

**YOLANDA FORD**  
Mayor

**VASHAUNDRA EDWARDS**  
Councilmember at Large Position No. 1

**CHRIS PRESTON**  
Mayor Pro Tem  
Councilmember at Large Position No. 2



**REGINALD PEARSON**  
Councilmember District A

**JEFFREY L. BONEY**  
Councilmember District B

**ANTHONY G. MAROULIS**  
Councilmember District C

**FLOYD EMERY**  
Councilmember District D

## **CITY COUNCIL MEETING AGENDA**

Notice is hereby given of a meeting of the City Council of Missouri City to be held on **Monday, February 18, 2019, at 7:00 p.m.** at: **City Hall, Council Chamber, 2<sup>nd</sup> Floor**, 1522 Texas Parkway, Missouri City, Texas, 77489, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **1. ROLL CALL**

### **2. PLEDGE OF ALLEGIANCE**

### **3. PRESENTATIONS AND RECOGNITIONS**

- (a) Recognize Courtney Brian Wilson, gospel artist and two-time Grammy Awards nominee.
- (b) Recognize Aarnav Gopinath, Fort Bend Independent School District Spelling Bee Championship winner.

### **4. PUBLIC COMMENTS**

*An opportunity for the public to address City Council on agenda items or concerns not on the agenda—those wishing to speak must complete the orange comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a three-minute time limit.*

### **5. STAFF REPORTS**

- (a) City Manager announcements.

### **6. CONSENT AGENDA**

*All consent agenda items listed are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember so requests; in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.*

- (a) Consider approving the minutes of the special and regular City Council meetings of February 4, 2019.

### **7. PUBLIC HEARINGS AND RELATED ACTIONS**

- (a) **Zoning Public Hearings and Ordinances**— *There are no Zoning Public Hearings and ordinances on this agenda.*
- (b) **Public Hearings and related actions** — *There are no Public Hearings and related actions on this agenda.*

**8. APPOINTMENTS**

- (a) Consider appointing members to the board of directors for each tax increment reinvestment zone.

**9. AUTHORIZATIONS**

- (a) Consider authorizing the City Manager to execute a contract for Intelligent Transportation Systems equipment maintenance and repair.
- (b) Consider authorizing the City Manager to execute a contract for traffic systems maintenance and repair.
- (c) Consider authorizing the City Manager to execute a contract for pavement marking services.
- (d) Consider authorizing the City Manager to execute a contract for ditch cleaning and excavation services.

**10. ORDINANCES**

- (a) Consider an ordinance amending the General Budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

**11. RESOLUTIONS**

- (a) Consider a resolution approving the submission of the 2019 grant application for a General Victim Assistance Program grant to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council to fund the crime victim liaison position.
- (b) Consider a resolution approving the submission of the 2019 grant application for a Criminal Justice Program grant to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council to fund the purchase of a mobile video surveillance trailer.
- (c) Consider a resolution ratifying the submission of the 2019 grant application for a Selective Traffic Enforcement Program grant to the Texas Department of Transportation to fund overtime activities by law enforcement to reduce the incidence of traffic collisions, injuries, and fatalities; and agreeing to provide matching funds.
- (d) Consider a resolution opposing the creation of a new special district in Missouri City.

**12. CITY COUNCIL ANNOUNCEMENTS**

*Discussion, review, and possible action regarding a meeting or activity of one or more of the following entities (each entity refers to a City of Missouri City entity unless otherwise indicated):*

Charter Review Commission, Community Development Advisory Committee, Construction Board of Adjustments, Electrical Board, Parks Board, Planning and Zoning Commission, Tax Increment Reinvestment Zone Boards, Fort Bend Chamber of Commerce, Houston-Galveston Area Council, Fort Bend Regional Council, Texas Municipal League, Fort Bend County, Harris County, Gulf Coast Building and Construction Trades Council, Mayor's Youth Commission, Finances and Services Committee, Fort Bend Leadership Forum, Fort Bend County Drainage District, Economic Development Committee, Missouri City Parks Foundation, Missouri City Police and Fire Auxiliary, Livable Community Committee, Texas Parkway Alliance, High Performance Organization Committee, Missouri City Juneteenth Celebration Foundation, Fort Bend County Mayor and Council Association, METRO, Planning, Development and Infrastructure Committee, Fort

Bend Independent School District, Greater Fort Bend Economic Development Coalition, Transportation Policy Council, Community Development Advisory Committee, Veterans Memorial Committee, Missouri City Recreation and Leisure Local Government Corporation, Missouri City Development Authority, and the Greater Houston Partnership and Emergency Management updates.

**13. CLOSED EXECUTIVE SESSION**

*The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code.*

**14. RECONVENE**

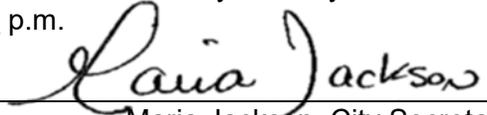
*Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.*

**15. ADJOURN**

**In compliance with the Americans with Disabilities Act, the City of Missouri City will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Maria Jackson, City Secretary, at 281.403.8686.**

**CERTIFICATION**

I certify that a copy of the February 18, 2019, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on February 15, 2019, at 4:00 p.m.

  
\_\_\_\_\_  
Maria Jackson, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Signed: \_\_\_\_\_

Title: \_\_\_\_\_



**Council Agenda Item  
February 18, 2019**

**1. ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS AND RECOGNITIONS**

- (a) Recognize Courtney Brian Wilson, gospel artist and two-time Grammy Awards nominee.
- (b) Recognize Aarnav Gopinath, Fort Bend Independent School District Spelling Bee Championship winner.

**4. PUBLIC COMMENTS**

*An opportunity for the public to address City Council on agenda items or concerns not on the agenda - those wishing to speak must complete the orange comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a three-minute time limit.*

**5. STAFF REPORTS**

- (a) City Manager announcements.
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**YOLANDA FORD**  
Mayor

**VASHAUNDR A EDWARDS**  
Councilmember at Large Position No. 1

**CHRIS PRESTON**  
Mayor Pro Tem  
Councilmember at Large Position No. 2



**REGINALD PEARSON**  
Councilmember District A  
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Councilmember District B  
**ANTHONY G. MAROULIS**  
Councilmember District C  
**FLOYD EMERY**  
Councilmember District D

## CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, February 4, 2019**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:00 p.m.** to consider the following:

### 1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:06 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis and Emery; City Manager Snipes, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Director of Communications Walker, Assistant City Attorney Santangelo, and Media Relations Specialist II Kalimkootil. Also present: Frank Hester.

### 2. DISCUSSION/POSSIBLE ACTION

- (a) Interview, discuss, and consider candidates to serve on the board of directors for Tax Increment Reinvestment Zone (TIRZ) Number 1, Number 2, and Number 3 board of directors.

City Council interviewed JaPaula C. Kemp, Roy Gilbert, Mary Ross, Joe Workman, Shaizad A Chatriwala, Farrah Sabouni, Robin Elackatt, Leslie Mack Jr., Curtis Williams, Dianne Jemison Pollard, Eunice Reiter, and Karen Overton. as candidates to serve on the board of directors for Tax Increment Reinvestment Zone (TIRZ) Number 1, Number 2, and Number 3 board of directors.

City Council was notified that although Kingsley Idemudia, Buddy Jimerson, and George Ewing, were unable to attend, the candidates would like to be considered.

Councilmember Emery moved to recess the special City Council meeting at 6:52 p.m. to begin the regular City Council meeting. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

City Council reconvened the special City Council meeting at 9:05 p.m.

Councilmember Pearson moved to postpone discussion of the candidates to serve on the board of directors for Tax Increment Reinvestment Zone (TIRZ) Number 1, Number 2, and Number 3 board of directors until the next City Council meeting. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

### 3. ADJOURN

The special City Council meeting adjourned at 9:06 p.m.

ATTEST:

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Yolanda Ford, Mayor

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Maria Jackson, City Secretary

**YOLANDA FORD**  
Mayor

**VASHAUNDRA EDWARDS**  
Councilmember at Large Position No. 1

**CHRIS PRESTON**  
Mayor Pro Tem  
Councilmember at Large Position No. 2



**REGINALD PEARSON**  
Councilmember District A  
**JEFFREY L. BONEY**  
Councilmember District B  
**ANTHONY G. MAROULIS**  
Councilmember District C  
**FLOYD EMERY**  
Councilmember District D

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, February 4, 2019**, at the City Hall, Council Chamber, 2<sup>nd</sup> Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

### **1. ROLL CALL**

Mayor Ford called the meeting to order at 7:02 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis, and Emery; City Manager Snipes, Assistant City Attorney Santangelo, and City Secretary Jackson.

**2. The PLEDGE OF ALLEGIANCE** was led by the Thurgood Marshall High School Air Force Junior Reserve Officer Training Corps.

### **3. PRESENTATIONS AND RECOGNITIONS.**

Mayor Ford, Director of Development Services Spriggs, and Health Inspector Abraham presented the Clean Restaurant award to local establishments.

Councilmember Boney stepped away at 7:08 p.m. and returned at 7:12 p.m.

Councilmember Edwards stepped away at 7:09 p.m. and returned at 7:11 p.m.

### **4. PUBLIC COMMENTS**

**Bruce Zaborowski**, 7915 Chancel, addressed his concerns with Fonmeadow and requested a pedestrian bridge.

**Deirdre D. Gilbert**, 7019 Brewster Lane, addressed voting rights and taxes in Sienna Plantation.

**Melissa Washington**, 2903 Amber Hill Trail, the Texas General Land Office Community Outreach Coordinator, addressed the Hurricane Harvey recovery homeowners assistance program and homeowners reimbursement program.

### **5. STAFF REPORTS**

City Manager Snipes provided a few brief updates. Snipes noted the City received a number of accolades including being ranked 30 out of 136 Texas Cities and ranked 5 out of cities with population of 50,000 or more by the Home Security Advisor. He also stated they would hold the CDBG-DR application for a 30-day period to hold comment, but funds were approved. The Missouri City Police and Fire Academy applications were posted on the City's website. Snipes invited the community to the following events: Free Car Seat Check on February 7; Family Fun Night – Cupid's Carnival on February 8; Tree Planting Competition on February 9; Annual Hollywood Themed Dad & Daughter dance on February 9; and, the Annual Black History Month Celebration on February 16. Snipes thanked the following: Missouri City Green and the Parks and Recreation Department who hosted the E-Recycle event; the Animal Shelter for the first Annual Pooch P.A.D. event; the Office of Strategic Initiative who hosted a Customer Service initiative; the

Office of Strategic Initiative, the City Secretary Office and the Legal Department who coordinated the City Council workshops; staff who worked with Councilmember Boney for the District B Community meeting; and, the Employee Recognition Committee who hosted a bowling event.

**6. CONSENT AGENDA**

- (a) Consider approving the minutes of the special and regular City Council meetings of January 22, 2019; and the special City Council meeting minutes of January 28, 2019.
- (b) Consider an ordinance amending the City of Missouri City Public Infrastructure Design Manual; providing a penalty; and consider the ordinance on the second and final reading.
- (c) Consider accepting the quarterly investment report for the period ending on December 31, 2018.

Councilmember Boney moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **Zoning Public Hearings and Ordinances** or **Public Hearings and related actions.**

**8. APPOINTMENTS**

- (a) Consider appointing members to the board of directors for each tax increment reinvestment zone.

Councilmember Pearson moved to postpone the agenda item until the next City Council meeting. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

**9. AUTHORIZATIONS**

- (a) Consider authorizing the execution of a contract for the re-roofing of Missouri City Fire Station No. 4.

Councilmember Emery moved to authorize the execution of the contract. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider authorizing the execution of a contract for fleet vehicles through requests for quotes and cooperative purchasing programs with Buy Board and Fort Bend County.

Councilmember Boney moved to authorize the execution of the contract. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider authorizing a Tax Increment Reinvestment Zone (TIRZ) No. 1 reimbursement to the City of Missouri City, Texas, for the Independence Boulevard project.

Councilmember Emery moved to authorize the reimbursement. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Consider authorizing a reimbursement to Vicksburg Estates, Limited, for certain infrastructure improvements in Lake Shore Harbour, Sections 4 and 5.

Councilmember Emery moved to authorize the reimbursement. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

**10. ORDINANCES**

- (a) Consider an ordinance amending Chapter 2, Administration; Chapter 34, Finance and Taxation; and Chapter 82, Subdivisions, of the Missouri City Code to change the name of the

Finance Department to the Financial Services Department; providing a penalty; and consider the ordinance on the second and final reading.

Councilmember Boney moved to adopt the ordinance. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **RESOLUTIONS.**

**12. CITY COUNCIL ANNOUNCEMENTS**

Councilmember Edwards thanked the Animal Shelter and the Communications Department for the Pooch P.A.D. event. Councilmember Emery thanked the Animal Shelter event, as well. Councilmember Boney thanked all the departments for the success of the District B City wide community event. He also thanked City Manager Snipes and Habitat for Humanity who assisted with a senior resident in need of a heater. Councilmember Maroulis stated he was proud of the City being ranked 30 and welcomed Constable Darryl Smith. Councilmember Pearson thanked City Manager Snipes, Assistant City Manager Atkinson and staff who assisted with Union Pacific to repair the railroads. Pearson also announced the District A Meeting would be held on March 23.

**13. CLOSED EXECUTIVE SESSION**

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 7:36 p.m.

**Texas Government Code, Section 551.087** – Deliberations regarding commercial or financial information that the governmental body received from a business prospect that the governmental body seeks to locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: commercial development prospect; multi-use development prospect; retail development prospect; residential / multifamily development prospects; entertainment, leisure and hospitality development prospects; office development prospects; flex space development prospect which includes warehouse, distribution and manufacturing prospects; and redevelopment prospect.

**14. RECONVENE**

At 9:01 p.m., Council reconvened into open session.

