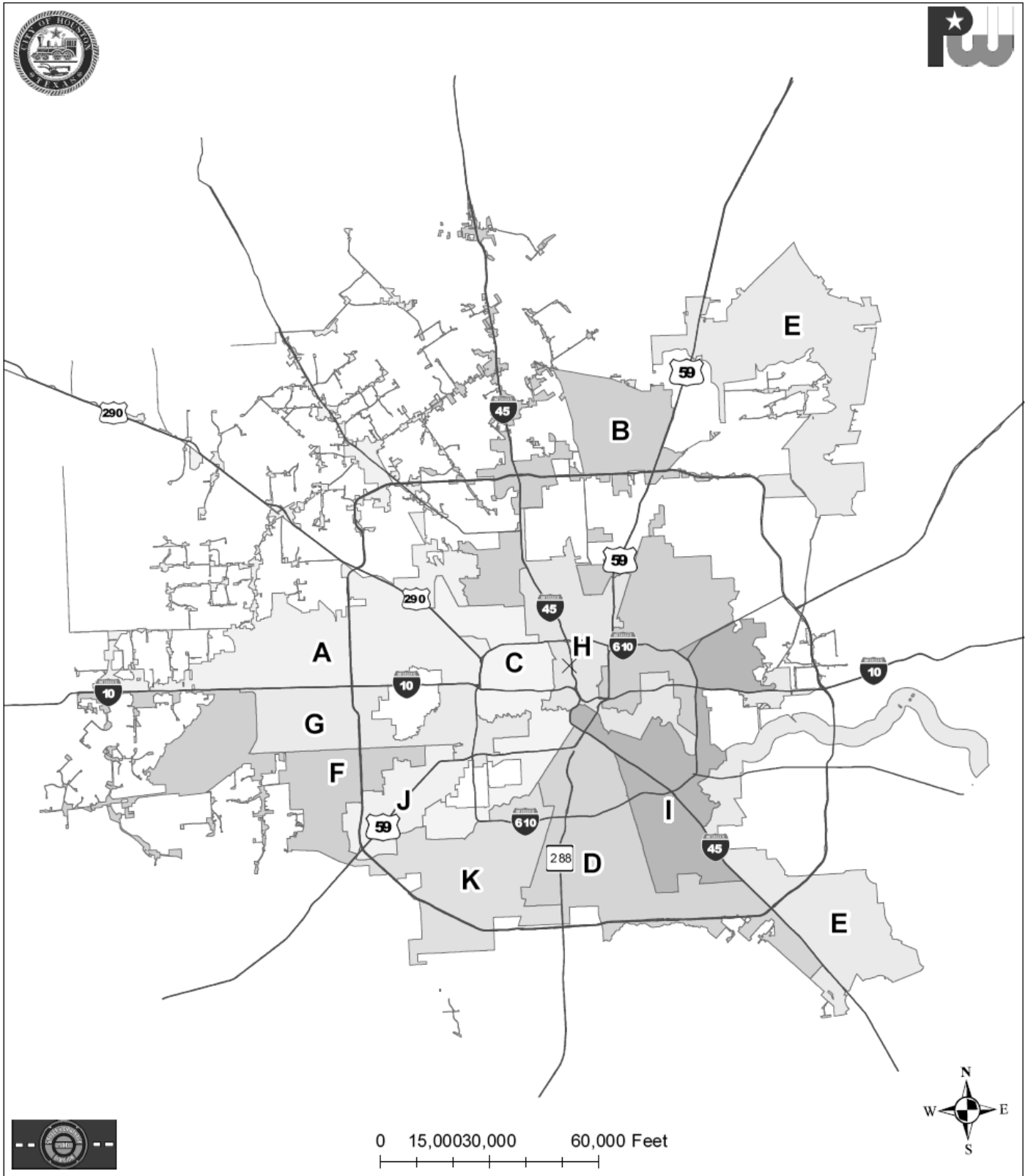
Backup Material

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DEPARTMENT OF HOUSTON PUBLIC WORKS  
Transportation and Drainage Operations



FY2022 Street & Drainage  
Rehabilitation Contract #2

WBS No. N-321040-0055-4  
Citywide

City Council District Map/Vicinity Map



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/17/2022

MYR - TIRZ City Appropriation \$176,606,190.86

Agenda Item#: 40.

