

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, April 1, 2019**, at **7:00 p.m.** at: **City Hall, Council Chamber, 2nd 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) Proclaim the month of April as "National Fair Housing Month" in the City of Missouri City, Texas.
- (b) Proclaim the week of April 14-20, 2019, as "National Public Safety Telecommunications Week" in the City of Missouri City, Texas.

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 March 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.*

8. **APPOINTMENTS** – *There are no Appointments on this agenda.*

9. **AUTHORIZATIONS.**

- (a) Consider authorizing the execution of a letter of approval for Apex Ambulance services to operate a non-emergency ambulance service.
- (b) Consider authorizing a request by Farmers Market Partners to host a farmers market each Saturday at 5855 Sienna Springs Way.
- (c) Consider authorizing the Fort Bend Parkway Business Park Phase 1 plat.
- (d) Considering authorizing a contract for replacing the roof on Public Safety Headquarters and Fire Station No. 1.

10. **ORDINANCES**

- (a) Consider an ordinance authorizing the execution of the Tenth Amendment to the Sienna Plantation Joint Development Agreement to provide for certain modifications and to modify the Land Use Plan as applicable to Tract D to provide for additional residential structures; and consider the ordinance on the first of two readings.

11. **RESOLUTIONS**

- (a) Consider a resolution authorizing the Mayor to execute and the City Secretary to attest to the City's consent to an assignment of an Economic Development Agreement by CityPark II, LLC; and CityPark III, LLC; to CityPark I, LLC.
- (b) Consider a resolution authorizing the use of City of Missouri City resources for the Fort Bend Regional Council on Substance Abuse, Inc.

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: letter of intent and economic development for a redevelopment project.

14. RECONVENE

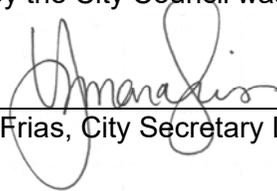
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

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 April 1, 2019, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on March 29, 2019, at 4:00 p.m.



Yomara Frias, City Secretary Department

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
April 1, 2019**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

- (a) Proclaim the month of April as "National Fair Housing Month" in the City of Missouri City, Texas.
- (b) Proclaim the week of April 14-20, 2019, as "National Public Safety Telecommunications Week" in the City of Missouri City, Texas.

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5. STAFF REPORTS

- (a) City Manager announcements.
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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, March 18 2019**, at the City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:45 p.m.** to consider the following:

1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:54 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, and Boney; City Manager Snipes, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Fire Chief Campbell, Director of Financial Services Portis, Director of Communications Campbell, Community Relations Coordinator Matte, Media Relations Specialist III Sanders, Media Relations Specialist II Kalimkoottil, and Accounting Manager Taylor-Edwards. Councilmember Emery arrived at 5:55 p.m. Councilmember Maroulis arrived at 5:56 p.m. Also present: Chris Breaux, Whitley Penn Financial Advisor, and Frank Hester.

2. DISCUSSION/POSSIBLE ACTION

(a) Discuss the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR).

Financial Advisor Breaux presented the Fiscal Year 2018 Comprehensive Annual Financial Report.

(b) Consider and discuss the structure of the Census Complete Count committee.

Assistant City Manager Atkinson presented on the structure of the Census Complete Count committee.

Councilmember Emery asked for the makeup of the committee. Assistant City Manager Atkinson stated the fifteen-member committee would be representative of the City's demographic pertaining to religious denominations, educational and cultural backgrounds of the community. Mayor Ford suggested each district City Councilmember recommend three candidates and the at-large Councilmembers and Mayor would recommend one each.

(c) Consider and discuss contracts for the city's municipal court judges.

City Attorney Iyamu presented on the judicial contract amendments to the proposed contracts. City Council discussed and considered the following proposed amendments:

Requested Change No. 1, General Guidance, which would delete Sec. 1.B regarding annual meetings for broad, general guidance. City Council had no objections.

Requested Change No. 3, Treating others with fairness and respect, which would delete Sec. 2.C requiring judges to convey a sense of fairness and exhibit respect toward all persons.

Mayor Pro Tem Preston moved to keep the proposed contract wording and reject Requested Change No 3. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Requested Change No. 4, Responsiveness, which would delete language in Sec. 2.D requiring judge to respond “physically, verbally or electronically.” City Council had no objections.

Requested Change No. 5, Management, which would amend language in Sec. 4 providing that judge’s duties do not include management of administrative court personnel. City Council had no objections.

Requested Change No. 7, Word Choice, which would amend Sec. 4.C to change the word “pleasure” to “discretion.” City Council had no objections.

