

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

- () Funds have been encumbered out of funds previously appropriated for such purpose.
- () Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- () Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- () No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- () The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- () A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.

() Other - Grant Funds Available *under Ord # 2019-109*
Date: 2-19, 2019 *Cheryl Brown*
City Controller of the City of Houston, Texas

sc mg FUND REF: na AMOUNT: -0- ENCUMB. NO.: GN5083-19

City of Houston, Texas, Ordinance No. 2019-109

Q AN ORDINANCE APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE CITY OF HOUSTON AND THE TEXAS GENERAL LAND OFFICE TO PROVIDE FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY 2016 FLOOD EVENTS (CDBG-DR16) FUNDS FOR A HOUSING BUYOUT PROGRAM; CONTAINING FINDING AND PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * *

WHEREAS, on September 12, 2018, pursuant to Ordinance No. 2018-721, the City Council of the City of Houston (“City Council”) authorized the submission of the 2016 Housing Project Application to the Texas General Land Office (“GLO”) requesting funding for the Community Development Block Grant 2016 Flood Events (“CDBG-DR16”) in the amount of \$23,486,698.00 for a Housing Buyout Program and acceptance of the CDBG-DR16 funds if awarded; and

WHEREAS, the Housing Buyout Program (“Program”), is designed to fund the purchase of single family and/or multifamily properties, the relocation of residents living in the properties, and the demolition of the homes remaining on the properties that were impacted by the 2016 flood events; and

WHEREAS, the proposed activities will remove housing from floodplains preventing future housing development on such properties, and will dedicate these properties for a use compatible with open space, recreational, or floodplain and wetlands management practices, with the potential for serving as flood control in the future; and

WHEREAS, this Program may be carried out by the City or a subrecipient; and

WHEREAS, the Housing and Community Development Department (“HCDD”) will come back to Council for approval of specific projects or target areas for the Program; and

WHEREAS, HCDD now recommends that City Council 1) approve and authorize a contract between the City and the GLO (“Contract”), in substantially the form attached hereto as **Exhibit “A”**, to provide for the use of \$23,486,698.00 in CDBG-DR16 funds for a Housing Buyout Program; and 2) authorize the Mayor, or the Mayor’s designee, in consultation with the City Attorney, without the need for further approval by City Council, to execute the final Contract and other related documents in order to carry out the intent and objectives of the Contract; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS

Section 1. That the facts and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance.

Section 2. That the City Council hereby approves and authorizes the Contract between the City and the GLO, in substantially the form attached hereto under **Exhibit “A”**, to provide for the use of \$23,486,698.80 in CDBG-DR16 funds for the Housing Buyout Program.

Section 3. That the City Council hereby approves and authorizes the Mayor or the Mayor’s designee, in consultation with the City Attorney, without the need for further approval by City Council, to execute the final Contract, in substantially the form attached hereto as **Exhibit “A”**, and other related documents on behalf of the City of Houston; and the Mayor, City Controller, City Secretary, and Director of the City’s Housing and Community Development Department, collectively and individually, are hereby authorized to take all actions necessary to

effectuate the City's intent and objectives in approving such Contract and related documents, or other undertakings described in the title of this Ordinance, in the event of changed circumstances, including to make such changes to the Contract, in consultation with the City Attorney, prior to its execution by the City Controller as may be necessary or otherwise required by the GLO and/or HUD to achieve this purpose so long as those changes do not impair the intended purpose of the Contract or require the appropriation, allocation, or expenditure of any funds. The City Secretary (or in the absence of the City Secretary, any Assistant City Secretary) is hereby authorized to attest to all such signatures and to affix the seal of the City to all such instruments. The City Attorney is hereby authorized to take all action necessary to enforce legal obligations under said contracts, agreements or other undertakings, without further authorization from City Council.

Section 4. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 20th day of February, 2019.

APPROVED this _____ day of _____, 2019.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is FEB 26 2019.

A. J. Manuel
City Secretary **Assistant**

(Prepared by Legal Dept.
(BJP/KCI/02/04/19)

Barbara J. Pierce
Senior Assistant City Attorney

(Requested by Tom McCasland, Director, Housing and Community Development Department)
(L.D. File No.0291800482002)

FUND REF: Grant Fund

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CAPTION PUBLISHED IN DAILY COURT
 REVIEW
 DATE: FEB 26 2019

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
ABSENT		BOYKINS
		ABSENT-OUT OF CITY ON PERSONAL BUSINESS MARTIN
ABSENT		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	