### **Summary:**

ORDINANCE appropriating \$176,606,190.86 out of City of Houston, Texas Tax Increment Funds for **REINVESTMENT ZONES ONE (LAMAR TERRACE ZONE), TWO (MIDTOWN ZONE), THREE (MAIN STREET/MARKET SQUARE ZONE), FIVE (MEMORIAL HEIGHTS ZONE), SIX (EASTSIDE ZONE), SEVEN (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE), EIGHT (GULFGATE ZONE), NINE (SOUTH POST OAK ZONE), TEN (LAKE HOUSTON ZONE), ELEVEN (GREATER GREENSPPOINT ZONE), TWELVE (CITY PARK ZONE), THIRTEEN (OLD SIXTH WARD ZONE), FOURTEEN (FOURTH WARD ZONE), FIFTEEN (EAST DOWNTOWN ZONE), SIXTEEN (UPTOWN ZONE), SEVENTEEN (MEMORIAL CITY ZONE), EIGHTEEN (FIFTH WARD ZONE), NINETEEN (UPPER KIRBY ZONE), TWENTY (SOUTHWEST HOUSTON ZONE), TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE), TWENTY-TWO (LELAND WOODS ZONE), TWENTY-THREE (HARRISBURG ZONE), TWENTY-FOUR (GREATER HOUSTON ZONE), TWENTY-FIVE (HIRAM CLARKE FORT BEND ZONE), TWENTY-SIX (SUNNYSIDE ZONE) and TWENTY-SEVEN (MONTROSE ZONE)**, for payment of Affordable Housing Costs, payment of Administrative Expenses, payment of Project Costs, and payments to certain Redevelopment Authorities as provided herein

**TAGGED BY COUNCIL MEMBER JACKSON**

This was Item 13 on Agenda of June 1, 2022

### **Background:**

The appropriation of \$176,606,190.86 results from tax increment revenues received in tax year 2021 by the City for various TIRZs. As set forth in the attached spreadsheet, \$3,109,221.08 will be transferred to the City's Affordable Housing Fund pursuant to the City's Tri-Party Agreements with the TIRZs and their redevelopment authorities; \$8,739,458.98 will be transferred to the General Fund for TIRZ administrative costs; and \$164,757,510.80 will be paid to the various redevelopment authorities on behalf of the TIRZ or retained in the TIRZ Fund for approved project costs.

All tri-party agreements and creation documents can be found on the following website:  
<http://www.houstontx.gov/ecodev/>

**Prior Council Action:**

Ordinance 2021-587, 6/30/21

**Contact Information:**

\_\_\_ Gwendolyn F. Tillotson, Deputy Director

**Phone:** (832) 393-0937

**ATTACHMENTS:****Description**

Coversheet

**Type**

Signed Cover sheet



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/1/2022

ALL

Item Creation Date: 5/17/2022

MYR - TIRZ City Appropriation \$176,606,190.86

Agenda Item#: 12.

### **Background:**

The appropriation of \$176,606,190.86 results from tax increment revenues received in tax year 2021 by the City for various TIRZs. As set forth in the attached spreadsheet, \$3,109,221.08 will be transferred to the City's Affordable Housing Fund pursuant to the City's Tri-Party Agreements with the TIRZs and their redevelopment authorities; \$8,739,458.98 will be transferred to the General Fund for TIRZ administrative costs; and \$164,757,510.80 will be paid to the various redevelopment authorities on behalf of the TIRZ or retained in the TIRZ Fund for approved project costs.

All tri-party agreements and creation documents can be found on the following website:  
<http://www.houstontx.gov/ecodev/>

DocuSigned by:

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

Andy F. Ficklen, Chief Development Officer

### **Prior Council Action:**

Ordinance 2021-587, 6/30/21

DS

### **Contact Information:**

Gwendolyn F. Tillotson, Deputy Director

Phone: (832) 393-0937

### **ATTACHMENTS:**

Description	Type
PCA 2021-587	Backup Material



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

ALL

Item Creation Date: 5/17/2022

MYR - TIRZ ISD Appropriation \$66,118,127.72

Agenda Item#: 41.