Requested Change No. 8, Compensation, which would amend Section 7 to change the hourly rate from \$95 to \$100. Mayor Ford requested that this request be considered during the Fiscal Year 2020 budget process.

Requested Change No. 9, Compensation (Training Allowance) that would change the training rate from \$250 a year to \$350 a year. Councilmember Maroulis requested that this request be considered during the Fiscal Year 2020 budget process.

Requested Change No. 11, Termination, would add language to Sec. 9 that requires the City to give the judge 30 days’ notice in advance of termination.

Councilmember Boney moved to reject Requested Change No. 11. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

3. **CLOSED EXECUTIVE SESSION**

Pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:44 p.m. regarding Texas Government Code Section 551.071.

4. **RECONVENE**

At 6:52 p.m., Council reconvened into open session.

Councilmember Pearson moved to reject Requested Change No. 2, removal, to add language in 1.C that a judge may only be removed or replaced for cause. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to reject Requested Change No. 6, scheduling, to add language requiring the presiding judge to coordinate dockets and the assignment of judges to facilitate dockets. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Pearson moved to reject the Requested Change for No. 10, Complaints, which adds language to Sec. 9 providing that the Presiding Judge will be provided notice and copies of any complaints, oral or written, upon receipt of such complaint by the city or a city employee and the subject judge or the Presiding Judge will be copied on any request by the city for additional information from the complainant. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Discuss the duties of the presiding judge of the city’s municipal court.

City Attorney Iyamu stated the City Council previously discussed the duties of its municipal court judges on May 1, 2017, January 28, 2019, and February 18, 2019. On March 12, 2019, City Manager Snipes, Assistant City Manager Atkinson, Municipal Court Director Rychlik and the Legal Division met with Judge Sinclair at her request. Judge Sinclair requested additional consideration of the duties of the presiding judge of the City of Missouri City Municipal Court. Mayor Ford stated additional time was needed to consider Judge Sinclair’s request and moved to address during the next City Council meeting.

- (e) Consider and discuss appointing directors for the Missouri City Parks Foundation.

City Manager Snipes presented an overview of the candidate’s biography.

Mayor Pro Tem Preston moved to appoint Tom S. Nichols, Harry Johnson, Sr., and Alice L. Aanstoos to the Missouri City Parks Foundation. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

(f) Receive an update regarding the hiring of a third party audit firm to review test of controls.

Mayor Ford requested that agenda item 2f be moved to another meeting. Councilmember Maroulis requested to convene after the regular City Council meeting. Councilmember Boney also requested to discuss agenda item 2f after the regular meeting.

The special City Council meeting recessed at 7:04 p.m. and reconvened at 7:43 p.m.

At 7:43 p.m., Mayor Ford left the meeting and Mayor Pro Tem Preston called the meeting to order.

City Manager Snipes presented an overview of hiring a third party audit firm to review test of controls with the pricing. He noted there was a consistency of pricing among the audit firms and the pricing ranged from \$10,000 to 15,000.

Mayor Pro Tem Preston moved to postpone agenda item 2f until the next City Council meeting. Councilmember Edwards seconded. **MOTION FAILED.**

Ayes: Mayor Pro Tem Preston and Councilmember Edwards
Nays: Councilmembers Pearson, Boney, Maroulis and Emery
Absent: Mayor Ford

Councilmember Boney stated the item was brought before Council as a pressing matter and suggested Council take action. Councilmember Maroulis felt confident with the current audit and did not see the need for another external audit. Councilmember Edwards believed agenda item 2f should be postponed as the Mayor was not in attendance. Edwards also expressed support in moving forward with a third party audit firm to conduct a full audit from an outside source. City Council expressed concerns as the agenda item was to review test of controls for checks that were issued. City Manager Snipes stated the City would have a new auditor for Fiscal Year 2019 from October 1, 2018 to September 30, 2019, which would include an audit of the checks. Councilmember Emery asked if new policies were in place to address similar issues in the future. City Manager Snipes confirmed there were new policies and procedures in place. Councilmember Pearson, Boney and Maroulis expressed confidence in the audit performed by Whitley Penn. Councilmember Edwards continued to express her support of moving forward with a third party firm to conduct a full audit and provide transparency to their constituents. Councilmember Boney stated his ultimate goal was transparency for the constituents and relied on City staff to do their job. City Manager Snipes stated City employees take transparency seriously and the Finance Department has been recognized the State Comptroller's office for many years.