Councilmember Boney moved to authorize staff to negotiate the details and parameters of the commercial development agreement. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

**15. ADJOURN**

The regular City Council meeting adjourned at 9:02 p.m.

*ATTEST:*

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Yolanda Ford, Mayor

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Maria Jackson, City Secretary



**Council Agenda Item  
February 18, 2019**

**7. PUBLIC HEARINGS AND RELATED ACTIONS**

- (a) **Zoning Public Hearings and Ordinances**– *There are no Zoning Public Hearings and ordinances on this agenda.*
  
  - (b) **Public Hearings and related actions** – *There are no Public Hearings and related actions on this agenda.*
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## CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 8(a) Consider appointing members to the board of directors for each tax increment reinvestment zone.  
**Submitted by:** Maria Jackson, City Secretary

### SYNOPSIS

Consider appointing members to the TIRZ Number 1, 2 and 3 board of directors through December 31, 2020.

Consider appointing the Chairman to the TIRZ Number 1, 2 and 3 board of directors through December 31, 2019.

### BACKGROUND

The terms for the even numbered TIRZ 1, 2 and 3 board member positions expired on December 31, 2018.

During the October 15, 2018, special City Council meeting, the City presented the TIRZ 1, 2 and 3 board members whose terms would expire on December 31, 2018. City Council authorized City Staff to move forward and offer all members with the opportunity to serve another two-year team, should they wish to continue serving. As of November 1, 2018, all TIRZ 1, 2, and 3 wished to continue their service.

Councilmember Boney recommended George Ewing to serve the vacant TIRZ #1 seat for Position 6. Mr. Ewing agreed to serve, should Council wish to appoint him.

Councilmember Emery recommended Roy Gilbert to serve the vacant TIRZ #2 seat for Position 2. Mr. Gilbert agreed to serve, should Council wish to appoint him.

During the December 3, 2018, special City Council meeting, Council was informed of a vacancy on the TIRZ #3 board due to the passing of Bobby Merchant. City Council also requested to move forward with appointing the remaining members during the December 17, 2018, regular City Council meeting.

During the December 17, 2018, regular City Council meeting, Mayor Pro Tem Preston tagged the appointment of the TIRZ members.

During the January 7, 2019, special City Council meeting, City Council reviewed and requested to interview current board members and new candidates.

On January 8, 2019, Councilmember Edwards requested to include applicant Kingsley Idemudia as a candidate to serve one of the TIRZ boards.

Ms. Susan Soto submitted her resignation to the City of Missouri City effective Friday, January 18, 2019.

On February 4, 2019, City Council interviewed JaPaula C. Kemp, Roy Gilbert, Mary Ross, Joe Workman, Shaizad A Chatriwala, Farrah Sabouni, Robin Elackatt, Leslie Mack Jr., Curtis Williams, Dianne Jemison Pollard, Eunice Reiter, and Karen Overton.

Mr. Robin Elackatt requested to step down from the TIRZ No. 2 board of directors and to be considered for TIRZ No. 3.

City Council was informed Kingsley Idemudia, Buddy Jimerson, and George Ewing, were unable to attend the interviews; however, they would like to be considered.

### TIRZ BOARD #1

**Members & Functions** The Tax Increment Reinvestment Zone (TIRZ) Board #1 consists of nine members who serve in staggered two-year terms. Positions #1 through #6 are appointed by the Council and positions #7 through #9 are reserved for other taxing units levying taxes within the TIRZ. TIRZ Board #1 makes recommendations to the Council concerning the administration of the TIRZ. They also prepare (or cause to be prepared) and adopt a project plan and reinvestment zone financing plan for the zone, and submit plans to the Council for its approval.

- Position 2 – **Eunice Reiter** – *agreed to continue serving*
- Position 4 – **VACANT** – *Resignation left by Susan Soto effective January 18, 2019*
- Position 6 – **VACANT** – *Councilmember Boney has recommended George Ewing*

**Chairman** Ms. Eunice Reiter, Position 2, was appointed as chairman until December 31, 2018. Ms. Reiter is currently the holdover chairman until City Council appointments a new chairman. Should Council consider a chairman, the term will be through December 31, 2019.

#### **Previous Chairman**

2018 – Eunice Reiter  
2017 – Eunice Reiter  
2016 – Eunice Reiter  
2015 – Eunice Reiter  
2014 – Len Goff  
2013 – Len Goff  
2012 – Ron Lee

### TIRZ BOARD #2

**Members & Functions** The Tax Increment Reinvestment Zone (TIRZ) Board #2 consists of seven members who serve in staggered two-year terms. Positions #1 through #5 are appointed by the Council and positions #6 and #7 are reserved for other taxing units levying taxes within the zone. TIRZ Board #2 makes recommendations to the Council concerning the administration of the zone. They also prepare (or cause to be prepared) and adopt a project plan and reinvestment zone financing plan for the zone, and submit plans to the Council for its approval.

- Position 2 – **VACANT** - *Councilmember Emery has recommended Roy Gilbert*
- Position 4 – **VACANT** – *Resignation left by Robin Elackatt. Mr. Elackatt also requested to be considered for the TIRZ Number 3 board of directors.*

**Chairman** Mr. Frank Hester, Position 3, was appointed as chairman until December 31, 2018. Mr. Hester is currently the holdover chairman until City Council appointments a new chairman. Should Council consider a chairman, the term will be through December 31, 2019.

#### **Previous Chairman**

2018 – Frank Hester  
2017 – Frank Hester  
2016 – Frank Hester  
2015 – Frank Hester

2014 – Frank Hester  
2013 – Frank Hester  
2012 – Ron Lee

### TIRZ BOARD #3

**Members & Functions** The Tax Increment Reinvestment Zone (TIRZ) Board #3 consists of 11 members who serve in staggered two-year terms. Positions #1 through #6 and #9 are appointed by the Council and positions #7, #8, #10 and #11 are reserved for other taxing units levying taxes within the zone. TIRZ Board #3 makes recommendations to the Council concerning the administration of the zone. They also prepare (or cause to be prepared) and adopt a project plan and reinvestment zone financing plan for the zone, and submit plans to the Council for its approval.

- Position 2 – **Vacancy from Bobby Merchant**
- Position 4 – **Buddy Jimerson** – *agreed to continue serving*
- Position 6 – **Joe Workman** – *agreed to continue serving*

**Chairman** Mr. Joe Workman, Position 6, was appointed as chairman until December 31, 2018. Mr. Workman is currently the holdover chairman until City Council appoints a new chairman. Should Council consider a chairman, the term will be through December 31, 2019.

#### **Previous Chairman**

2018 – Joe Workman  
2017 – Joe Workman  
2016 – Joe Workman  
2015 – Joe Workman  
2014 – Ron Lee  
2013 – Ron Lee  
2012 – Ron Lee

### STAFF'S RECOMMENDATION

Appoint members to the TIRZ Number 1, 2 and 3 board of directors through December 31, 2020.

Appoint the Chairman to the TIRZ Number 1, 2 and 3 board of directors through December 31, 2019.

**Director Approval:** **Maria Jackson, City Secretary**



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 9(a) Consider authorizing the City Manager to execute a contract for on-call Intelligent Transportation Systems equipment maintenance  
**Submitted by:** Clifford Brouhard, P.E., PTOE, Assistant Director of Public Works

### SYNOPSIS

The Traffic Operations Division within Public Works Department is charged with the responsibility of repairing and maintaining the city-wide wireless and fiber network of connected Intelligent Transportation Systems (ITS). Due to the extensive technical aspects and volume of hardware required to be maintained, term contracts for these services are desired. The estimated cost of these services is over \$50,000 and therefore requires authorization by City Council.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

I.T.S. hardware and network functionality over time require maintenance and repairs to eliminate lost communication to city's wireless traffic network. To reduce downtime from failed hardware or software designed to support the wireless network, the equipment should be maintained to a functional standard at all times. Downtime leads to lost data and the inability to visually monitor the city's traffic patterns, thus leading to unnecessary congestion and traffic backups.

Therefore, the Public Works Department initiated a bid request to accomplish the City's stated goals. The vendor awarded this contract will provide hardware replacement and repair downed communication devices on an as need basis. I.T.S. equipment repaired and or replaced under this contract will be based on priority, complexity of task, and to support city personal when workload exceeds basic maintenance.

Purchasing Division advertised an invitation to bid IFB #19-310 - Term Contract for On-call I.T.S. equipment maintenance in the Fort Bend Independent newspaper for two consecutive weeks. The bid was posted on the State of Texas Electronic State Business Daily bid posting website for public download. The bid was publicly opened on January 8, 2019 where two bids were received. Marithon Communications located at 5918 Bonita Creek, Missouri City, TX 77459 was the low bidder to this invitation to bid.

Marithon Communications is the City's incumbent vendor for on-call I.T.S. equipment maintenance. The Staff is well acquainted with Marithon Communication's work and has been satisfied with their overall quality and performance.

Therefore, staff recommends that Council authorize the City Manager to award Marithon Communications the term contract for IFB #19-310 On-call I.T.S. equipment maintenance from the date of contract execution through February 18, 2020 with (2) two mutually agreeable (1) one-year renewals for a potential total contract length of (3) three years. A Standard City contract will be executed.

**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Metro Funds	401-53507-15-401-50034	50034 / Signal Upgrade and Sequencing	\$200,303	\$152,166	\$30,000*

\*\$200,000 in Metro funds are allocated yearly to pay for contractual services for traffic maintenance. The total over the next 3 years is approximately \$90,000

**Purchasing Review: Shannon Pleasant, CTPM - Procurement and Risk Manager**

**Financial/Budget Review: Bertha P. Alexander, MBA – Budget & Financial Reporting Manager**

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Bid tabulation sheet

**STAFF'S RECOMMENDATION**

Authorize the City Manager to execute a contract for on-call I.T.S. equipment maintenance to Marithon Communications for the unit prices bid.

**Director Approval: Shashi K. Kumar, P.E.**

**Assistant City Manager/ City Manager Approval: Bill Atkinson, Assistant City Manager**





## CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 9(b) Consider authorizing the City Manager to execute a contract for traffic on-call maintenance  
**Submitted by:** Clifford Brouhard, P.E., PTOE, Assistant Director of Public Works

### SYNOPSIS

The Traffic Operations Division within the Public Works Department is charged with the responsibility of repairing and maintaining the city-wide network of traffic signals and associated hardware. Due to the large volume of traffic signal equipment and the complexity of maintaining this system, term contracts for these services are desired. The estimated cost of these services exceeds \$50,000 and therefore requires authorization by the City Council.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

Traffic signal systems over time require maintenance and repairs to replace worn or broken parts, clean dirty equipment, install updated hardware, and other related failures. Signals that are in disrepair or have outdated equipment will function poorly causing traffic delays and congestion. Traffic signal systems should be maintained to protect the general public from traffic related issues by ensuring their timely correction and also to protect the general public's investment into the transportation system.

Therefore, the Public Works Department initiated a bid request to accomplish the City's stated goals. The vendor awarded this contract will provide traffic equipment maintenance and repair services on an as need basis. Traffic signals to be repaired under this contract will be based on our current work load and the complexity of the repairs needed.

Purchasing Division advertised invitation to bid IFB #19-309 - Term Contract for Traffic On-Call Maintenance in the Fort Bend Independent newspaper for two consecutive weeks. The bid was posted on the State of Texas Electronic State Business Daily bid posting website for public download. The bid was publicly opened on January 8, 2019, where two bids were received. Creacom, Inc., located at 21333 Hufsmith Kohrville Road, Tomball, TX 77375 was the low bidder to this invitation to bid.

The staff recommends that Council authorize the City Manager to award Creacom, Inc., the term contract for IFB #19-309 Traffic On-Call Maintenance from the date of the contract execution through February 18, 2020 with (2) two mutually agreeable (1) one-year renewals for a potential total contract length of (3) three years. A Standard City contract will be executed.

### BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Metro Funds	401-53507-15-401-50034	50034 / Signal Upgrade and Sequencing	\$200,303	\$152,166	\$100,000*

\*\$200,000 in Metro funds are allocated yearly to pay for contractual services for traffic maintenance. The total over the next 3 years is approximately \$300,000

**Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager**

**Financial/Budget Review: Bertha P. Alexander, MBA – Budget & Financial Reporting Manager**

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Bid tabulation sheet

**STAFF'S RECOMMENDATION**

Authorize the City Manager to execute a contract for Traffic on-call Maintenance to Creacom, Inc., for the unit prices bid.

**Director Approval:**

**Shashi K. Kumar, P.E.**

**Assistant City Manager/  
City Manager Approval:**

**Bill Atkinson, Assistant City Manager**





**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 18, 2019**

**To:** Mayor and City Council  
**Agenda Item:** 9(c) Consider authorizing the City Manager to execute a contract for pavement marking services  
**Submitted by:** Clifford Brouhard, P.E., PTOE, Assistant Director of Public Works

**SYNOPSIS**

Maintenance of pavement markings is a vital part of keeping traffic moving and the traveling public safe. The required equipment and the experience needed to maintain the city's pavement markings is the reason the staff desires to award a contract for supplying and installing pavement markings throughout the City. The estimated cost of these services is over \$50,000 and therefore requires authorization by City Council.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Create a great place to live

**BACKGROUND**

The intent of this contract is to supplement the Streets Division staff in the installation of pavement markings. Pavement markings require maintenance to provide safe guidance and information to drivers in accordance with the Texas Manual on Uniform Traffic Control Devices. The subsequent contract will be part of an inter-local agreement with the cities of Sugar Land, Stafford, and the Missouri City Recreation and Leisure Corporation.

Purchasing Division advertised invitation to bid IFB #19-311 - Term Contract for Pavement Marking services in the Fort Bend Independent newspaper for two consecutive weeks. The bid was posted on the State of Texas Electronic State Business Daily bid posting website for public download. The bid was publicly opened on January 15, 2019 and one response was received. P B & J Pavement Marking Inc. located at 14019 SW Freeway #301-302, Sugar Land, TX 77478 was the low bidder to this invitation to bid.