### **Summary:**

ORDINANCE appropriating \$66,118,127.72 out of Tax Increment Funds for **REINVESTMENT ZONES ONE, (LAMAR TERRACE ZONE), TWO (MIDTOWN ZONE), THREE (MAIN STREET/MARKET SQUARE ZONE), SIX (EASTSIDE ZONE), SEVEN (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE), EIGHT (GULFGATE ZONE), NINE (SOUTH POST OAK ZONE), TEN (LAKE HOUSTON ZONE), ELEVEN (GREATER GREENSPPOINT ZONE), TWELVE (CITY PARK ZONE), THIRTEEN (OLD SIXTH WARD ZONE), FOURTEEN (FOURTH WARD ZONE), FIFTEEN (EAST DOWNTOWN ZONE), SIXTEEN (UPTOWN ZONE), and EIGHTEEN (FIFTH WARD ZONE)**, for Affordable Housing, Administrative Expenses, payments to Houston Independent School District and Humble Independent School District for Educational Facilities, and payments to certain Redevelopment Authorities as provided herein

**TAGGED BY COUNCIL MEMBER JACKSON**

This was Item 14 on Agenda of June 1, 2022

### **Background:**

The appropriation of \$66,118,127.72 results from tax increment payments received in tax year 2021 from HISD, Spring ISD and Humble ISD for transfer to the various TIRZs that the ISDs participate.

As shown in the attached spreadsheet, \$1,143,076.33 will be transferred to the City's Affordable Housing Fund; \$350,000 will be transferred to the General Fund; \$18,772,805.45 will be paid to HISD for Educational Facilities Project Costs and \$13,334,918.44 will be paid to Humble ISD for Educational Facilities Project Costs for a total of \$32,107,723.89 for Educational Facilities Project Costs. The various redevelopment authorities will be paid \$32,517,237.50 on behalf of the TIRZs.

All tri-party agreements and creation documents can be found on the following website:  
<http://www.houstontx.gov/ecodev/>

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Andy F. Icken, Chief Development Officer

**Prior Council Action:**

Ordinance No. 2021 - 588, 6/30/2021

**Contact Information:**

\_\_\_\_ Gwendolyn F. Tillotson, Deputy Director

**Phone:** (832) 393 - 0937

**ATTACHMENTS:****Description**

Coversheet

**Type**

Signed Cover sheet





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 6/1/2022

ALL

Item Creation Date: 5/17/2022

MYR - TIRZ ISD Appropriation \$66,118,127.72

Agenda Item#: 13.

### **Background:**

The appropriation of \$66,118,127.72 results from tax increment payments received in tax year 2021 from HISD, Spring ISD and Humble ISD for transfer to the various TIRZs that the ISDs participate.

As shown in the attached spreadsheet, \$1,143,076.33 will be transferred to the City's Affordable Housing Fund; \$350,000 will be transferred to the General Fund; \$18,772,805.45 will be paid to HISD for Educational Facilities Project Costs and \$13,334,918.44 will be paid to Humble ISD for Educational Facilities Project Costs for a total of \$32,107,723.89 for Educational Facilities Project Costs. The various redevelopment authorities will be paid \$32,517,237.50 on behalf of the TIRZs.

All tri-party agreements and creation documents can be found on the following website:  
<http://www.houstontx.gov/ecodev/>

DocuSigned by:

A handwritten signature in black ink, appearing to read "Andy F. Ecken", is written over a horizontal line.

Andy F. Ecken, Chief Development Officer

### **Prior Council Action:**

Ordinance No. 2021 - 588, 6/30/2021

DS

### **Contact Information:**

Gwendolyn F. Tillotson, Deputy Director

Phone: (832) 393 - 0937

### **ATTACHMENTS:**

Description	Type
PCA - 2021-588	Backup Material



## **CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 6/7/2022

Item Creation Date: 5/17/2022

Chick-Fil-a Rule 12 Appeal

Agenda Item#: 42.