Councilmember Maroulis moved to not move forward with the presented audit and implement the new procedures. Councilmember Pearson seconded. **MOTION PASSED.**

Ayes: Councilmembers Pearson, Boney, Maroulis and Emery
Nays: Mayor Pro Tem Preston and Councilmembers Edwards
Absent: Mayor Ford

5. **ADJOURN**

The special City Council meeting adjourned at 8:07 p.m.

ATTEST:

Yolanda Ford, Mayor

Maria Jackson, City Secretary

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CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, March 18, 2019**, at the City Hall, Council Chamber, 2nd 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 7:08 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, and Pearson; City Manager Snipes, City Attorney Iyamu, and City Secretary Jackson. Councilmember Maroulis arrived at 7:09 p.m. Councilmembers Boney and Emery arrived at 7:11 p.m.

2. The **PLEDGE OF ALLEGIANCE** was led by Director of Development Services Spriggs.

There were no **PRESENTATIONS AND RECOGNITIONS**.

4. PUBLIC COMMENTS

JC Haigh, 5407 Raintree Drive, thanked Council for instant service and stated his HOA liaison has been flooding the City with fake reports about him.

5. STAFF REPORTS

City Manager Snipes provided an update on new small businesses in the City. Snipes encouraged citizens to visit the City's website to view upcoming events, such as the Skate park grand opening on March 30, Annual Supervisor Served Breakfast for employees on March 27, the Leadership Luncheon on March 28, and the District A Community meeting with Councilmember Pearson on March 30.

Financial Advisor Christopher L. Breaux presented the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR).

Councilmember Edwards stepped away at 7:19 p.m.

Chief Performance Officer Weisenberger presented on the City Department Work Plan end of year performance report. Weisenberger stated they were working to implement a performance dashboard that would calculate the results for staff and would publish them on the website. She also noted that besides the challenges faced this past year, City departments still managed to meet the majority of the goals set.

Councilmember Edwards returned at 7:22 p.m.

6. CONSENT AGENDA

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

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

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

9. AUTHORIZATIONS

- (a) Consider authorizing the request by the Exchange Club of Fort Bend to post child abuse awareness signs along Highway 90-A and Present Street.

Councilmember Emery moved to approve the request by the Exchange Club of Fort Bend. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider authorizing the acceptance of easements for the Missouri City Management District No. 2.

Councilmember Maroulis moved to authorize the acceptance of easements for the Missouri City Management District No. 2. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **ORDINANCES.**

11. RESOLUTIONS

- (a) Consider a resolution repealing and replacing City of Missouri City Resolution No. R-18-40, supporting the United States Census Bureau by creating a Census 2020 "Complete Count Committee."

Councilmember Emery moved to approve the resolution. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider a resolution adopting a drought contingency plan in the City of Missouri City, Texas.

Utilities Manager McGraw stated the drought contingency plan is updated every five-years with by the Texas Commission on Environmental Quality and Texas Water Conservation Association. Councilmember Emery asked if there was a retention place to store water. McGraw stated they store 103 million gallons a day but as the water continues to drop, they can only store what was allowed.

Councilmember Maroulis moved to approve the resolution. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider a resolution granting consent to Fort Bend County Municipal Utility District No. 47 to annex approximately 8.68 acres of land situated within the corporate limits of the City of Missouri City, Texas.

Councilmember Emery moved to approve the resolution. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

12. CITY COUNCIL ANNOUNCEMENTS

Councilmember Pearson invited everyone to his District A Community meeting on March 30. Councilmember Maroulis thanked Director Kumar and Public Works for the hard work on FM 1092 and Highway 6. Maroulis also thanked City Manager Snipes and Assistant City Manager Atkinson, Police Chief Berezin, Fire Chief Campbell and Director Spriggs for their assistance with supporting and understanding small business model. Councilmember Boney thanked his wife for the opportunity to serve the community and for their 22nd wedding anniversary. Boney also requested to address agenda item 2f from the special

City Council meeting tonight. Mayor Ford stated the item was postponed. City Attorney Iyamu stated City Council could reconvene the special meeting and take action to postpone or move forward.

13. ADJOURN

The regular City Council meeting adjourned at 7:40 p.m.