P B & J Pavement Markings, Inc. is the incumbent contractor and staff is well acquainted with P B & J's work and has been satisfied with their overall quality and performance.

Therefore, staff recommends that Council authorize the City Manager to award P B & J Pavement Marking Inc. the term contract for IFB #19-311 Pavement Marking Services from the date of contract execution through February 18, 2020 with (2) two mutually agreeable (1) one-year renewals for a total potential contract length of (3) three years. A Standard City contract will be executed upon Council authorization.

**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Numbers	Project Number/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Metro Funds	401-53537-15-401-50063	50063 / Pavement Maintenance and Management Program	\$1,103,769	\$710,972	\$100,000*

\*\$100,000 in Metro funds are allocated yearly to pay for pavement markings. The total over the next 3 years is approximately \$300,000.

**Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager**

**Financial/Budget Review: Bertha P. Alexander, MBA – Budget & Financial Reporting Manager**

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Price sheet

**STAFF'S RECOMMENDATION**

Staff recommends that City Council award a contract to PB & J Pavement Marking, Inc. for Pavement Markings Services at the unit prices submitted.

**Director Approval:** Shashi K. Kumar, P.E.

**Assistant City Manager/  
City Manager Approval:** Bill Atkinson, Assistant City Manager

**SECTION II  
TECHNICAL SPECIFICATIONS AND PRICING**

**Supply and Installation of Pavement Markings**

The City desires to enter into a contract with a firm(s) to provide and install pavement markings throughout the City. Where applicable ALL markings and services must be in compliance with the State of Texas Manual of Uniform Traffic Control Devices (Texas MUTCD).

<u>Item #</u>	<u>Description</u>	<u>Est Qty</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Extension</u>
1	24" Thermoplastic Pavement Markings	1500	LF	\$ <u>5.00</u>	\$ <u>7,500<sup>00</sup></u>
2	Elimination of 24" Existing Pavement Markings	2500	LF	\$ <u>2.00</u>	\$ <u>5,000<sup>00</sup></u>
3	12" Thermoplastic Pavement Markings	1000	LF	\$ <u>2.50</u>	\$ <u>2,500<sup>00</sup></u>
4	Elimination of 12" Existing Pavement	2500	LF	\$ <u>1.00</u>	\$ <u>2,500<sup>00</sup></u>
5	8" Thermoplastic Pavement Markings	1000	LF	\$ <u>1.00</u>	\$ <u>1,000<sup>00</sup></u>
6	Elimination of 8" Existing Pavement	1000	LF	\$ <u>0.75</u>	\$ <u>750<sup>00</sup></u>
7	Left, Right, or Straight Arrow Legends	15	Ea	\$ <u>75.00</u>	\$ <u>1,125<sup>00</sup></u>
8	Left, Right, or Straight Legends	15	Ea	\$ <u>75.00</u>	\$ <u>1,125<sup>00</sup></u>
9	Elimination of Left, Right, or Straight Legends	15	Ea	\$ <u>40.00</u>	\$ <u>600<sup>00</sup></u>
10	6" White Thermoplastic Pavement Markings	2500	LF	\$ <u>0.75</u>	\$ <u>1,875<sup>00</sup></u>
11	6" Yellow Thermoplastic Pavement Markings	5000	LF	\$ <u>0.75</u>	\$ <u>3,750<sup>00</sup></u>
12	6" Yellow Painted Pavement Markings	2000	LF	\$ <u>0.35</u>	\$ <u>700<sup>00</sup></u>
13	Elimination of 4" Existing Pavement Markings	5000	LF	\$ <del>4.00</del> <sup>0.30</sup>	\$ <u>1,500<sup>00</sup></u>
14	Class B, Pavement Markers D-9-4200	1000	Ea	\$ <u>4.00</u>	\$ <u>4,000<sup>00</sup></u>
15	Class C, Traffic Buttons D-9-4300	200	Ea	\$ <u>4.00</u>	\$ <u>800<sup>00</sup></u>

16	Class D, Traffic Buttons (Oval) D-9-4300	200	Ea	\$ <u>4.00</u>	\$ <u>800<sup>00</sup></u>
17	Removal of all Raised Pavement Markings	2000	Ea	\$ <u>0.25</u>	\$ <u>500<sup>00</sup></u>
18	6" Yellow Gorilla (or equal) Paint	5000	LF	\$ <u>0.75</u>	\$ <u>3,750<sup>00</sup></u>
19	6" White Gorilla (or equal) Paint	5000	LF	\$ <u>0.75</u>	\$ <u>3,750<sup>00</sup></u>
	Total Bid				\$ <u>43,525<sup>00</sup></u>



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 9(d) Consider authorizing the City Manager to execute a contract for ditch cleaning and excavation services  
**Submitted by:** Clifford Brouhard, P.E., PTOE, Assistant Director of Public Works

### SYNOPSIS

The Streets/Drainage Division within Public Works Department is charged with the responsibility of cleaning and excavation of drainage ditches in the City. Due to the complexity of work and required equipment that this work requires, term contracts for these services are desired. The estimated cost of these services over the next 3 years is over \$50,000 and therefore requires authorization by the City Council.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

Staff regularly receives reports of open-ditch areas in the city that are in need of flow-line elevation adjustments. These adjustments are needed to provide for efficient positive flow during rainfall. These projects along with others that may arise would be performed progressively as funding and conditions warrant.

Therefore, the Public Works Department initiated a bid request to accomplish the City's stated goals. The vendor awarded this contract will provide ditch cleaning and excavations services on an as need basis. Ditches to be cleaned and/or excavated will be based on staff evaluation of requested work orders.

Purchasing Division advertised invitation to bid IFB #19-313 Term Contract for Ditch Cleaning and Excavation Services in the Fort Bend Independent newspaper for two consecutive weeks. The bid was posted on the State of Texas Electronic State Business Daily bid posting website for public download. The bid was publicly opened on January 15, 2019 where three bids were received. Millis Equipment, LLC, located at 931 Pheasant Valley Dr. #240, Missouri City, TX 77489 was the low bidder to this invitation to bid.

The staff recommends that Council authorize the City Manager to award Millis Equipment, LLC, the term contract for IFB #19-309 Traffic On-Call Maintenance from the date of the contract execution through February 18, 2020 with (2) two mutually agreeable (1) one-year renewals for a total contract length of (3) three years. A Standard City contract will be executed upon Council authorization.

**BUDGET/FISCAL ANALYSIS**

Funding Source	Account Numbers	Project Number/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
General Fund	101-53529-15-142-	Contractual Services – Drainage	\$40,000	\$40,000	\$40,000*

\*\$40,000 in General funds are allocated yearly to pay for ditch cleaning. The total over the next 3 years is approximately \$120,000.

**Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manger**

**Financial/Budget Review: Bertha P. Alexander – Budget & Financial Reporting Manager**

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Bid tabulation sheet

**STAFF'S RECOMMENDATION**

Authorize the City Manager to execute a contract for Ditch Cleaning and Excavation Services to Millis Equipment, LLC, for the unit prices bid.

**Director Approval:**

**Shashi K. Kumar, P.E.**

**Assistant City Manager/  
City Manager Approval:**

**Bill Atkinson, Assistant City Manager**





**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 18, 2019**

**To:** Mayor and City Council  
**Agenda Item:** 10(a) Consider an ordinance amending the FY 2019 Adopted Budget  
**Submitted by:** Bertha P. Alexander, Budget & Financial Reporting Manager

**SYNOPSIS**

Consider an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Maintain a financially sound City

**BACKGROUND**

In accordance with Article IX, Section 9.04 of the City of Missouri City Charter, upon request by the City Manager, the Council may by ordinance transfer part or all of any unencumbered balance from one department, office or agency to another.

The purpose of this amendment is to revise appropriations in various line items and funds and provide supplemental revenue to various funds in accordance with the attached Exhibit A for the fiscal year 2019 Adopted Budget. The details and purposes are outlined in the Exhibit A.

**BUDGET ANALYSIS**

See Exhibit A-Budget Amendment Details

**Purchasing Review:** N/A  
**Financial/Budget Review:** Allena J. Portis, Director of Financial Services

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Budget Amendment Ordinance
2. Exhibit A – Budget Amendment Details

**STAFF'S RECOMMENDATION**

Staff recommends approval of the FY 2019 budget amendment as presented.

**Director Approval: Allena J. Portis, Director of Financial Services**

**Assistant City Manager/  
City Manager Approval: Anthony J. Snipes, City Manager**

**ORDINANCE NO. O-19-\_\_**

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING THE GENERAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019; TRANSFERRING VARIOUS APPROPRIATIONS AMONG ACCOUNTS; APPROPRIATING SUPPLEMENTAL REVENUE TO VARIOUS FUND ACCOUNTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE STEPS NECESSARY TO ACCOMPLISH SUCH TRANSFERS; MAKING CERTAIN FINDINGS; AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

WHEREAS, by Ordinance No. O-18-26, passed and approved on September 17, 2018, the City Council of the City of Missouri City (the "City Council") approved and adopted the City of Missouri City, Texas, General Budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019 ("Fiscal Year 2019"); and

WHEREAS, Article IX, Section 9.04 of the City Charter authorizes the City Council, upon written request by the City Manager, to transfer by Ordinance all or part of any unencumbered appropriations balance from one department, office, or agency to another; and

WHEREAS, Article IX, Section 9.04 of the Charter authorizes the City Council, upon certification by the City Manager, to appropriate by Ordinance all or part of any unencumbered supplemental appropriations balance to one or more fund accounts, including capital improvement projects fund accounts; and

WHEREAS, the City Manager has certified that certain unencumbered appropriations and supplemental appropriations are available and has requested that such unencumbered appropriations be transferred to various other accounts and that such supplemental revenues be appropriated to various fund accounts; and

WHEREAS, it is the desire of City Council to comply with the requests of the City Manager; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:**

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The General Budget of the City of Missouri City, Texas, for Fiscal Year 2019 be, and is hereby, amended as set forth in Exhibit "A," budget transfers, which are attached hereto and incorporated herein by reference.

Section 3. The appropriate officials are hereby authorized and directed to take those steps necessary to accomplish such transfers and to cause the same to be duly reflected in the records of the City.

PASSED, APPROVED and ADOPTED on first and final reading this 18th day of February, 2019.

\_\_\_\_\_  
Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

**Exhibit A-Budget Amendment Details**

Funding Source	Account Number	Account Number Description	FY 2019 Original/Revised Budget	FY 2019 Proposed Budget Amendment	FY 2019 Amended Budget	Purpose/Description
TIRZ No.1	261-39200-00-000-	Budgetary FB Unreserved	-	(1,073,434)	(1,073,434)	To appropriate budget for TIRZ No. 1 reimbursement to the City of Missouri City for the Independence Boulevard project per Council approval 2.4.19.
TIRZ No.1	261-59401-10-261-	Trans to fund 401-METRO Tax	-	751,404	751,404	
TIRZ No.1	261-59403-10-261-	Trans to Fund 403-Transportation Projects	-	322,030	322,030	
METRO Project Fund	401-49261-01-001-	Trans from 261-TIRZ #1	-	(751,404)	(751,404)	To appropriate budget for approved TIRZ No. 1 reimbursement fund 401 for allocation
METRO Project Fund	401-53593-40-401-	Contractual Services - Projects	555,983	751,404	1,307,387	
Transportation Project Fund	403-49261-01-001-	Trans from Fund 261-TIRZ #1	-	(322,030)	(322,030)	
Transportation Project Fund	403-58700-15-999-50900	Infrastructure Improvements	759,559	322,030	1,081,589	
PID No. 2	263-39200-00-00-	Budgetary FB Unreserved	-	(2,000,000)	(2,000,000)	To appropriate budget for PID No.1 reimbursement to Vicksburg Estates, Limited, for certain infrastructure improvements in Lake Shore Harbour, Sections 4 and 5 per Council approval 2.4.19.
PID No. 2	263-53509-10-263-	Developer Agreement Expense	-	2,000,000	2,000,000	
General Fund	101-48020-01-001-SPBHM	Donations-Special Events	-	(12,500)	(12,500)	To appropriate revenue budget for donations received in support of special events.
General Fund	101-39200-00-000-	Budgetary FB Unreserved	-	12,500	12,500	
General Fund	101-56450-99-999-SPBHM	Special Events Expense	-	12,500	12,500	To appropriate expense budget in support of special events funded with donations.
General Fund	101-39200-00-000-	Budgetary FB Unreserved	-	(12,500)	(12,500)	



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

**February 18, 2019**

**To:** Mayor and City Council  
**Agenda Item:** 11(a) General Victim Assistance Grant-Victim of Crime Act (VOCA)  
**Submitted by:** Rachel Murray, Program Coordinator  
 Brandon Harris, Administrative Captain

**SYNOPSIS**

The Police Department is seeking funding via Houston-Galveston Area Council for the Crime Victim Liaison position for the budget year 2020. A resolution is required as proof of council's consent to apply for and subsequently accept the grant funding, if awarded. The grant is through the Criminal Justice Division of the Office of the Governor with application through the Houston-Galveston Area Council. The city is required by Texas Code of Criminal Procedure Article 56.04 to designate one person to serve as the agency's Crime Victim Liaison. So, if the City were not to get the grant, the City would have to find a means to provide for this position, which may include a reassignment of duties or the position being funded by the City.

**STRATEGIC PLAN 2019 GOALS ADDRESSED**

- Create a great place to live

**BACKGROUND**

Grant funding for the crime victim liaison employee ends September 30, 2019. Staff intends to apply for continued funding under the Victims of Crime Act (via HGAC) for budget year 2020 and 2021. The grant period begins October 1, 2019 to September 30, 2020. The HGAC grant will fund approximately 80% or \$46,887.45 of the position's salary for both Budget year's 2020 and 2021. The Police department applies for this grant on a biannual basis.