### **Summary:**

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

**TAGGED BY COUNCIL MEMBER GALLEGOS**

This was Item 25 on Agenda of June 1, 2022

### **Contact Information:**

Louis Gonzalez  
832 393-1100

### **ATTACHMENTS:**

#### **Description**

Transcript of appeal

#### **Type**

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.

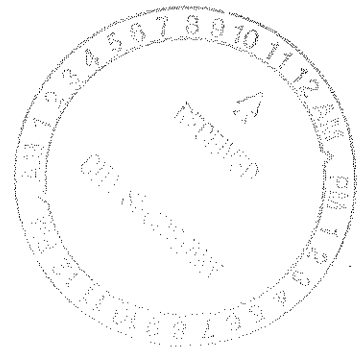
Sincerely,

*Stephanie Stewart*

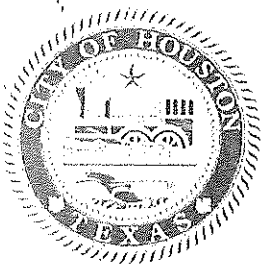
Stephanie Stewart

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](mailto: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

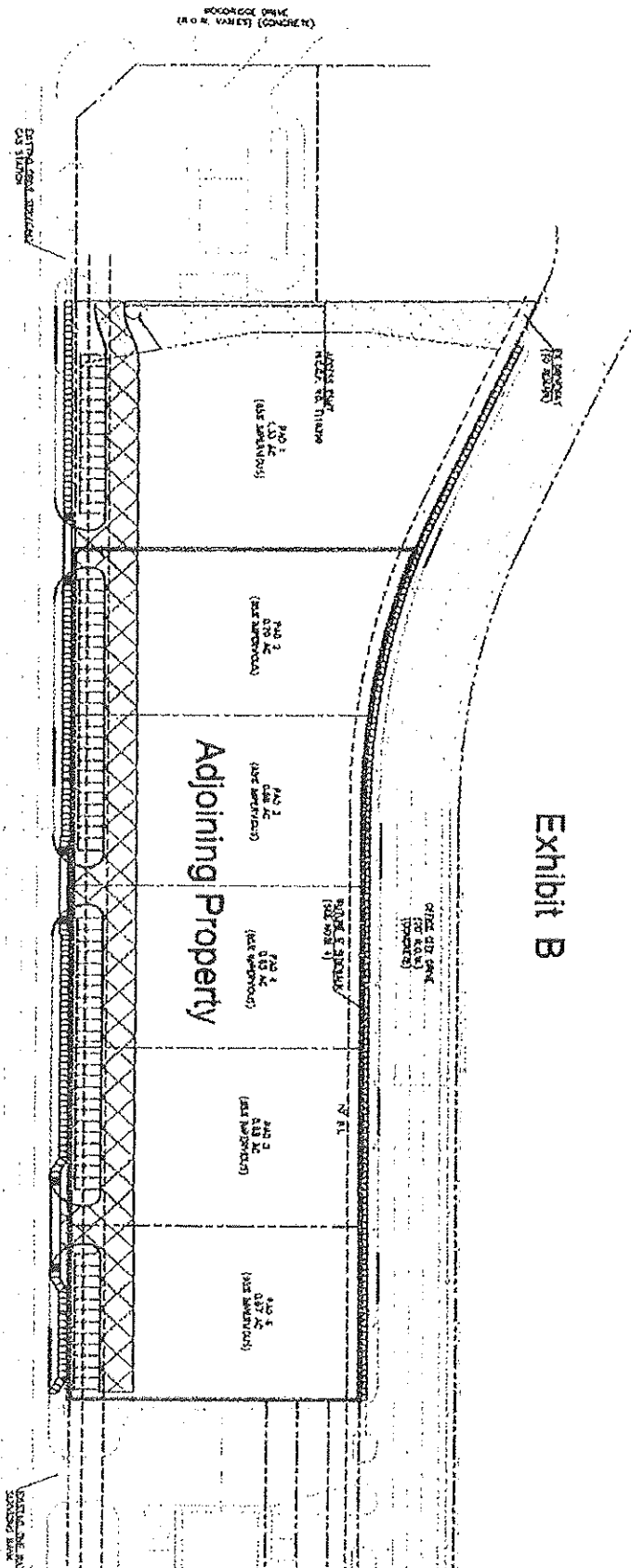
Michael Dishberger, Chairman  
General Appeals Board  
Of the City of Houston