ATTEST:

Yolanda Ford, Mayor

Maria Jackson, City Secretary



**Council Agenda Item
April 1, 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** – *There are no Appointments on this agenda.*
-



CITY COUNCIL AGENDA ITEM COVER MEMO

April 1, 2019

To: Mayor and City Council
Agenda Item: 9(a) Authorize the Mayor to sign a letter of approval for Apex Ambulance Services to operate a non-emergency ambulance service.
Submitted by: Eugene Campbell, Jr, Fire Chief

SYNOPSIS

Staff received a request from Apex Ambulance Services, a non-911 emergency medical service (EMS) provider to operate within the city limits of Missouri City. Pursuant to Texas Health and Safety Code Section 773.0573, City Council may issue a letter of approval if the Council determines certain conditions exist. Pursuant to Council's direction, staff is presenting this item for consideration by Council.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Grow business investments in Missouri City

BACKGROUND

In the 2013 legislative session, a provision was passed creating a new requirement (approval by the governing body of a city or county, as applicable) for emergency medical services providers to cut back on fraud and waste in certain federal programs. The Centers of Medicare and Medicaid Services established a moratorium on licensing new emergency medical services providers from about July 2013 to August 2014, which stopped the establishment of certain new EMS providers during that time.

Pursuant to Texas Health and Safety Code Section 773.0573, city council may issue a letter of approval to an emergency medical services provider applicant who is applying to provide emergency medical services in the city **only if** the city council determines that:

- (1) the addition of another licensed emergency medical services provider will not interfere with or adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the municipality;
- (2) the addition of another licensed emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services providers operating in the municipality; and
- (3) the addition of another licensed emergency medical services provider will not cause an oversupply of licensed emergency medical services providers in the municipality.

Apex Ambulance Services contacted Fire Chief Eugene Campbell seeking approval to operate a non-emergency EMS service in Missouri City.

According to the Texas Department of State Health Services (TDSHS), Missouri City currently has two (2) licensed EMS providers in the City, excluding Fort Bend County EMS. Sugar Land has five (5), Stafford has nine (9), and Conroe has two (2) providers. According to the City of Pearland, there are 19 providers authorized to operate in their city. This results in an average of 10 providers in cities of similar size in the Houston metropolitan area.

SUPPORTING MATERIALS

1. Letter of approval
2. Apex Ambulance Services request

STAFF'S RECOMMENDATION

Authorize Mayor to sign a letter approving Apex Ambulance Services to operate within the City of Missouri City with the following determinations and stipulations:

- (1) the addition of another licensed emergency medical services provider will not interfere with or adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the City of Missouri City;
- (2) based on limited information at the City's disposal, the addition of another licensed emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services providers operating in the City of Missouri City; and
- (3) the addition of another licensed emergency medical services provider will not cause an oversupply of licensed emergency medical services providers in the City of Missouri City.

Additionally, the provider will refer all emergency (911) medical calls within Missouri City to the appropriate 911 Communications Center. Finally, if the provider is unable to maintain the necessary license, permit or other related authority to operation in the State of Texas for a period of more than five (5) days, the approval shall be deemed revoked.

Director Approval:

Eugene Campbell, Jr, Fire Chief

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

Bill Atkinson



MAYOR YOLANDA FORD

1522 Texas Parkway
Missouri City, Texas 77489

Phone: 281.403.8500
www.missouricitytx.gov

April 1, 2019

Apex Ambulance Services
Attention: Majed Afifi
2923 Freshmeadows Dr.
Missouri City, Texas 77063

Dear Mr. Afifi:

This letter is in response to your request to provide non-emergency emergency medical services in the City of Missouri City, Texas, in accordance with Texas Health and Safety Code Section 773.0573. The City Council of the City of Missouri City considered your request at the April 1, 2019 regular meeting of the City Council, at which the City Council determined the following:

- (1) the addition of another licensed emergency medical services provider will not interfere with or adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the City of Missouri City;
- (2) based on limited information at the City's disposal, the addition of another licensed emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services providers operating in the City of Missouri City; and
- (3) the addition of another licensed emergency medical services provider will not cause an oversupply of licensed emergency medical services providers in the City of Missouri City.

As such, your request to provide non-emergency emergency medical services in the City of Missouri City, Texas, is hereby approved, provided that, in the event you receive a request for emergent emergency medical services within Missouri City you must route those calls to Missouri City's or Fort Bend County's 911 center. Additionally, if, at any time after you receive this letter, you fail to hold or maintain a necessary license, permit, or other related authority to operate in the State of Texas for a period of five (5) or more days, this approval shall be deemed to be revoked.

If you have any questions, please contact Missouri City Fire & Rescue at 281-403-4300.