**BUDGET/FISCAL ANALYSIS**

<b>Funding Source</b>	<b>Account Number</b>	<b>Project Code/Name</b>	<b>FY20 Funds Budgeted</b>	<b>FY20 Funds Available</b>	<b>Amount Requested</b>
General Fund – CVL Grant	101-46002-13-001	Intergov Rev-Crime Victim Liaison	N/A	N/A	\$46,887.45

- If the CVL grant is awarded, HGAC will reimburse the City \$46,887.45. This grant does require a 20% match. The City's total match would be \$11,721.86 in Budget Year 2020.
- The amount requested will reflect the City FY2020 budget.

**Purchasing Review:** N/A  
**Financial/Budget Review:** Wanja Thomas, Financial Analyst II

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

### **SUPPORTING MATERIALS**

1. Resolution
2. Grant Pre-Approval Request Form
3. Funding Announcement

### **STAFF'S RECOMMENDATION**

Staff recommends approval.

**Director Approval:**

**Michael A. Berezin, Chief of Police**

**Assistant City Manager/  
City Manager Approval:**

**Anthony J. Snipes, City Manager**

**RESOLUTION NO. R-19-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR THE GENERAL VICTIM ASSISTANCE PROGRAM TO THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR THROUGH THE HOUSTON-GALVESTON AREA COUNCIL AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

\* \* \* \* \*

WHEREAS, the purpose of the General Victim Assistance Program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process; and

WHEREAS, services under such program may include responding to the emotional and physical needs of crime victims, assisting victims in stabilizing their lives after a victimization, assisting victims to understand and participate in the criminal justice system, and providing victims with safety and security; and

WHEREAS, the City Council of the City of Missouri City finds it in the best interest of the citizens of Missouri City that the Police Department's Crime Victim Liaison position be operated through Fiscal Year 2021 to provide such services; and

WHEREAS, the City Council of the City of Missouri City desires to apply through the Houston-Galveston Area Council to the Criminal Justice Division of the Office of the Governor for a General Victim Assistance Program grant to support the continued operation of the Crime Victim Liaison position; and

WHEREAS, the City Council of the City of Missouri City agrees to provide applicable matching funds for said project; and

WHEREAS, the City Council of the City of Missouri City agrees that in the event of loss or misuse of the grant funds, the City Council of the City of Missouri City assures that the funds will be returned to the Criminal Justice Division of the Office of the Governor as may be required by law; and

WHEREAS, the City Council of the City of Missouri City desires to designate the City Manager as the City of Missouri City's authorized official for purposes of such application and to designate the Police Administrative Captain as the City of Missouri City's authorized project manager; now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:**

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. The City Council of the City of Missouri City approves the submission of a grant application for the General Victim Assistance Program to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council.

Section 3. The City Council of the City of Missouri City hereby designates the City Manager as the City of Missouri City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Missouri City.

Section 4. The City Council of the City of Missouri City hereby designates the Police Administrative Captain as the City of Missouri City's authorized project manager in relation to the grant.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Yolanda Ford  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson  
City Secretary

\_\_\_\_\_  
E. Joyce Iyamu  
City Attorney

This form is fillable.  
It is located in  
W:\Public\Grants

# City of Missouri City Grant Pre-Approval Request Form

Dept Police Dept Contact Rachel Murray Tele#/Ext 281-403-5879

Grantor/Agency H-GAC \_\_\_\_\_ Grant Name General Victim Assistance Program

Agency Contact/Title Larry Smith/Lead Program Coordinator Tele#/Ext 713-993-2455

Agency Contact Email larry.smith@h-gac.com

Type of Grant:

Application Due Date 02/28/2019 Expected Award Date 10/01/2019  Federal  State  Pass-Through  Local  
 Other \_\_\_\_\_

Application Due Date 02/28/2019 Return to Dept By \_\_\_\_\_

Grant Period 10/01/2019 - 09/30/2021 Renewable  Yes  No

Purpose of Grant:

To continue grant funding for the full-time Crime Victim Liaison position through H-GAC.

Total Award Amount Expected (all years) \$ 93,774.90

Yr 1 2020 \$ 46,887.45 Yr 2 2021 \$ 46,887.45 Yr 3 \_\_\_\_\_ \$ \_\_\_\_\_ Yr 4 \_\_\_\_\_ \$ \_\_\_\_\_

Total Match Amount Expected (all years) \$ 23,443.72

Yr 1 2020 \$ 11,721.86 Yr 2 2021 \$ 11,721.86 Yr 3 \_\_\_\_\_ \$ \_\_\_\_\_ Yr 4 \_\_\_\_\_ \$ \_\_\_\_\_

Recurring Costs (explain) \_\_\_\_\_

Yr 1 \_\_\_\_\_ \$ \_\_\_\_\_ Yr 2 \_\_\_\_\_ \$ \_\_\_\_\_ Yr 3 \_\_\_\_\_ \$ \_\_\_\_\_ Yr 4 \_\_\_\_\_ \$ \_\_\_\_\_

What is Plan "B" in the event the grant is not renewed at any time? Indicate what source of funds will be used to cover costs.

The city would fund the full position.

Dept Director Michael A. Berg Signature Michael A. Berg Date 01/25/2019  
Finance Dir. Allera Portis Signature Allera Portis Date 1/28/2019  
City Manager Anthony Surpes Signature Anthony Surpes Date 1/28/19

Send original back to department. Department contact is to provide a copy to the Finance department once completed.



# Office of the Governor, Public Safety Office Criminal Justice Division Funding Announcement: General Victim Assistance Program

## Purpose

The purpose of this program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process. Services may include the following:

- 1) responding to the emotional and physical needs of crime victims;
- 2) assisting victims in stabilizing their lives after a victimization;
- 3) assisting victims to understand and participate in the criminal justice system; and
- 4) providing victims with safety and security.

## Available Funding

Federal funding is authorized for these projects under the Victims of Crime Act of 1984 (VOCA) as amended and codified in 34 U.S.C. 20103, and under the Violence Against Women Act of 2013 Pub. L. No. 113-4 (VAWA 2013). Congress has not finalized federal appropriations for federal fiscal year 2020. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

## Eligible Organizations

Applications may be submitted by state agencies, public and private non-profit institutions of higher education, independent school districts, Native American tribes, councils of governments, non-profit corporations (including hospitals and faith-based organizations) and units of local government, which are defined as a non-statewide governmental body with the authority to establish a budget and impose taxes (includes hospital districts). Other local governmental agencies should apply through an associated unit of local government.

Additionally, per 28 CFR 94.112 (b), organizations applying to receive VOCA fund must 1) have a demonstrated record of effective direct services and 2) substantial financial support from sources other than the Crime Victims Fund.

Organizations that have received a 24-month project in FY2019 may not apply for continuation or expansion funding.

## Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *Developing a Good Project Narrative Guide*, available [here](#).

## Key Dates

Action	Date
Funding Announcement Release	12/21/2018
Online System Opening Date	12/21/2018
Final Date to Submit and Certify an Application	02/28/2019 at 5:00pm CST
Project Start Date	10/01/2019

## Project Period

First-year projects selected for funding must begin on or after 10/01/2019 and expire on or before 9/30/2020. Continuation projects may be eligible to receive up to 24 months of funding.

## Funding Levels

Minimum: \$10,000

Maximum: No Maximum

Match Requirement: 20% of the total project

Note: Applicants are strongly cautioned to only apply for the amount of funding they can responsibly expend in the grant period. CJD will be tracking expenditure rates throughout the life of the grants and may take action to avoid large de-obligations at the end of grant periods.

## Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards ([UGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

The following list of eligible activities and costs apply generally to all projects under this announcement.

### Crisis Services

- Services that respond to immediate needs (other than medical care), emotional, psychological, and physical health and safety including:
  - Crisis intervention services;
  - Accompanying victims to hospitals for medical examinations;
  - Hotline counseling;
  - Safety planning;
  - Emergency food, clothing, and transportation;
  - Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety;
  - Costs of the following, on an emergency basis (i.e., when the State's compensation program, the victim's health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency

needs of a victim (typically within 48 hours of the crime): Non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheel-chairs, crutches, hearing aids, eyeglasses), and other healthcare items; and

- Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights;
- Personal advocacy and emotional support including:
  - Working with a victim to assess the impact of the crime;
  - Identification of victim's needs;
  - Case management;
  - Management of practical problems created by the victimization;
  - Identification of resources available to the victim;
  - Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed; and
  - Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga – with appropriate training, certification, or licensure);
  - Transportation of victims to receive services and to participate in criminal justice proceedings;
  - Public awareness and education presentations (including the development of presentation materials, brochures, newspaper notices, and public service announcements) in schools, community centers, and other public forums that are designed to inform crime victims of specific rights and services and provide them with (or refer them to) services and assistance.

**Forensic Interviews (with the following parameters):**

- Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;
- Interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center; and
- The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.

**Legal Advocacy**

- Facilitating participation in criminal justice and other public proceedings arising from the crime, including:
  - Advocacy on behalf of a victim;
  - Accompanying a victim to offices and court;

- Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding;
  - Interpreting for a non-witness victim who is deaf or hard of hearing, or with limited English proficiency;
  - Providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding;
  - Notification to victims regarding key proceeding dates (e.g., trial dates, case disposition, incarceration, and parole hearings);
  - Assistance with Victim Impact Statements;
  - Assistance in recovering property that was retained as evidence; and
  - Assistance with restitution advocacy on behalf of crime victims.
- Legal assistance services (including, but not limited to, those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization, including:
    - Those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise protect their safety, privacy, or other interests as victims in such a proceeding;
    - Those actions (other than tort actions) that, in the civil context, are reasonably necessary as a direct result of the victimization;

**Multi-Disciplinary Teams and Case Coordination**

- Representatives of several agencies meet regularly to discuss common cases and share information to enhance investigation, prosecution, and victim restoration. Cases are followed through in this manner to closure. Participating agencies may include Child Protective Service, law enforcement, prosecutors' offices, Sexual Assault Nurse Examiners or other medical personnel, mental health professionals, etc.

**Peer Support Groups**

- Peer-support, including activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support;

**Professional Therapy and Counseling**

- Mental health counseling and care, including, but not limited to, out-patient therapy/counseling provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered;

**Program Evaluation and Assessment:**

- Evaluation of victim services programs and/or assessment of organizational or system effectiveness, needs, and/or appropriate responses.

**Protective Order Assistance:**

- Legal representation provided by program staff and/or staff attorneys to obtain protective orders and assistance
- May be provided by law enforcement personnel, prosecution staff or other service providers.
- Services may be available at non-traditional locations and times.

**Shelter Programs**

- Providing a safe place for victims/survivors and their children;
- Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed;
- Short-term (up to 45 days) nursing-home, adult foster care, or group-home placement for adults for whom no other safe, short-term residence is available;

**Victim-Offender Meetings**

- Meetings between the survivor and the offender who perpetrated the crime against the survivor. At a minimum grantees must consider:
  - The safety and security of the survivor;
  - The benefit of therapeutic value to the survivor;
  - The procedures for ensuring that participation of the survivor and offender are voluntary and that everyone understands the nature of any meeting or other activity;
  - The provision of appropriate support and accompaniment for the survivor;
  - Appropriate debriefing opportunities for the survivor after a meeting;
  - The credentials of the facilitators; and
  - The opportunity for a survivor to withdraw from the process at any time.

## **Program-Specific Requirements**

All projects under this funding announcement must meet these requirements:

**Cultural competency:** Applicants must be culturally competent when providing services to victims. Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: (1) cultural knowledge, awareness and sensitivity are integrated into action and policy; (2) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and (3) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.

**Victim services assessment survey:** All recipients of funding under this announcement may be required to participate in a victim services assessment during their grant period, as directed by CJD.

**Special requirements for vehicle purchases:** Only non-profits will be eligible to purchase vehicles under this funding announcement. The vehicles must be for the purpose of transporting victims to receive various services. Applicants must explain where prompted on the Narrative tab of their eGrants application how the vehicles will be utilized and how that strengthens their delivery of victim services.

## Eligibility Requirements

1. Projects must demonstrate a record of effective services to victims of crime and support from sources other than the Crime Victims Fund.
  - A program has demonstrated a record of effective direct services and support when, for example, it demonstrates the support and approval of its direct services by the community, its history of providing direct services in a cost-effective manner, and the breadth or depth of its financial support from sources other than the Crime Victims Fund.
  - A program has substantial financial support from sources other than the Crime Victims Fund when at least twenty-five percent of the program's funding in the year of, or the year preceding the award comes from such sources.
2. In order for an applicant to be eligible, the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2013 through 2017. This requirement must be met by August 1, 2019.
3. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.
4. The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD).
5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

6. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
7. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may not be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (cf. 18 U.S.C. 1913), whether conducted directly or indirectly;
2. The active investigation and prosecution of criminal activity, except for the provision of victim assistance services (e.g., emotional support, advocacy, and legal services) to crime victims, under § 94.119, during such investigation and prosecution;
3. Any activities related to fundraising;
4. Capital improvements; property losses and expenses; real estate purchases; mortgage payments; remodeling; and construction;
5. Reimbursement of crime victims for expenses incurred as a result of a crime;
6. Salaries, benefits, fees, furniture, equipment, and other expenses of executive directors, board members, and other administrators (except as specifically allowed);
7. Counseling or treatment for substance abuse (general counseling that includes a component addressing substance abuse is eligible);
8. Instruction and support for academic programs;
9. Instruction and support for employment or workforce programs;
10. Victim-offender meetings that serve to replace (or as a part of) criminal justice proceedings;
11. Services to incarcerated individuals;
12. Medical training;
13. Medical care or expenses (except as specifically allowed);
14. Forensic medical evidence collection;
15. Cash payments to victims, gift cards, or fuel vouchers;

16. Creation of a voucher program where victims are directly given vouchers for such services as housing or counseling;
17. Transportation, lodging, per diem or any related costs for third-party participants to attend a training, when grant funds are used to develop and conduct training;
18. Leasing of vehicles;
19. Transitional housing - Travel, rental assistance, security deposits, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services such as childcare and counseling; and
20. Research and studies, except for project evaluations under 28 CFR § 94.121(j);
21. Activities that may compromise victim safety; and
22. Any unallowable costs found in Subpart E – Cost Principles of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, and in Section 3.13 Unallowable Costs of the DOJ Financial Guide.