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, 4<sup>th</sup> 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](mailto: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 INFORMATION**Are exhibits confidential? ☐ Yes ☒ No**CASE/WITNESS INFORMATION**

Witness Name: Mario Garcia  
Case Name: General Appeals Board Hearing

**EXHIBITS**First 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#

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A. Consideration of minutes for December 16, 2021 meeting

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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](mailto: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](mailto: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

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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)

MAILING ADDRESS:

(If different from above)

Chick-fil-A 5200 Buffington Rd. Atlanta, GA. 30349

(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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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.

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## Checklist Comments Report

Project Name: 21120439

Workflow Started: 12/03/2021 12:08 PM

Report Generated: 01/12/2022 12:08 PM

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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](mailto:stephanie.stewart@signremedy.com)>  
**Sent:** Friday, November 12, 2021 9:05 AM  
**To:** Garcla, Mario - HPC-HPW <[Mario.Garcla@houstontx.gov](mailto:Mario.Garcla@houstontx.gov)>; Simmons, Billy - HPC-HPW <[Billy.Simmons@houstontx.gov](mailto:Billy.Simmons@houstontx.gov)>  
**Cc:** Teresea Lindsey <[teresea.lindsey@signremedy.com](mailto: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](mailto: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
<b>Sign A</b> <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Electrical Sign Type N1	<b>Sign B</b> <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	<b>Sign C</b> <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	<b>Sign D</b> <input type="checkbox"/> New <input type="checkbox"/> Electrical Sign Type	<b>Sign E</b> <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.

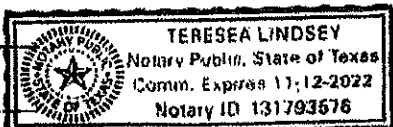
(4) Brightness limits shall be set at a maximum of 8500 nits between sunrise and sunset, and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted with a qualified light sensing device to automatically adjust the brightness in accordance with these standards.

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: [Signature] Phone: (381) 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 me subscribed before me by said Patrick Davis / Stephanie Stewart on Dec 03 of 20 21