Sincerely,

Yolanda Ford
Mayor

Copy to:
Eugene Campbell, Jr., Fire Chief
E. Joyce Iyamu, City Attorney

Majed Afifi
832.283.4092
2923 Freshmeadows dr.
Houston, TX. 77063
03/11/2019

City Secretary

MAR 18 2019 MJ

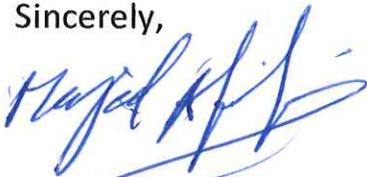
Missouri City, TX

Yolanda Ford
Mayor of Missouri City
City Hall – 1522 Texas Pkwy
Missouri City, TX. 77489

Dear Mayor Yolanda Ford:

Please provide me with a letter of approval (LOA) for operating a non-emergency medical transport (ambulance service) within the city of Missouri City, Texas. The LOA is required as a prerequisite to obtain a permit from the Texas Department of State Health Services (TDSHS.)

Sincerely,



Majed Afifi
832.283.4092

Majed Afifi
2923 Freshmeadows Dr.
Houston, TX 77063

Phone: 832 283 4092
Email:majed.afifi@gmail.com

Yolanda Ford

Mayor of the City of Missouri City

**City Hall-1522 Texas Parkway
Missouri City, TX 77459**

Dear Mayor Ford,

26 March 2019

As a prerequisite to obtaining a non-emergency ambulance service permit from the Texas Department of State Health Service (TDSHS) I am required to gain your city's approval and submit the document before such issuance. Please provide me with a Letter of Approval (LOA) to operate a non-911 emergency medical service ambulance within the city limits of the City of Missouri City. The name of my ambulance service transport company which will provide this service is Apex Ambulance Services. Texas Tax Identification Number 47-4188915. If you have any questions regarding this request or require additional documentation please call or email me at the above contact information. Thank you.

Sincerely,

Majed Afifi



CITY COUNCIL AGENDA ITEM COVER MEMO

April 1, 2019

To: Mayor and City Council
Agenda Item: 9(b) Consider authorizing the Farmers Market Partners' request to host a weekly farmers market at Sienna Annex (5855 Sienna Spring Way) under the Special Event's Permit Ordinance for a period expiration of November 30, 2019.
Submitted by: Otis T. Spriggs, AICP, Director, Development Services

SYNOPSIS

Farmers Market Partners has requested permission to utilize the grounds at 5855 Sienna Spring Way for the purposes of a seasonal farmers market to be held on Saturdays of every month, from 9:00 am until 2:00 pm.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

The applicants, Farmers Market Partners were approved for the Farmers Market to occur monthly, during the farming season until November 30, 2019, by City Council on September 17, 2018. The frequency limitation was waived under the Special Events provisions of the Zoning Ordinance, whereby Council authorization is required.

Development Services including the Health Division, Communications, Police, and Code Enforcement staff members have monitored the previous events over the last four (12) months. To date, staff is unaware of any public safety and health risk of the farmers market.

Sponsors of this special event, now at a new location, have agreed to ensure adequate parking, based on the projected number of attendees. Access will be monitored to assure reasonable traffic flow with a minimum amount of congestion. A signage plan is also proposed within the project vicinity, including a banner flag placement at Sienna Parkway and Highway 6 (on market day only) and directional signage to alleviate any traffic impacts for the 5-hour event at Sienna Parkway at Sienna Crossing Dr., Sienna Springs Way, and at Trammel Fresno Rd. intersections.

An upcoming meeting will be scheduled with Farmer's Market Partners regarding a more permanent solution to the long-term proposal for the property, to address all Zoning Code issues from a land use perspective. A formal map amendment request will be processed through the public hearing process, and a recommendation from the Planning Commission will be forwarded to Council at a later date.

BUDGET ANALYSIS

Purchasing Review: N/A
Financial/Budget Review: N/A

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. Written request/application packet submitted to Development Services for Approval.
2. Power Point Presentation (Submitted by the Applicants)

STAFF'S RECOMMENDATION

Staff recommends approval of this special event, subject to City Council action, due to waiver of the frequency clause within Section 9.10 Special Events that states that special events shall occur for two weeks, and no more frequently than every six months on the subject property, for a period ending November 30, 2019, event to occur each Saturday from 9:00 am to 2:00 pm, with the proposed signage plan request.