## Selection Process

**Application Screening:** CJD will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Merit Review – Local Projects:** Projects with a local impact will be reviewed by a panel appointed by the local Council of Governments using their own criteria. The merit review panels will assess the applications for quality and rank by priority, and then report their findings to the CJD executive director. Applicants must contact their applicable regional Council of Governments (COG). Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.

**Merit Review – Statewide Projects:** Projects with a statewide impact will be reviewed by a panel appointed by the CJD executive director in an effort to prioritize funding. The merit review panel will assess and score each application on a 100-point scale, and then report its findings to the executive director. Scores will be based on standard criteria. For more information, see *How to Apply for a CJD Grant*, available at <http://gov.texas.gov/cjd/resources>.

**Final Decisions – All Projects:** The executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, CJD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

CJD may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, CJD may revise projects to address a more limited focus.

## Contact Information

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.





# CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 11(b) Houston Galveston Area Council (HGAC) - Criminal Justice Program Grant  
**Submitted by:** Rachel Murray, Program Coordinator  
Brandon Harris, Administrative Captain

## SYNOPSIS

The department wishes to seek funding, via HGAC, for a Mobile Video Surveillance Trailer for the Budget year 2019. A resolution is required as proof of Council's consent to apply for and subsequently accept the grant funding, if awarded. If the grant is awarded, prior to purchasing the Mobile Surveillance Trailer, the purchase will be brought before the IT Governance Committee for approval.

## STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

## BACKGROUND

Through elevation, police officers are able to see further than their counterparts on the ground. The mobile surveillance trailers provide a high, level platform (up to 30 feet from the ground) for surveillance operations. These trailers would allow us to raise the platform and conduct surveillance operations at any of the business centers in the city. The trailer is rugged enough and can easily be relocated to any of the cities numerous parks to be used during special events. The trailer also acts as a strong deterrent against crime whether or not it is actually being operated or manned. The department does not currently have the ability to observe large areas from a heightened position. There is no match for this grant.

## BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
Grants Fund	230-5850-13-999-	Transportation Equipment	\$60,000	\$0	\$60,000
Grants Fund	230-46124-13-001-	Intergov Revenue-HGAC Equipment	\$60,000	\$0	\$60,000

The H-GAC Equipment Grant does not require a match from the City.

**Purchasing Review:** N/A  
**Financial/Budget Review:** Wanja Thomas, Financial Analyst, II

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Resoution
2. Grant Pre-Approval Request Form
3. Funding Announcement

**STAFF'S RECOMMENDATION**

Staff recommends approval.

**Director Approval:**

**Michael. Berezin, Chief of Police**

**Assistant City Manager/  
City Manager Approval:**

**Anthony J. Snipes, City Manager**

**RESOLUTION NO. R-19-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR THE CRIMINAL JUSTICE PROGRAM TO THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR THROUGH THE HOUSTON-GALVESTON AREA COUNCIL TO FUND THE PURCHASE OF ONE MOBILE VIDEO SURVEILLANCE TRAILER; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

\* \* \* \* \*

WHEREAS, the purpose of the Criminal Justice Program (the "Program") is to support projects that promote public safety, reduce crime, and improve the criminal justice system; and

WHEREAS, the City Council of the City of Missouri City finds that the purchase of one mobile video surveillance trailer is in the best interest of the citizens of Missouri City; and

WHEREAS, the City Council of the City of Missouri City desires to apply to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council for a Criminal Justice Program grant to purchase one mobile video surveillance trailer; and

WHEREAS, the City agrees to participate in any audit, grant monitoring, or reporting required by the Program; and

WHEREAS, the City agrees to track and report Program funding separately from other funding sources to ensure accurate financial and programmatic reporting on a timely basis; and

WHEREAS, the City desires to designate the City Manager as the City's authorized official to accept, reject, alter or terminate the grant on behalf of the City and the Police Administrative Captain as the City's project manager for making application for such grant; and

WHEREAS, the City Council agrees that, in the event of loss or misuse of the grant funds, the City Council of the City of Missouri City assures that the funds will be returned to the Criminal Justice Division of the Office of the Governor as may be required by law; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. The City Council of the City of Missouri City approves the submission of the Criminal Justice Program grant application to the Criminal Justice Division of the Office of the Governor through the Houston-Galveston Area Council to fund the purchase of one mobile video surveillance trailer.

Section 3. The City Council of the City of Missouri City hereby designates the City Manager as the City of Missouri City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Missouri City.

Section 4. The City Council of the City of Missouri City hereby designates the Police Administrative Captain as the City of Missouri City's authorized project manager in relation to the grant.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Yolanda Ford  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson  
City Secretary

\_\_\_\_\_  
E. Joyce Iyamu  
City Attorney

This form is fillable.  
It is located in  
W:\Public\Grants

# City of Missouri City Grant Pre-Approval Request Form

G-1

Dept Police Dept Contact Rachel Murray Tele#/Ext 281-403-5879

Grantor/Agency H-GAC Grant Name Criminal Justice Program

Agency Contact/Title Larry Smith/Lead Program Coordinator Tele#/Ext 713-993-2455

Agency Contact Email larry.smith@h-gac.com

Type of Grant:

Application Due Date 02/28/2019 Expected Award Date 10/01/2019

Federal  State  Pass-Through  Local

Application Due Date 02/28/2019 Return to Dept By \_\_\_\_\_

Other \_\_\_\_\_

Grant Period 10/01/2019 - 09/30/2020

Renewable  Yes  No

Purpose of Grant:

The Missouri City Police Department seeks to deploy a mobile surveillance trailer in identified areas to help combat instances of burglary of motor vehicles and retail thefts. A side benefit is that it can be utilized for observation of large-scale community events and traffic management. The department has estimated the cost of the mobile surveillance trailers at approximately \$60,000. MCPD believes that the use of technology, such as mobile surveillance trailers, would be a tremendous asset to assist in successfully achieving our mission of providing safety and security for our residents and visitors.

Total Award Amount Expected (all years) \$ 60,000

Yr 1 2019 \$ 60,000 Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

Total Match Amount Expected (all years) \$ 0

Yr 1 \$ \_\_\_\_\_ Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

Recurring Costs (explain) 0

Yr 1 \$ \_\_\_\_\_ Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

What is Plan "B" in the event the grant is not renewed at any time? Indicate what source of funds will be used to cover costs.

N/A

Dept Director Michael A. Berezin Signature Michael A. Berezin Date 01/22/2019

Finance Dir. Allena Portis Signature Allena Portis Date 1/28/19

City Manager Anthony Snipes Signature Anthony Snipes Date 1/28/19

Send original back to department. Department contact is to provide a copy to the Finance department once completed.



## Office of the Governor, Public Safety Office Criminal Justice Division Funding Announcement: *Criminal Justice Program, FY2020*

### Purpose

The purpose of this announcement is to solicit applications for projects that promote public safety, reduce crime, and improve the criminal justice system.

### Available Funding

Federal Funds are authorized under 34 U.S.C. 10152 Edward Byrne Memorial Justice Assistance Grant Program (JAG). JAG funds are made available through a Congressional appropriation to the U.S. Department of Justice, Bureau of Justice Assistance. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

### Eligible Organizations

Applications may be submitted by state agencies, public and private institutions of higher education, independent school districts, Native American tribes, councils of governments, non-profit corporations (including hospitals and faith-based organizations), and units of local government, which are defined as a non-statewide governmental body with the authority to establish a budget and impose taxes.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

### Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *Developing a Good Project Narrative Guide*, available [here](#).

### Key Dates

Action	Date
Funding Announcement Release	12/21/2018
Online System Opening Date	12/21/2018
Final Date to Submit and Certify an Application	02/28/2019 at 5:00pm CST
Earliest Project Start Date	10/01/2019

## Project Period

Projects must begin on or after 10/01/2019 and may not exceed a 12 month project period.

## Funding Levels

Minimum: \$10,000

Maximum: None

Match Requirement: None

## Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards ([UGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

Funding may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for **criminal justice purposes**, including for any one or more of the following:

1. Law enforcement;
2. Prosecution;
3. Crime Prevention;
4. Corrections and community corrections;
5. Reentry;
6. Behavioral Health; and
7. Assessment and Evaluation;

Note: "Criminal Justice Purposes" is defined as activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.

## Program Specific Requirements

**Local Government Certification of Compliance with 8 U.S.C. 1373 and 1644.** Applicants must upload a [Certification of Compliance with 8 U.S.C. § 1373 & 1644](#) signed by the Chief Legal Officer. Certification must be uploaded onto the Upload.Files Tab prior to the submission and certification of eGrants application.

## Eligibility Requirements

1. Entities receiving funds from CJD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.
2. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.
3. The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD).
4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security (“DHS”) to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency’s custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

5. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
6. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may not be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. Construction, renovation, or remodeling;
2. Medical services;
3. Security enhancements or equipment for non-governmental entities not engaged in criminal justice or public safety;
4. Non-law enforcement vehicles or equipment for government agencies that are for general agency use;
5. Equipment, supplies, and other direct costs associated with processing DNA evidence;
6. Costs associated with implementing the National Incident-Based Reporting System (NIBRS) (agencies seeking funds for NIBRS projects should apply for funding under the NIBRS funding announcement);
7. Automated license plate readers, cell-site simulators, drones, or other surveillance equipment that may infringe upon the civil liberties of Texans;
8. Activities or costs in support of Operation Border Star (agencies seeking such funding should apply under Homeland Security and Grants Division funding announcements)
9. Law enforcement equipment that is standard department issue;
10. Transportation, lodging, per diem or any related costs for participants, when grant funds are used to develop and conduct training for outside participants;
11. Items listed on the [Byrne JAG Prohibited Expenditure Category A and B List](#);
12. Rifle-resistant body armor (NIJ Compliant Type IIIA and below is eligible); and
13. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

**Application Screening:** CJD will screen all applications to ensure that they meet the requirements included in the funding announcement. Applications that meet those requirements will move forward to the merit review phase.

**Peer/Merit Review: – Local Projects:** Projects with a local impact will be reviewed by a panel appointed by the local Council of Governments using their own criteria. The merit review panels will assess the applications for quality and rank by priority, and then report their findings to the CJD executive director. Applicants must contact their applicable regional Council of Governments (COG). Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.

**Merit Review – Statewide Projects:** Projects with a statewide impact will be reviewed by a panel appointed by the CJD executive director in an effort to prioritize funding. The merit review panel will assess and score each application on a 100-point scale, and then report its findings to the executive director. Scores will be based on standard criteria.

**Final Decisions – All Projects:** The CJD executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, CJD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

CJD may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, CJD may revise projects to address a more limited focus.

## Contact Information

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.



## CITY COUNCIL AGENDA ITEM COVER MEMO

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 11(c) Selective Traffic Enforcement (STEP) Grant  
**Submitted by:** Rachel Murray, Program Coordinator  
Brandon Harris, Administrative Captain

### SYNOPSIS

The Police Department is seeking funding via the Texas Department of Transportation to increase effective enforcement of traffic laws and adjudication of traffic safety-related laws to reduce crashes, fatalities and injuries. One of the goals of the grant is to increase and sustain high visibility enforcement of traffic-related laws.

### STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

### BACKGROUND

The Missouri City Police Department has a goal of reducing traffic related collisions and reducing criminal activity in high collision areas. The department is requesting this grant to fund overtime for officers to work traffic enforcement and the various intersections throughout the city as well as areas identified as those with higher than average traffic collisions. There is a 20% match associated with this grant which comes from fringe benefits and administrative time spent on the grant.

### BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Fund – STEP Grant	101-46118-13-001-	Intergov Revenue-STEP (Traffic)	N/A	N/A	\$36,972.40

- If the TXDOT grant is awarded, it would reimburse the City \$36,972.40. This grant does require a 20% match. The City would accomplish this, and exceed it, with fringe benefits. The City's total match would be \$8,860.88 in Budget Year 2020.
- The amount requested will reflect the City FY2020 budget.

**Purchasing Review:** N/A  
**Financial/Budget Review:** Wanja Thomas, Financial Analyst, II

*Note:* Compliance with the conflict of interest questionnaire requirements, if applicable, and the interested party disclosure requirements (HB 1295) has been confirmed/is pending within 30-days of this Council action and prior to execution.

**SUPPORTING MATERIALS**

1. Resolution
2. Grant Pre-Approval Request Form
3. Salary and Fringe match backup

**STAFF'S RECOMMENDATION**

Staff recommends approval.

**Director Approval:** Michael. Berezin, Chief of Police

**Assistant City Manager/  
City Manager Approval:** Anthony J. Snipes, City Manager

**RESOLUTION NO. R-19-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING AND RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR OVERTIME ACTIVITIES BY LAW ENFORCEMENT TO REDUCE THE INCIDENCE OF TRAFFIC COLLISIONS, INJURIES, AND FATALITIES; AGREEING TO PROVIDE MATCHING FUNDS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

\* \* \* \* \*

WHEREAS, the Texas Department of Transportation has determined that high visibility enforcement of traffic laws, including those related to driving while intoxicated, vehicle speed, vehicle occupant protection, intersection traffic control, and distracted driving, is a strategy to reduce the number of traffic collisions, injuries, and fatalities; and

WHEREAS, the Texas Department of Transportation expects to make available to the City of Missouri City (the "City") approximately \$36,972.40 in funds dedicated to reduce the number of traffic collisions, injuries, and fatalities; and

WHEREAS, the City Council of the City of Missouri City finds it in the best interest of the residents of the City to reduce the incidence of traffic collisions, injuries, and fatalities in the City; and

WHEREAS, the City Council of the City of Missouri City desires to approve and ratify an application to be submitted to the Texas Department of Transportation for a Selective Traffic Enforcement Program ("STEP") grant to support overtime activities by the City's law enforcement agency to reduce the incidence of traffic collisions, injuries, and fatalities; and

WHEREAS the City Council of the City of Missouri City desires to allow for certain proposed modifications to the Texas Department of Transportation's terms and conditions; and

WHEREAS, the City Council of the City of Missouri City desires to provide applicable matching funds for such activities, as required by the STEP grant application; and

WHEREAS, the City Council of the City of Missouri City desires to designate the City Manager as the City of Missouri City's authorized official for purposes of submitting such application and to designate the Police Recognition and Compliance Program Coordinator as the City of Missouri City's authorized project manager; now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:**

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. The City Council of the City of Missouri City approves and ratifies the submission of the STEP grant application to the Texas Department of Transportation for overtime activities by law enforcement to reduce the incidence of traffic collisions, injuries, and fatalities.