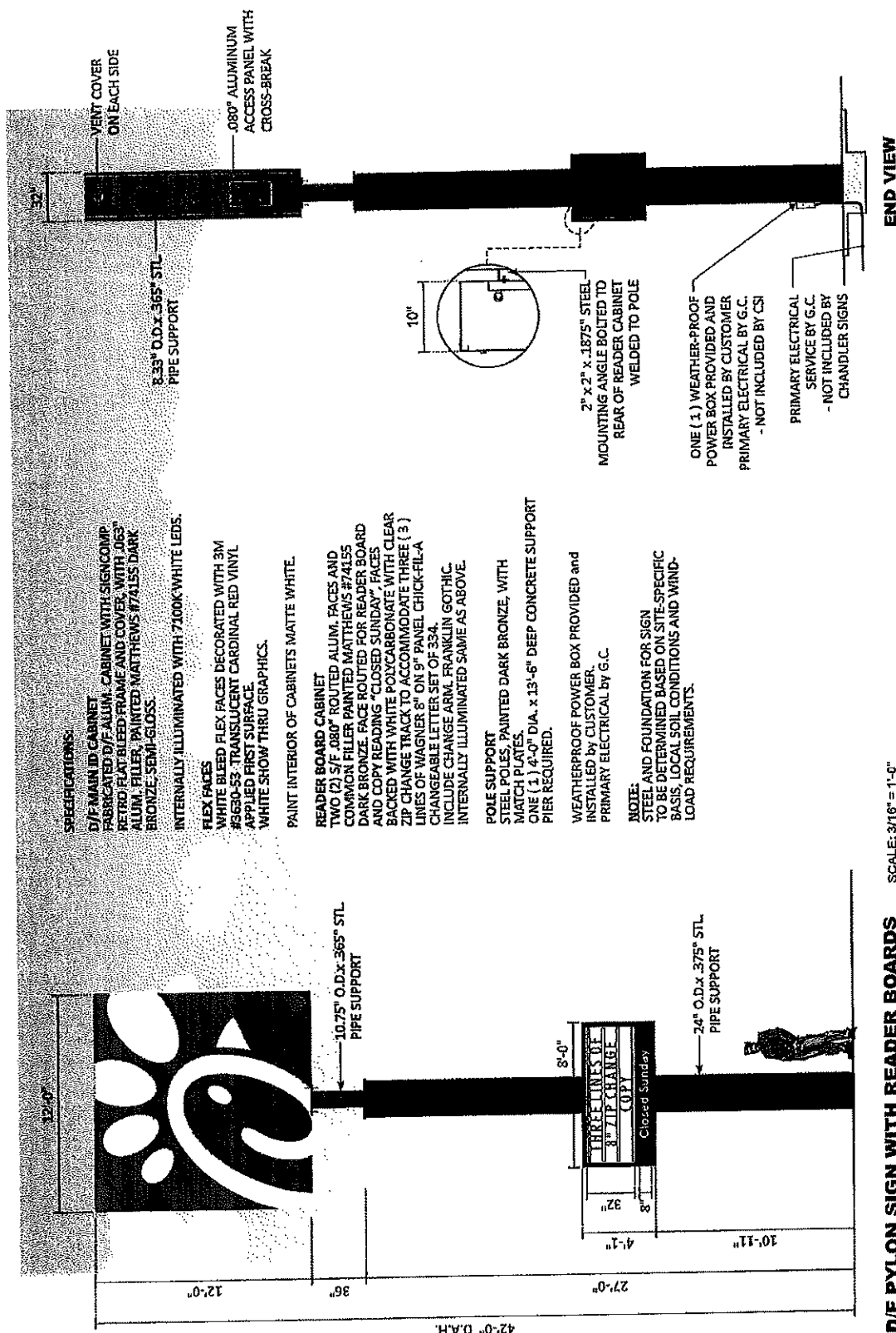
[Signature] Owner/Signatory/Agent/Lessee of Premise  
Stephanie Stewart Sign Representative Signature  
  
[Signature] NOTARY PUBLIC in and for the State of Texas

Project No.	0004744111 PERMITS
Sheet	5 of 49
Location	
#4527	
Address	WOMBERGER BLVD HOUSTON, TX
Arch. Name	PRISTER HAMILTON L. H. H&O
Client	H. PAXNE
Date	02/12/2000
Applicator/Date	
Drawn	
Check	
Engineer	
Reviewed	
Revised/Date	

The undersigned hereby certifies that the above information is true and correct to the best of his knowledge and belief, and that he is a duly licensed Professional Engineer in the State of Texas, and that he is the author of the design and construction of the above described project.

CHANDLER  
 ENGINEERS  
 14001 Southwest Hwy 4225  
 Houston, Texas 77040  
 281-461-1111  
 Fax 281-461-1112  
 Email: chandler@chandler-engineers.com