Director Approval:

Otis Spriggs, Director of Development Services

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

Bill Atkinson



DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division
 1522 Texas Parkway
 Missouri City, Texas 77489
 281-403-8600 (Office) ■ 281-208-5551 (Fax)
 www.missouricitytx.gov

SPECIAL EVENT PERMIT APPLICATION

(Please **PRINT** all answers)

Application Date: 3-15-19 Event Date: April 13, 2019

Name & Type of Event Farmers Market

Address or Location of Event Sienna Annex 5855 Sienna Spring Way

Name of Applicant Farmers Market Partners

Responsible Individual(s) Thomasine Johnson

Email & Phone Number (required) thomasinejohnson@gmail.com

Name & Type of Organization (civic, non-profit, other) CIVIL

Name of Property Owner (Not Tenant) Ft Bend Sienna Annex

Property Owner Phone# Grady Prestage (owner: Fort Bend County)

Signature of Property Owner _____

Event Hours 9-2

Number of signs to be displayed (Indicate number and location):

Designated City rights-of-way _____ Private Property _____

Date sign(s) placed: day of Date sign(s) removed day of

ALL SIGN LOCATIONS MUST BE SHOWN ON SITE PLAN PROVIDED. SIGNS MUST BE REMOVED (1) ONE DAY AFTER THE EVENT HAS CONCLUDED. "APPLICANT UNDERSTANDS THAT NO SIGNS, MATERIALS, OBJECTS OR EQUIPMENT SHALL BE PLACED IN THE PUBLIC RIGHT-OF-WAY (R-O-W) EXCEPT AS ALLOWED AND INDICATED HEREIN AND THAT NO PERSONS SHALL STAND IN THE STREET OR PUBLIC R-O-W IN AN EFFORT TO SOLICIT OR ATTRACT INTEREST IN THE SPECIAL EVENT."

Number of Staff 4

Number of Participants Estimated 40

Security will be provided by no

Food or drinks served?

Yes or No

NOTE: If yes, a temporary health permit is required to be submitted concurrently with this application.



**DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division**

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Will electricity be used?

Yes or No

If yes, from what source? _____

NOTE: Electrical permit may be required.
Outdoor lighting must be shielded from adjacent properties.

Will hard surface parking be provided?

Yes or No

If yes, then number of parking spaces. _____

If no, then explain the type of surface reserved for parking. _____

Will tents be used? canopy

Yes or No

NOTE: If yes, an application for a Fire Permit for a temporary membrane structure is required. Please allow a minimum 10 business day review.

Will there be alcohol sales?

Yes or No

NOTE: If yes, an alcohol permit is required.

Will outdoor sound amplification be used? Yes or No

How will disposal of solid waste be provided? Vendor → _____

*****FOR DEPARTMENT USE***:**

Date of the most recent special event at requested location: _____

Approved Disapproved Zoning Inspector Date

Approved Disapproved Health Inspector Date

Approved Disapproved Director of Development Services Date

FARMERS MARKET PARTNERS

Special Event Permit Request

Development Services Department

Missouri City, Texas 77489

Submitted by: Thomasine Johnson

March 15, 2019



Farmers Market Partners
Join Us On The Road To Good Health

March 14, 2019

To: Missouri City Planning and Zoning Department

Subject: Relocation of Farmers Market Partners Missouri City Location

Farmers Market Partners a farmer's market management company is the brainstorm of Lake Olympia residents Jill Argento and Thomasine Johnson opened March 17, 2018. The original location is located at 2700 Lake Olympia Parkway Business Center, Missouri City. FMP's purpose is to grow a diverse local food culture by maintaining an authentic space for all people to share community and healthy lifestyles while providing a sustainable living for producers who steward the earth. FMP supports local farmers, producers and specialty vendors who have talents to help us build a stronger local food movement. They have helped over 50 vendors showcase their special products and services to thousands of patrons, and created job opportunities for local residents. In addition, FMP launched the Young Sprouts Club, an entrepreneurial educational program to inspire young boys and girls to run their own business. The children collectively earned and received over \$2,500.00 during the first season. FMP has also partnered with non-profit organizations to help bring community awareness to their special causes. For a comprehensive list of all our vendors and non-profits that have partnered with FMP visit www.FarmersMarketPartners.com.

One of the highlights of FMP's Lake Olympia location is the opportunity it gives neighbors to meet and greet each other in our wonderful environment that addresses our multi-cultural community. It is opened the 1st and 3rd Saturday, 10-2 from March to December.