Section 3. The City Council of the City of Missouri City allows for certain proposed modifications to the Texas Department of Transportation's terms and conditions.

Section 4. The City Council of the City of Missouri City agrees to provide applicable matching funds for overtime activities by law enforcement to reduce the incidence of traffic collisions, injuries, and fatalities as required by the STEP grant application.

Section 5. The City Council of the City of Missouri City hereby designates the City Manager as the City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City.

Section 6. The City Council of the City of Missouri City hereby designates the Police Recognition and Compliance Program Coordinator as the City's authorized project manager in relation to the grant.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Yolanda Ford  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson  
City Secretary

\_\_\_\_\_  
E. Joyce Iyamu  
City Attorney

This form is fillable.  
It is located in  
W:\Public\Grants

# City of Missouri City Grant Pre-Approval Request Form

Dept Police Dept Contact Rachel Murray Tele#/Ext 281-403-5879

Grantor/Agency TXDOT Grant Name Selective Traffic Enforcement Program (STEP)

Agency Contact/Title Matthew DeLeon / Traffic Safety Specialist Tele#/Ext 713-802-5177

Agency Contact Email matthew.deleon@txdot.gov

Type of Grant:

Application Due Date 01/10/2019 Expected Award Date Oct 1, 2020  Federal  State  Pass-Through  Local  
 Other

Application Due Date 01/10/2019 Return to Dept By \_\_\_\_\_

Grant Period 10/01/2020 - 9/30/2021 Renewable  Yes  No

Purpose of Grant:

To fund overtime for Police Officers conducting enforcement of traffic safety related laws. These programs reduce property damage, crashes, fatalities, and injuries; they also increase and sustain high visibility enforcement of traffic related laws. The cities portion, or match, will be met with fringe benefits the city already pays the officers.

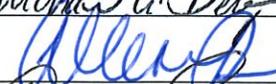
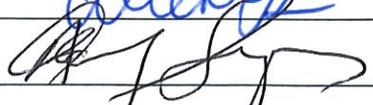
Total Award Amount Expected (all years) \$ 36,972.40  
Yr 1 2020 \$ 36,972.40 Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

Total Match Amount Expected (all years) \$ 7,394.48  
Yr 1 2020 \$ 7,394.48 Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

Recurring Costs (explain) N/A  
Yr 1 \$ \_\_\_\_\_ Yr 2 \$ \_\_\_\_\_ Yr 3 \$ \_\_\_\_\_ Yr 4 \$ \_\_\_\_\_

What is Plan "B" in the event the grant is not renewed at any time? Indicate what source of funds will be used to cover costs.

N/A

Dept Director Signature  Date 01/22/2019  
Finance Dir. Signature  Date 1/28/2019  
City Manager Signature  Date 1/28/19

Send original back to department. Department contact is to provide a copy to the Finance department once completed.

**Law Enforcement Hours:838**

Overtime    Regular Time

	TxDOT Hours	Match Hours	Wage Rate	TxDOT Salaries	Match Salaries	Total Salaries	Fringe %	Total Fringe
<b>A. Enforcement</b>								
Officers/Deputies:	778		\$43.000	\$33,454.00	\$0	\$33,454.00	20%	\$6,690.80
Sergeants:	60		\$58.640	\$3,518.40	\$0	\$3,518.40	20%	\$703.68
Lieutenants/Other:			\$0	\$0	\$0	\$0	%	\$0
<b>B. PI&amp;E Activities</b>								
PI&E Activities:			\$0	\$0	\$0	\$0	%	\$0
<b>C. Administrative Duties (Please enter Position Title and Position Description)</b>								
Upload video/review time sheets/other		24	\$61.100	\$0	\$1,466.40	\$1,466.40	%	\$0
			\$0	\$0	\$0	\$0	%	\$0
			\$0	\$0	\$0	\$0	%	\$0
			\$0	\$0	\$0	\$0	%	\$0
			\$0	\$0	\$0	\$0	%	\$0
			\$0	\$0	\$0	\$0	%	\$0

PRINT VERSION    ADD NOTE    CHECK GLOBAL ERRORS    SHOW HELP    SPELL CHECK

**B. PI&E ACTIVITIES**

PI&E Activities:	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
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**C. Administrative Duties (Please enter Position Title and Position Description)**

Upload video/review time sheets/other	<input type="text"/>	24	\$61.100	\$0	\$1,466.40	\$1,466.40	<input type="text"/>	%	\$0
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$0	\$0	\$0	\$0	<input type="text"/>	%	\$0
<b>Total:</b>				\$36,972.40	\$1,466.40	\$38,438.80			\$7,394.48

Category	TxDOT	%	Match	%	Total
Salaries:	\$36,972.40	96.19%	\$1,466.40	3.81%	\$38,438.80
Fringe Benefits:	\$0	0.00%	\$7,394.48	100.00%	\$7,394.48

Breakdown of Fringe Percentages:  
 FICA 7.650%  
 Salary Workers Compensation .7328%  
 Salary Retirement (TMRS) 10.000%  
 Salary Long Term Disability 0.2850%  
 Salary LIFE AD&D Insurance \$1.75\*24  
 296 of 500

Details of regular time, if included in any of the above hours:  
 All hours worked are on overtime.  
 34 of 500



**CITY COUNCIL  
AGENDA ITEM COVER MEMO**

February 18, 2019

**To:** Mayor and City Council  
**Agenda Item:** 11(d) Special District Resolution  
**Submitted by:** E. Joyce Iyamu, City Attorney

**SYNOPSIS**

The City Council asked staff to prepare a resolution opposing the creation of a special district in the City of Missouri City's industrial area and Texas Parkway corridor at the February 9, 2019 special meeting. This item complies with the City Council's request.

**BACKGROUND**

In 2015, the City Council adopted a resolution opposing the creation of a municipal management district that would have taken funding from Missouri City for the benefit of certain areas in southwest Houston. Staff received a copy of a draft bill on or about January 31, 2019, for the creation of a new special district in the City of Missouri City's industrial area and Texas Parkway corridor. During the legislative update presented at the February 9, 2019 City Council special meeting, the City Council expressed concerns that the proposed legislation would impede growth in the City of Missouri City. Members of the Council, without objection, asked for a new resolution opposing the creation of a new special district.

**BUDGET ANALYSIS**

Funds are not being requested at this time.

**SUPPORTING MATERIALS**

1. Resolution
2. Proposed legislation and map of subject area
3. 2015 resolution opposing creation of a similar municipal management district

**STAFF'S RECOMMENDATION**

Consider whether to adopt the resolution.

**Director Approval:** E. Joyce Iyamu, City Attorney  
**City Manager's Approval:**

**RESOLUTION NO. R-19-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, OPPOSING ANY BILL CREATING A NEW SPECIAL DISTRICT IN THE CITY OF MISSOURI CITY, TEXAS.**

\* \* \* \* \*

WHEREAS, the City Council of the City of Missouri City, Texas, is extremely interested in issues pertaining to the provision of infrastructure to its existing residents and businesses and in issues pertaining to the growth and development of the City of Missouri City, Texas (the "City"); and

WHEREAS, on or about January 31, 2019, the City received notice of a potential bill creating a new special district in the City, which may include portions of the City's industrial region and small businesses along the Texas Parkway corridor (hereinafter referred to as "Special District"); and

WHEREAS, the Special District may limit the ability of the City to facilitate growth and economic development within the district's intended territory by imposing undesired levels of bureaucracy, greater delay, and increased taxes without local elected control; and

WHEREAS, there is not a plan in place on how the Special District would be used; and

WHEREAS, neither the City nor the businesses which would be impacted by the Special District have been involved in the planning process for the proposed legislation; and

WHEREAS, the Special District may impose additional ad valorem taxes on certain properties within the City, increasing the tax burden of certain property owners and fostering an economically disadvantaged area; and

WHEREAS, the Special District may issue bonds that may mature not more than 40 years after issuance without the authority of the City of Missouri City; and

WHEREAS, a bill creating the Special District may grant the City the authority to dissolve the special district only after all debt has been paid or the City affirmatively assumes the obligation to pay such debt from municipal revenue, further burdening all City taxpayers with additional expenses; and

WHEREAS, the Special District may diminish the efficacy of City programs because the Special District may be granted the authority to exercise the economic development powers provided by Chapter 380, Texas Local Government Code, including, but not limited to, the power to make grants and loans for economic development; and

WHEREAS, it is the opinion of the City Council of the City of Missouri City that a bill creating a new special district erects barriers that would adversely impact existing residents and businesses and the growth and development of the City of Missouri City, Texas; and

WHEREAS, the City Council of the City of Missouri City urges the Texas Legislature to oppose any bills creating new special districts within the City; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. The City Council of the City of Missouri City, Texas, hereby urges the Texas Legislature to oppose any bill creating a new special district within the City of Missouri City.

Section 3. That the City Secretary is hereby authorized to forward a copy of this Resolution to the City of Missouri City’s state representatives.

Section 4. That this resolution shall take effect immediately upon passage.

Section 5. Repeal. All resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 6. Severability. In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED and ADOPTED this 18th day of February, 2019.

\_\_\_\_\_  
Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria Jackson, City Secretary

\_\_\_\_\_  
E. Joyce Iyamu, City Attorney

AN ACT

relating to the creation of the Missouri City Redevelopment District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3950 to read as follows:

CHAPTER 3950. MISSOURI CITY REDEVELOPMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3950.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Missouri City.

(3) "County" means Fort Bend County.

(4) "Director" means a board member.

(5) "District" means the Missouri City Redevelopment

District.

Sec. 3950.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3950.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of

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Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(c) The district is created to supplement and not to supplant county services provided in the district.

Sec. 3950.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment;

(3) developing or expanding transportation and commerce;

and

(4) providing quality residential housing.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a residential community and business center;

and

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping, removing graffiti from, and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 3950.005. DISTRICT TERRITORY. (a) The district is

initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3950.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code; or

(3) an enterprise zone created under Chapter 2303, Government Code.

(b) A tax increment reinvestment zone created by the city in the district is not subject to the limitations provided by Section 311.006, Tax Code.

(c) If the city creates a tax increment reinvestment zone

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under Chapter 311, Tax Code, the city, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for any bonds issued by the district for an improvement project.

Sec. 3950.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3950.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3950.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of 9 voting directors who must be qualified under and appointed by the governing body of the city as provided by Subchapter D, Chapter 375, Local Government Code.

(b) The directors serve staggered terms of four years with five or six directors' terms expiring June 1 of each odd-numbered year.

Sec. 3950.052. DIRECTOR'S OATH OR AFFIRMATION. (a) A director shall file the director's oath or affirmation of office with the district, and the district shall retain the oath or affirmation in the district records.

(b) A director shall file a copy of the director's oath or affirmation with the clerk of the county.

Sec. 3950.053. QUORUM. A vacant director position is not counted for purposes of establishing a quorum.

Sec. 3950.054. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary. The offices of chair and secretary may not be held by the same person.

Sec. 3950.055. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$50 for each board meeting. The total amount of compensation a director may receive each year may not exceed \$2,000.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3950.056. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures a director against personal liability and from all claims relating to:

(1) actions taken by the director in the director's capacity as a member of the board;

(2) actions and activities taken by the district; or

(3) the actions of others acting on behalf of the district.

Sec. 3950.057. NO EXECUTIVE COMMITTEE. The board may not

create an executive committee to exercise the powers of the board.

Sec. 3950.058. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3950.059. INITIAL DIRECTORS. (a) The initial board consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1.</u>	
<u>2.</u>	
<u>3.</u>	
<u>4.</u>	
<u>5.</u>	
<u>6.</u>	
<u>7.</u>	
<u>8.</u>	
<u>9.</u>	

(b) The initial terms of the directors serving in positions 1 through 5 expire June 1, 2023, and the terms of directors serving in positions 6 through 9 expire June 1, 2021.

(d) Section 375.063, Local Government Code, does not apply to the initial directors named by Subsection (b).

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3950.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3950.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct,

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acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3950.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3950.102 may be located:

(1) in the district; or

(2) in an area outside but adjacent to the district if the project is for the purpose of extending a public infrastructure improvement beyond the district's boundaries to a logical terminus.

Sec. 3950.104. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3950.105. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 3950.106. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The implementation of a project is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 3950.107. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county, to provide law enforcement services in the district for a fee.

Sec. 3950.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3950.109. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local

economic development and to stimulate business and commercial activity in the district, including programs to:

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers that:

(1) Chapter 380, Local Government Code, provides to a municipality; and

(2) Subchapter A, Chapter 1509, Government Code, provides to a municipality.

Sec. 3950.110. CONCURRENCE ON ADDITIONAL POWERS. If the territory of the district is located in the corporate boundaries or the extraterritorial jurisdiction of a municipality, the district may not exercise a power granted to the district after the date the district was created unless the governing body of the municipality by resolution consents to the district's exercise of the power.

Sec. 3950.111. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 3950.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 3950.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain an

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improvement project or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3950.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or secure the payment or repayment of any bond, note, or other temporary or permanent obligation or reimbursement or other contract with any person and the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of an improvement project or district contractual obligation or indebtedness by:

(1) the imposition of an ad valorem tax or sales and use tax or an assessment, user fee, concession fee, or rental charge;  
or

(2) any other revenue or resources of the district.