Notes:  
 1. All dimensions are in feet and inches unless otherwise noted.  
 2. All materials shall be of standard commercial grade unless otherwise noted.  
 3. All finishes shall be as noted on the drawings.  
 4. All work shall be in accordance with the latest edition of the Texas Building Code.  
 5. All work shall be in accordance with the latest edition of the Texas Electrical Code.  
 6. All work shall be in accordance with the latest edition of the Texas Mechanical Code.  
 7. All work shall be in accordance with the latest edition of the Texas Fire Code.  
 8. All work shall be in accordance with the latest edition of the Texas Health and Safety Code.  
 9. All work shall be in accordance with the latest edition of the Texas Transportation Code.  
 10. All work shall be in accordance with the latest edition of the Texas Criminal Justice Code.  
 11. All work shall be in accordance with the latest edition of the Texas Education Code.  
 12. All work shall be in accordance with the latest edition of the Texas Government Code.  
 13. All work shall be in accordance with the latest edition of the Texas Labor Code.  
 14. All work shall be in accordance with the latest edition of the Texas Insurance Code.  
 15. All work shall be in accordance with the latest edition of the Texas Banking and Finance Code.  
 16. All work shall be in accordance with the latest edition of the Texas Real Estate Code.  
 17. All work shall be in accordance with the latest edition of the Texas Public Utility Code.  
 18. All work shall be in accordance with the latest edition of the Texas Agriculture Code.  
 19. All work shall be in accordance with the latest edition of the Texas Forestry Code.  
 20. All work shall be in accordance with the latest edition of the Texas Wildlife and Fisheries Code.  
 21. All work shall be in accordance with the latest edition of the Texas Parks and Recreation Code.  
 22. All work shall be in accordance with the latest edition of the Texas Cultural Heritage Code.  
 23. All work shall be in accordance with the latest edition of the Texas Historical Landmarks Code.  
 24. All work shall be in accordance with the latest edition of the Texas Archaeological Code.  
 25. All work shall be in accordance with the latest edition of the Texas Anthropological Code.  
 26. All work shall be in accordance with the latest edition of the Texas Linguistic Code.  
 27. All work shall be in accordance with the latest edition of the Texas Literary Code.  
 28. All work shall be in accordance with the latest edition of the Texas Musical Code.  
 29. All work shall be in accordance with the latest edition of the Texas Dramatic Code.  
 30. All work shall be in accordance with the latest edition of the Texas Cinematic Code.  
 31. All work shall be in accordance with the latest edition of the Texas Televisual Code.  
 32. All work shall be in accordance with the latest edition of the Texas Audiovisual Code.  
 33. All work shall be in accordance with the latest edition of the Texas Informational Code.  
 34. All work shall be in accordance with the latest edition of the Texas Communication Code.  
 35. All work shall be in accordance with the latest edition of the Texas Transportation Code.  
 36. All work shall be in accordance with the latest edition of the Texas Criminal Justice Code.  
 37. All work shall be in accordance with the latest edition of the Texas Education Code.  
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 57. All work shall be in accordance with the latest edition of the Texas Televisual Code.  
 58. All work shall be in accordance with the latest edition of the Texas Audiovisual Code.  
 59. All work shall be in accordance with the latest edition of the Texas Informational Code.  
 60. All work shall be in accordance with the latest edition of the Texas Communication Code.



**SPECIFICATIONS:**

**D/F MAIN ID CABINET**  
 FABRICATED D/F ALUM. CABINET WITH SIGNCOMP RETRO FLAT BLEED FRAME AND COVER, WITH .063" ALUM. FILLER, PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.

**INTERNALLY ILLUMINATED WITH 7100K WHITE LEDS.**

**FLEX FACES**  
 WHITE BLEED FLEX FACES DECORATED WITH 3M #360-S2 TRANSLUCENT CARDINAL RED VINYL APPLIED FIRST SURFACE.  
 WHITE SHOW THRU GRAPHICS.

**PAINT INTERIOR OF CABINETS MATTE WHITE.**

**READER BOARD CABINET**  
 TWO (2) 5/8" .080" ROUTED ALUM. FACES AND COMMON FILLER PAINTED MATTHEWS #74155 DARK BRONZE. FACE ROUTED FOR READER BOARD AND COPY READING "CLOSED SUNDAY" FACES BACKED WITH WHITE POLYCARBONATE WITH CLEAR ZIP CHANGE TRACK TO ACCOMMODATE THREE (3) LINES OF WAGNER 8" ON 9" PANEL CHICK-FIL-A CHANGEABLE LETTER SET OF 334.  
 INCLUDE CHANGE ARMR. FRANKLIN GOTHIC. INTERNALLY ILLUMINATED SAME AS ABOVE.

**POLE SUPPORT**  
 STEEL POLES, PAINTED DARK BRONZE, WITH MATCH PLATES.  
 ONE (1) 4"-Q" DIA. x 13'-6" DEEP CONCRETE SUPPORT PIER REQUIRED.