Farmers Market Partner, Sugar Land Location

On November 18, 2018, The City of Sugar Land contacted FMP to partner with them to open a second Farmers Market in Sugar Land. We were able to acquire Mercer Stadium Parking lot. That location is open every Sunday from Noon to 4pm to avoid conflict the Farmers Market Partners Missouri City. We conducted a market study and the results show that a farmers market works better when it open every weekend opposed to the 1st and 3rd Saturday. It contributes a consistency that is a major component to build loyalty. Another thing our study showed that being in an open parking makes it much easier for the vendor to set up and have access to their products. With the success of that market we decided we need to secure a larger space in Missouri City to able to grow with the success of Sugar Land. With that in mind, we contacted Commissioner Grady Prestage and he has provided the necessary paperwork for Farmers Market Partners to have access to the Sienna Annex building located at 5855 Sienna Springs Way, Missouri City. The response and been amazing and it would unfortunate to disappoint so many of the Missouri City residents and vendor. As a long time citizen of Missouri City, it is important able to start season 2 in an amazing new location. I appreciate all your help, feedback and support. If you have any questions or need additional information, I can be reached at 832-347-3811.

Sincerely,

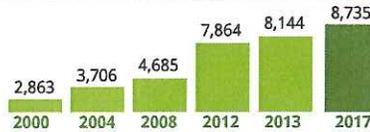
Thomasine Johnson



WHY FARMERS MARKETS?

AN INFOGRAPHIC BY
FARMERS MARKET COALITION

Number of markets
in the USDA Farmers
Market Directory.



STIMULATE LOCAL ECONOMIES

Growers selling locally create **13 full time jobs** per \$1 million in revenue earned. Those not selling locally create 3.



Locally-owned retailers, such as farmers markets, **return more than three times as much of their sales to the local economy** compared to chain competitors.



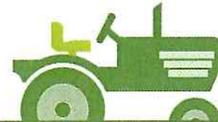
INCREASE ACCESS TO FRESH FOOD

\$22.4 million

in SNAP benefits (food stamps) were spent at farmers markets in 2017. That's fresh food for low-income Americans and increased revenue for local farmers.

60% of farmers market shoppers in low-income neighborhoods say that **their market had better prices than the grocery store.**

Markets bring fresh food to the neighborhoods that need it most.



PRESERVE FARMLAND + RURAL LIVELIHOODS



The U.S. loses an acre of farmland a minute to development.

The **7** Seattle farmers markets hosted by the Neighborhood Farmers Market Alliance support **9,491 acres of farmland in diversified production.**

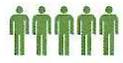
25% of vendors derive their sole source of income from the market.



SUPPORT HEALTHY COMMUNITIES



People who shop at farmers markets have **15-20 social interactions per visit.**



They would have only **1-2 per visit** to the grocery store.

Proximity to farmers markets is associated with lower body mass index.

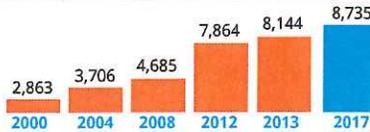
LEARN MORE ABOUT HOW YOU CAN SUPPORT FARMERS MARKETS AT FARMERSMARKETCOALITION.ORG.



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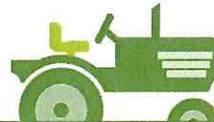


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LEARN MORE ABOUT HOW YOU CAN SUPPORT FARMERS MARKETS AT FARMERSMARKETCOALITION.ORG.