Sec. 3950.154. COSTS FOR IMPROVEMENT PROJECTS. The district may undertake separately or jointly with other persons, including the city or the county, all or part of the cost of an improvement project, including an improvement project:

(1) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in or adjacent to the district; or

(2) that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 3950.155. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

Sec. 3950.156. PROPERTY EXEMPT FROM IMPACT FEES. The district may not impose an impact fee on a residential property, including a multiunit residential property, or a condominium.

SUBCHAPTER E. ASSESSMENTS

Sec. 3950.201. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) The petition must be signed by the owners of at least 50 percent of the property subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3950.202. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district that is not a residential property, including a multiunit residential property or a condominium.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

Sec. 3950.203. METHOD OF NOTICE FOR HEARING. The district may mail the notice required by Section 375.115(c), Local Government Code, by certified or first class United States mail. The board shall determine the method of notice.

#### SUBCHAPTER F. TAXES AND BONDS

Sec. 3950.251. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 3950.252. PROPERTY TAX AUTHORIZED. (a) The district may impose an ad valorem tax on all taxable property in the district to:

(1) pay for an improvement project of the types authorized by Section 52(b), Article III, and Section 59, Article XVI, Texas Constitution; or

(2) secure the payment of bonds issued for a purpose described by Subdivision (1).

(b) The district may not impose an ad valorem tax to pay for an improvement project under this chapter unless:

(1) a written petition has been filed with the board requesting an election to approve the imposition of the tax signed by the owners of at least 50 percent of the property subject to assessment as determined from the most recent certified county property tax rolls; and

(2) the imposition of the tax is approved by the voters of the district voting at the requested election.

(c) The district may not impose an ad valorem tax on a residential property, including a multiunit residential property or a condominium.

Sec. 3950.253. SALES AND USE TAX. (a) The district may impose a sales and use tax if authorized by a majority of the voters of the district voting at an election called for that purpose. Revenue from the tax may be used for any purpose for which ad valorem tax revenue of the district may be used.

(b) The district may not adopt a sales and use tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district.

(c) If the voters of the district approve the adoption of the tax at an election held on the same election date on which another political subdivision adopts a sales and use tax or approves an increase in the rate of its sales and use tax and as a result the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district, the election to adopt a sales and use tax under this chapter has no effect.

Sec. 3950.254. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, or assessments in the manner provided by Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local Government Code.

(b) In exercising the district's borrowing power, the district may issue a bond or other obligation in the form of a bond, note, certificate of participation or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation.

(c) In addition to the sources of money described by Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local Government Code, district bonds may be secured and made payable wholly or partly by a pledge of any part of the money the district receives from improvement revenue or from any other source.

Sec. 3950.255. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3950.256. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

(1) the board shall impose a continuing direct annual ad valorem tax for each year that all or part of the bonds are outstanding; and

(2) the district annually shall impose an ad valorem tax on all taxable property in the district in an amount sufficient to:

(A) pay the interest on the bonds or other obligations as the interest becomes due; and

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date.

#### SUBCHAPTER G. DISSOLUTION

Sec. 3950.301. DISSOLUTION BY ORDINANCE. (a) A municipality that includes territory of the district, in the corporate boundaries or extraterritorial jurisdiction of the municipality, by ordinance may dissolve the district.

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(b) The municipality may not dissolve the district until the district's outstanding debt or contractual obligations that are payable from ad valorem taxes have been repaid or discharged, or the municipality has affirmatively assumed the obligation to pay the outstanding debt from municipal revenue.

Sec. 3950.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

(a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the municipality that dissolves the district shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

(b) The municipality shall have and exercise all district powers to enforce and collect the assessments or other revenue to pay:

(1) the bonds or other obligations when due and payable according to their terms; or

(2) special revenue or assessment bonds or other obligations issued by the municipality to refund the outstanding bonds or obligations.

Sec. 3950.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a) If a municipality dissolves the district, the municipality assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

(b) If a municipality dissolves the district, the board shall transfer ownership of all district property to the municipality.

SECTION 2. The Missouri City Redevelopment District initially includes all the territory contained in the following area:

The Missouri City Redevelopment District is +/- 2,084 acres (3.26 sq. miles) in size and is within the City of Missouri City Municipal Limits, Fort Bend County. It is centered on the intersection of Texas Pkwy/FM Rd 2234 and Scanlin Rd/Buffalo Run. With the beginning point being the west right-of-way (ROW) of Fondren Rd and north ROW of Buffalo Run at coincident boundary line of City of Missouri City/City of Houston;

Then generally south along coincident boundary line of City of Missouri City/City of Houston to 3.267 acre tract (0263 I AND GN RY, ACRES 3.267, JOGGING TRACT);

Then west along south boundary said 3.267 acre tract to southwest corner of said tract and east boundary of 8.097 acre drainage easement (HUNTERS GLEN SEC 1, ACRES 8.097, DRNG ESMT ON NORTH SIDE OF BLOCK 1 & BLOCK 14);

Then north along east boundary of said 8.097 acre drainage easement to northeast corner of said easement;

Then west and southwest along north boundary of said 8.097 acre drainage easement to west corner of said easement and northeast corner of 1.4679 acre lot (HUNTERS GLEN NTL CHILD CARE, LOT 1, ACRES 1.4679);

Then generally south southeast along east boundary of said 1.4679 acre lot to northwest corner of HUNTERS GLEN SEC 1 Subdivision;

Then south along west boundary of HUNTERS GLEN SEC 1 Subdivision, across ROW of Lexington Blvd, and HUNTERS POINT ESTATES, BLOCK 1 Subdivision to southwest corner of said subdivision and north ROW of Grand Park Dr;

Then south by west across ROW of Grand Park Dr to northwest corner of HUNTERS GLEN PARK (Hunters Point Park Sec 1, 17.018 acres);

Then south, east and south along west boundary of HUNTERS GLEN PARK to southwest corner of said park and north ROW of Independence Blvd;

Then south by west across ROW of Independence Blvd to south ROW line and northwest corner of 0.1 acre drainage easement (JENSEN TRACT, LOT PT 2, ACRES 0.100, (DRAINAGE EASEMENT));

Then south along west boundary of said 0.1 acre easement, and 8.945 acre drainage easement (0264 I AND GN RY, ACRES 8.945) to southwest corner of said easement and north boundary of 1.738 acre drainage easement (QUAIL GREEN SEC 1, ACRES 1.738, 120' WIDE DRAINAGE EASEMENT);

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Then west along north boundary of said 1.738 acre drainage easement to east ROW of Texas Pkwy;  
Then south along east ROW of Texas Pkwy to northwest corner of 0.517 acre lot (MCCOURT PLAZA, LOT 1, ACRES 0.517);  
Then east along north boundary of said 0.517 acre lot to northeast corner of said lot;  
Then south along east boundary of said 0.517 acre lot, and 0.5154 acre lot (MCCOURT PLAZA, ACRES 0.5154), across ROW of Greendale Dr and along east boundary of 0.8422 acre lot (QUAIL GREEN SEC 2, ACRES 0.8422, Reserve "A") to southeast corner of said 0.8422 acre lot;  
Then west along south boundary of said 0.8422 acre lot to southwest corner of said lot and east ROW of Texas Pkwy;  
Then south along east ROW of Texas Pkwy to northwest corner of 1.262 acre tract (0013 D BRIGHT, ACRES 1.262, RESERVE "A" QUAIL GREEN SOUTH);  
Then southeast along north boundary of said 1.262 acre tract to northeast corner of said tract;  
Then south along east boundary of said 1.262 acre tract, across ROW of Cartwright Dr and along east boundary of 1.073 acre tract (0013 D BRIGHT, ACRES 1.073, RESERVE "E" QUAIL GREEN SOUTH) to southeast corner of said tract and northeast corner of 0.8807 acre lot (0013 D Bright, ACRES 0.8807, Restricted Reserve "A" (Commercial), Block 1, Automax);  
Then generally east southeast along east boundary of said 0.8807 acre lot, and 2.1488 acre tract (0013 D Bright, ACRES 2.1488, Unrestricted Reserve, Block 1, Minimax) to east corner of said 2.1488 acre tract;  
Then southwest along boundary of said 2.1488 acre tract to north corner of 0.55 acre tract (QUAIL GREEN SOUTH SEC 1, ACRES 0.550, RESTRICTED RESERVE "B" (WIDENING OF TEXAS PKWY));  
Then generally east along north boundary of said 0.55 acre tract to southwest corner of 1.457 acre tract (QUAIL GREEN SOUTH SEC 1, ACRES 1.457, COMMERCIAL TRACT 1);  
Then north by east along west boundary of said 1.457 acre tract to northwest corner of said tract;  
Then east along north boundary of said 1.457 acre tract, across ROW of Turtle Creek Dr, and along north boundary of 1.785 acre tract (QUAIL GREEN SOUTH SEC 1, ACRES 1.785, COMMERCIAL TRACT 2) to northeast corner of said 1.785 acre tract and coincident boundary line of City of Houston/City of Missouri City limits;  
Then south along coincident boundary line of City of Houston/City of Missouri City limits, across ROW of Texas Pkwy/FM 2234, and along east boundary of 0.8025 acre tract (QUAIL VALLEY THUNDERBIRD NORTH SEC 1, ACRES 0.8025, RESERVE "C-1"), 1.417 acre tract (QUAIL VALLEY THUNDERBIRD NORTH SEC 1, ACRES 1.417, RESERVE "C" (PT)), 0.675 acre lot (QUAIL VALLEY THUNDERBIRD NORTH SEC 1, ACRES 0.675, RESERVE "C" (PT)) to southeast corner of said 0.675 acre lot;

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Then west along south boundary of said 0.675 acre lot, across ROW of Turtle Creek Dr, and 1.7180 acre tract (QUAIL VALLEY THUNDERBIRD NORTH SEC 1, ACRES 1.7180, RESERVE "D" (PT), 0.758 acre easement (0013 D Bright, ACRES 0.758, Christian Bible Baptist Church Subdivision, Block 1, Reserve 1 (Part), 60' Rd Esmt), and 19.7824 acre tract (0013 D Bright, ACRES 19.7824, Christian Bible Baptist Church Subdivision, Block 1, Reserve 1 (Part)) to southwest corner of said 19.7824 acre tract;

Then north along west boundary of said 19.7284 acre tract, and boundary line of PARK GATE SEC 1 Subdivision to south corner of 1.455 acre tract (R/P RANDALLS CTR-QUAIL VALLEY, ACRES 1.455, RESERVE D (DETENTION POND));

Then northwest and west along north boundary of PARK GATE SEC 1 Subdivision to southeast corner of 2 acre tract (0013 D BRIGHT, ACRES 2.00);

Then north along east boundary of said 2 acre tract to south ROW of Cartwright Rd;

Then west along south ROW of Cartwright Rd to point south of east ROW line of Columbia Blue Dr;

Then north along east ROW of Columbia Blue Dr, across ROW of Court Rd to northwest corner of 6.69 acre tract (QUAIL GREEN WEST SEC 2, ACRES 6.69, RESERVE A) and south boundary of QUAIL GREEN WEST SEC 2 Subdivision;

Then east along south boundary of QUAIL GREEN WEST SEC 2 Subdivision to southeast corner of said subdivision;

Then generally north along east boundary of said QUAIL GREEN WEST SEC 2 Subdivision, across ROW of Independence Blvd, to northeast corner of 0.1584 acre lot (QUAIL GREEN WEST SEC 1, BLOCK 10, LOT 24) and south boundary of 0.155 acre lot (QUAIL GREEN WEST SEC 1, BLOCK 10, LOT 22);

Then east, north and east along boundary of QUAIL GREEN WEST SEC 1, BLOCK 10 to west ROW of Texas Pkwy/FM 2234;

Then north along west ROW of Texas Pkwy/FM 2234 to southeast corner of 20.09 acre tract (0264 I AND GN RY, ACRES 20.09);

Then west along south boundary of said 20.09 acre tract to southwest corner of said tract;

Then north along west boundary of said 20.09 acre tract, across ROW of Thomas Taylor Pkwy, and along west boundary of 21.84 acre tract (0264 I AND GN RY, ACRES 21.84, Reserve "A", Block 1, Houston Community College Missouri City Campus) and 17.873 acre tract (0264 I AND GN RY, ACRES 17.873) to south ROW of Scanlin Rd;

Then northeast along south ROW of Scanlin Rd to coincident boundary line of City of Stafford/Missouri City Limits;

Then east along coincident boundary line of City of Stafford/Missouri City Limits to west ROW of Texas Pkwy/FM Rd 2234;

Then north along west ROW of Texas Pkwy/FM Rd 2234 and coincident boundary line of City of Stafford/Missouri City Limits to

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northwest corner of 18.1052 acre tract (0264 I AND GN RY, ACRES 18.1052, (FM.2234 ROW));

Then east along north boundary of said 18.1052 acre tract and coincident boundary line of City of Stafford/Missouri City Limits to centerline ROW of Texas Pkwy/FM Rd 2234;

Then generally north and northwest along coincident boundary line of City of Stafford/Missouri City Limits to south ROW of Adams St;

Then southwest and west along south ROW of Adams St to south ROW of 5th St;

Then southwest along south ROW of 5th St and coincident boundary line of City of Stafford/Missouri City Limits to ROW centerline of Present St;

Then northwest and north northwest along ROW centerline of Present St., and coincident boundary line of City of Stafford/Missouri City Limits, across ROW of US 90 Hwy Alternate, and S Pacific Railway easement, to west corner of 39.54 acre tract (0117 BBB AND C RY, ACRES 39.54, Unrestricted Reserve "B", Block 1, TXI - Missouri City Amending Plat (HLA));

Then northeast along boundary of said 39.54 ac. tract and coincident boundary line of City of Stafford/Missouri City Limits to east ROW of Pike Rd;