**WEATHERPROOF POWER BOX PROVIDED AND INSTALLED BY CUSTOMER.**  
 PRIMARY ELECTRICAL BY G.C.

**NOTE:**  
 STEEL AND FOUNDATION FOR SIGN TO BE DETERMINED BASED ON SITE-SPECIFIC BASIS. LOCAL SOIL CONDITIONS AND WIND-LOAD REQUIREMENTS.

**D/F PYLON SIGN WITH READER BOARDS** SCALE: 3/16" = 1'-0"

176 SQ. FT.

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

TEXT:  
 APERCU TITLE CASE BOLD

**END VIEW**

FINAL ELECTRICAL CONNECTION BY CUSTOMER

Chick-fil-A

A



## 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





Workflow Started: 12/03/2021 12:08 PM  
Report Generated: 02/24/2022 01:41 PM

[illegible]



## 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.



Report Generated: 01/12/2022 12:08 PM

Cycle :	Permit Type :	Comment Type :	Reviewer Comment	Applicant Response	Status :	Updated By :	Last Updated :
1	Signs Permit	Construction & Attachment	The dimensions on Engineering and construction drawings are different.		Met	Claudia Prindle	01/12/2022 11:00 AM
2	Signs Permit	Scope-of-Work	Proposed scope-of-work exceeds Table 4811 allowance(s) for Max. Ht. of 31ft for category E and 150sf.		Not Met	Claudia Prindle	01/12/2022 11:00 AM

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

PAGE NO.

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APPROVE THE MINUTES:	6
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THE WITNESS: MR. MARIO GARCIA,	
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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

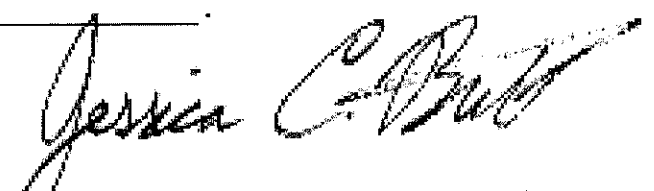
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GENERAL APPEALS BOARD

CONSIDERATION OF A SIGN APPEAL HEARING

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REMOTELY VIA MICROSOFT TEAMS

\* \* \* \* \*

FEBRUARY 24, 2022

5:00 p.m.

General Appeals Board Hearing Vol 1  
February 24, 2022

2 to 5

<p style="text-align: center;">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</p> <p>12 COUNSEL FOR GENERAL APPEALS BOARD AND CITY OF HOUSTON:</p> <p>13 (PRESENT VIA MICROSOFT TEAMS)</p> <p>14 MR. DOUGLAS RAY, ATTORNEY FOR THE GENERAL APPEALS BOARD</p> <p>15 (PRESENT IN PERSON)</p> <p>16 MR. CHARLES HOUSTON, ATTORNEY FOR THE CITY OF HOUSTON</p> <p>17</p> <p>18 PRESENT FOR APPELLANT:</p> <p>19 (PRESENT IN PERSON)</p> <p>20 MS. STEPHANIE STEWART, SIGN REMEDY, INC.</p> <p>21 MR. PATRICK DAVIS, CHICK-FIL-A, INC.,</p> <p>22 DEVELOPMENT SERVICES</p> <p>23 MS. KRISTEN HAMILTON, CHANDLER SIGNS</p> <p>24</p> <p>25</p>	<p style="text-align: center;">Page 4</p> <p style="text-align: center;">I N D E X</p> <p>1</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>21</p> <p style="text-align: center;">D O C U M E N T S</p> <p>22</p> <p style="text-align: right;">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: center;">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: center;">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>18 BY MR. HOUSTON</p> <p>19 Q Mr. Garcia, would you please state your -- 20 state and spell your full name for the record. 21 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?</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>

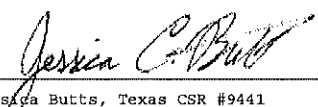
<p style="text-align: right;">Page 30</p> <p>1 ask -- I'm -- I'm Kristen Hamilton with Chandler Signs. 2 We're a national partner with Chick-fil-A. We pull 3 pro- -- permits for them all over the country and a lot 4 of permits in the City of Houston. And we have a -- a 5 good research department that 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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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  
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