Then northwest along east ROW of Pike Rd and coincident boundary line of City of Stafford/Missouri City Limits to east ROW of Stafford Rd;

Then generally north northeast along east ROW of Stafford Rd to north corner of 10.176 acre tract (0117 BBB AND C RY, ACRES 10.176, SAND PIT) and coincident boundary line of City of Stafford/Missouri City Limits;

Then southeast along east boundary of said 10.176 ac. tract and coincident boundary line of VACCARO MANOR Subdivision, and coincident boundary line of City of Stafford/Missouri City Limits to south corner of said subdivision;

Then northeast along boundary of VACCARO MANOR and ENCLAVE AT STAFFORD Subdivisions and coincident boundary line of City of Stafford/Missouri City Limits to east ROW of S Cravens Rd;

Then northwest along east ROW of S Cravens Rd and coincident boundary line of City of Stafford/Missouri City Limits to Harris and Fort Bend County Line;

Then east southeast along Harris and Fort Bend County Line to coincident boundary line of City of Houston/City of Missouri City Limits;

Then southeast along coincident boundary line of City of Houston/City of Missouri City Limits, across ROW of Buffalo Lakes Dr and 3.33 acre tract (Park 8ninety, BLOCK 2, ACRES 3.33, Reserve 5 (77% in Fort Bend County)) and along boundary of 2.59 acre tract (Park 8ninety, BLOCK 2, ACRES 2.59, Reserve 7) to east corner of said 2.59 acre tract;

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Then southwest along east boundary of said 2.59 ac. tract and boundary line of City of Missouri City Limits to north corner of 1.194 acre drainage easement (0629 N A RECTOR, ACRES 1.194, CANGELOSI DITCH - SIMMS BAYOU, DRNG ESMT);

Then south along boundary line of City of Missouri City Limits and east boundary of said 1.194 acre easement, 0.2754 acre lot (0629 N A RECTOR, ACRES 0.2754), 6.373 acre tract (0629 N A RECTOR, ACRES 6.373), 19.0189 acre tract (0629 N A RECTOR, ACRES 19.0189, (PT) RESTRICTED RESERVE "B" (PUBLIC PARK & DRAINAGE), FBISD HIGH SCHOOL #9) to north boundary of 66.898 acre tract (0626 G B LUCAS, ACRES 66.898, (PT) RESERVE "B" (PUBLIC PARK & DRAINAGE), FBISD HIGH SCHOOL #9, EXEMPT);

Then east along boundary line of City of Missouri City Limits and north boundary of said 66.898 acre tract to northeast corner of said tract and west ROW of Settemont Rd. and coincident boundary line of City of Houston/City of Missouri City Limits;

Then south along west ROW of Settemont Rd and coincident boundary line of City of Houston/City of Missouri City Limits to north ROW of Buffalo Run;

Then east northeast along north ROW of Buffalo Run and coincident boundary line of City of Houston/City of Missouri City Limits to west ROW of Fondren Rd. and beginning point of +/- 2,084 acre tract;

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives

within the required time.

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

(e) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

H.B. No. XXXX

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President of the Senate

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Speaker of the House

I certify that H.B. No. XXXX was passed by the House on May X, 2019, by the following vote: Yeas XXX, Nays XX, X present, not voting; and that the House concurred in Senate amendments to H.B. No. XXXX on May XX, 2019, by the following vote: Yeas XXX, Nays XX, X present, not voting.

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Chief Clerk of the House

I certify that H.B. No. XXXX was passed by the Senate, with amendments, on May XX, 2019, by the following vote: Yeas XX, Nays X.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

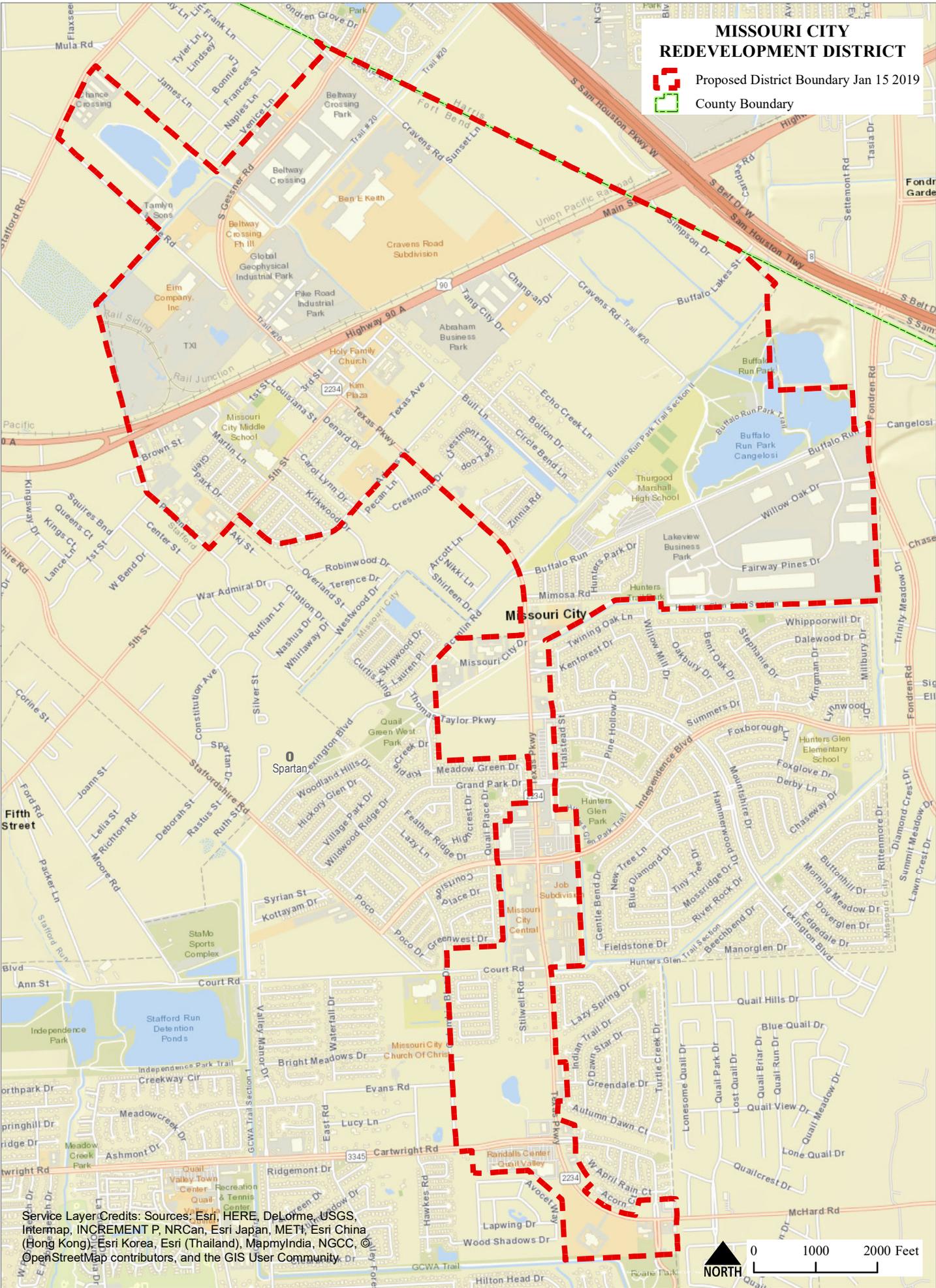
Date

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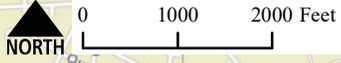
Governor

# MISSOURI CITY REDEVELOPMENT DISTRICT

-  Proposed District Boundary Jan 15 2019
-  County Boundary



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**RESOLUTION NO. R-15-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, OPPOSING THE BILL CREATING THE MISSOURI CITY EAST FORT BEND HOUSTON MANAGEMENT DISTRICT TO BE FILED IN THE 84TH LEGISLATURE, REGULAR SESSION.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Missouri City, Texas, is extremely interested in issues pertaining to the provision of infrastructure to its existing residents and businesses and in issues pertaining to the growth and development of the City of Missouri City, Texas; and

**WHEREAS**, staff of the City of Missouri City, Texas, met with the City Council of the City of Missouri City Subcommittee on Infrastructure Services on November 3, 2014, to present the concept of utilizing a municipal utility district or a management district to fund infrastructure in the Mustang Bayou Utility Service Area (the "MBSA") in the eastern portion of the City of Missouri City; and

**WHEREAS**, on November 17, 2014, the City Council of the City of Missouri City, Texas, adopted Resolution No. R-14-39, expressing the City of Missouri City's intent to take certain actions to establish a utility funding mechanism in the MBSA; and

**WHEREAS**, on January 5, 2015, the City Council of the City of Missouri City, Texas, adopted Resolution No. R-15-01, setting forth the legislative agenda for the City of Missouri City (the "Legislative Agenda"); and

**WHEREAS**, Section 4 of the Legislative Agenda provides that, "The City Council of the City of Missouri City supports legislation, if necessary, that would establish a special district to finance certain infrastructure improvements in the eastern portion of the City;" and

**WHEREAS**, developers and property owners to be included in such special district have worked with the City of Missouri City to develop the framework for special districts that would be amenable to the developers, property owners, and the City of Missouri City; and

**WHEREAS**, on February 16, 2015, the City Council of the City of Missouri City, Texas, authorized staff to develop a resolution in support of legislation creating Missouri City Management District No. 1 and Missouri City Management District No. 2 in the MBSA; and

**WHEREAS**, on or about February 20, 2015, the City of Missouri City received notice of the intention to file a bill creating the Missouri City East Fort Bend Houston Management District, which includes portions of the City of Missouri City, including land to be included in the proposed Missouri City Management District No. 1 and Missouri City Management District No. 2; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District may limit the ability of the City of Missouri City to facilitate growth and economic development within the area the district serves, which includes property in the City of Missouri City, Texas, by imposing undesired levels of bureaucracy, greater delay, and increased taxes without local control; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District allows the management district to issue bonds without the authority of the City of Missouri City; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District grants the authority to appoint directors to the management district solely to the City of Houston; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District grants the authority to dissolve the management district solely to the City of Houston; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District fails to absolve the City of Missouri City of management district obligations upon the dissolution of the management district; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District grants the management district the authority to exercise the economic development powers provided by Chapter 380, Texas Local Government Code, including, but not limited to, the power to make grants and loans for economic development; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District grants the management district the authority to join and pay dues to "charitable or nonprofit organizations" that do not enjoy tax-exempt status under the Internal Revenue Code of 1986, thereby potentially subjecting the management district and taxpayers to practices that are inconsistent with the financial standards and practices of entities that enjoy tax-exempt status under the Internal Revenue Code of 1986; and

**WHEREAS**, the bill creating the Missouri City East Fort Bend Houston Management District has the potential to negatively impact the residents and businesses of the City of Missouri City by authorizing the City of Houston to exert authority over management district actions that impact residents and businesses of the City of Missouri City and by denying or limiting the authority of the City of Missouri City to do the same; and

**WHEREAS**, it is the opinion of the City Council of the City of Missouri City that the bill creating the Missouri City East Fort Bend Houston Management District erects barriers that would adversely impact existing residents and businesses and the growth and development of the City of Missouri City, Texas; and

**WHEREAS**, the City Council of the City of Missouri City urges the 84th Texas Legislature to oppose the bill creating the Missouri City East Fort Bend Houston Management District; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. That the facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are in all things incorporated herein and made a part hereof.

Section 2. That the City Council of the City of Missouri City, Texas, hereby urges the 84th Texas Legislature to oppose the bill creating the Missouri City East Fort Bend Houston Management District.

Section 3. That the City Secretary is hereby authorized to forward a copy of this Resolution to the City of Missouri City's state representatives.

Section 4. That this resolution shall take effect immediately upon passage.

PASSED, APPROVED and ADOPTED this 2nd day of March, 2015.



Allen Owen, Mayor

ATTEST:



Maria Gonzalez, City Secretary

APPROVED AS TO FORM:



Caroline Kelley, City Attorney



**Council Agenda Item  
February 18, 2019**

**12. CITY COUNCIL ANNOUNCEMENTS**

*Discussion, review, and possible action regarding a meeting or activity of one or more of the following entities (each entity refers to a City of Missouri City entity unless otherwise indicated):*

Charter Review Commission, Community Development Advisory Committee, Construction Board of Adjustments, Electrical Board, Parks Board, Planning and Zoning Commission, Tax Increment Reinvestment Zone Boards, Fort Bend Chamber of Commerce, Houston-Galveston Area Council, Fort Bend Regional Council, Texas Municipal League, Fort Bend County, Harris County, Gulf Coast Building and Construction Trades Council, Mayor's Youth Commission, Finances and Services Committee, Fort Bend Leadership Forum, Fort Bend County Drainage District, Economic Development Committee, Missouri City Parks Foundation, Missouri City Police and Fire Auxiliary, Livable Community Committee, Texas Parkway Alliance, High Performance Organization Committee, Missouri City Juneteenth Celebration Foundation, Fort Bend County Mayor and Council Association, METRO, Planning, Development and Infrastructure Committee, Fort Bend Independent School District, Greater Fort Bend Economic Development Coalition, Transportation Policy Council, Community Development Advisory Committee, Veterans Memorial Committee, Missouri City Recreation and Leisure Local Government Corporation, Missouri City Development Authority, and the Greater Houston Partnership and Emergency Management updates.

**13. CLOSED EXECUTIVE SESSION**

*The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provision of the Government Code:*

**Texas Government Code, Section 551.087** – Deliberations regarding commercial or financial information that the governmental body received from a business prospect that the governmental body seeks to locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: commercial development prospect; multi-use development prospect; retail development prospect; residential / multifamily development prospects; entertainment, leisure and hospitality development prospects; office development prospects; flex space development prospect which includes warehouse, distribution and manufacturing prospects; and redevelopment prospect.

**14. RECONVENE**

*Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.*

**15. ADJOURN**

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