2018

Farmers Market Stats

Farmers Markets Keep Farmers in the Field

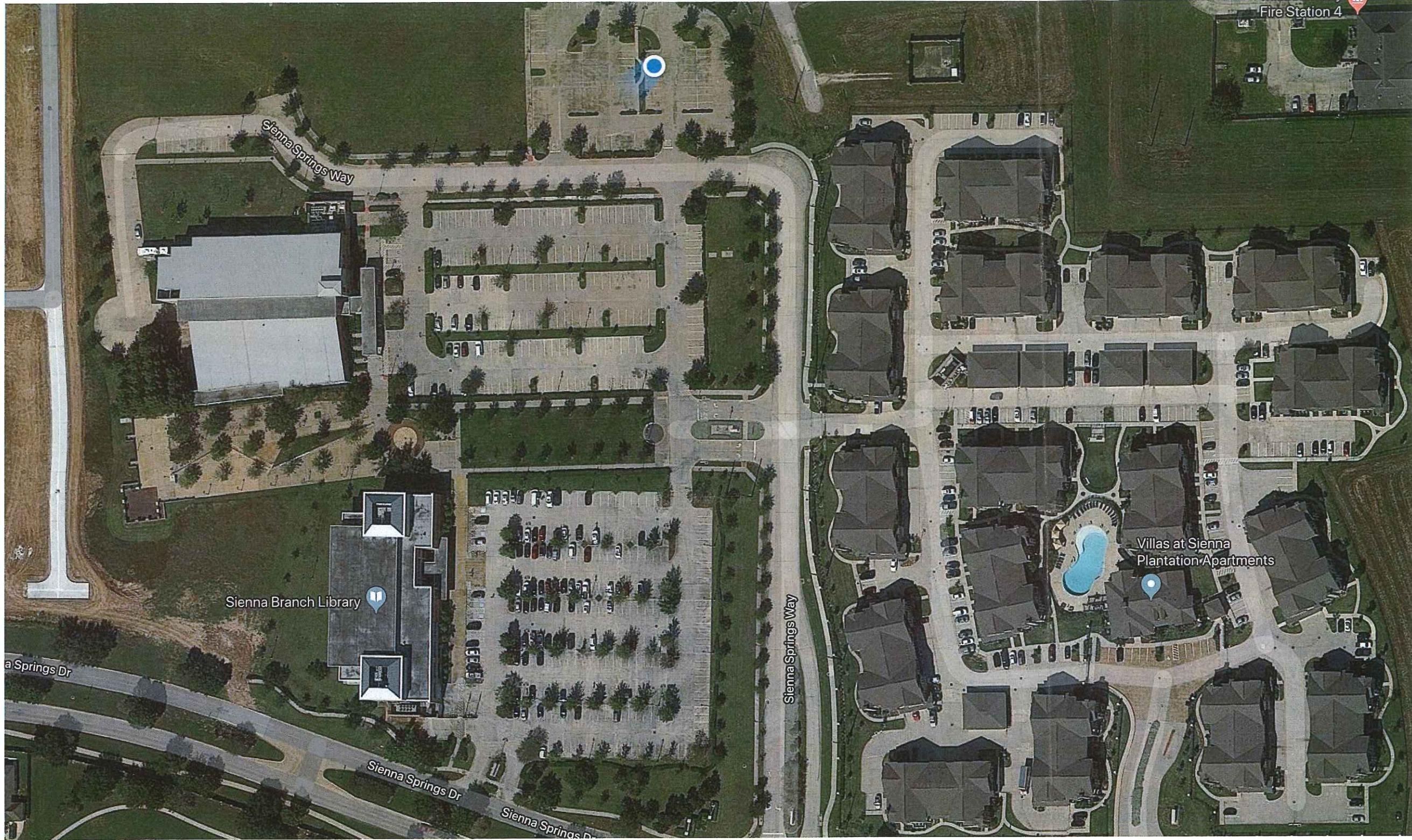
- Farmers markets provide one of the only low-barrier entry points for new farmers, ranchers, and food entrepreneurs, allowing them to start small and test new products. According to the [2017 National Young Farmers Coalition survey](#), farmers markets and CSAs represented the marketing channel with the highest proportion of new and beginning farmers' sales. This support is incredibly important, as [there are currently 3.5 times as many U.S. farmers over the age of 65 as there are under 35](#).
- Farmers and ranchers [receive only 15 cents](#) of every food dollar that consumers spend at traditional food outlets. At a farmers market, 100% of your food dollar goes to your local farmer.
- In 2015, direct to consumer revenue at farmers markets totaled [\\$711 million](#).
- Studies have shown that all farms, regardless of scale, [are significantly more likely to survive if they have local food sales](#) as a part of their marketing portfolio.

Farmers Markets Increase Access to Fresh, Nutritious Food

- [In 2017](#), 7,377 markets and direct-marketing farmers accepted SNAP EBT, resulting in \$22 million in SNAP spent at farmers markets. That's fresh food access and more money in the pocket of small farmers.
- According to a 2012 grocery retail study, farmers markets are [the most trusted food outlet to supply local foods](#). On a scale of 1-10, consumers rated it an 8.2, the highest ranking with natural food markets and locally owned grocery stores following suit.

Farmers Markets Support Resilient Communities

- According to the 2015 [NASS Local Food Marketing Survey](#), more than 80% of direct-to-consumer sales came from within 100 miles of the farm.
- In a [2015 survey](#), 81% of farmers selling at farmers markets said they incorporate cover crops, reduce tillage, have on-site composting, and integrate other soil practices into their farm operations.
- In the same survey, 4 out of 5 farmers discuss farming practices with customers and how it interacts with the natural environment. According to a study conducted by the American Farm Bureau, [72% of consumers know "nothing" or "very little" about farming or ranching](#). Farmers markets serve as invaluable educational sites and a rare bridge between urban and rural communities.



Sienna Branch Library

Villas at Sienna
Plantation Apartments

Fire Station 4

Sienna Springs Way

Sienna Springs Way

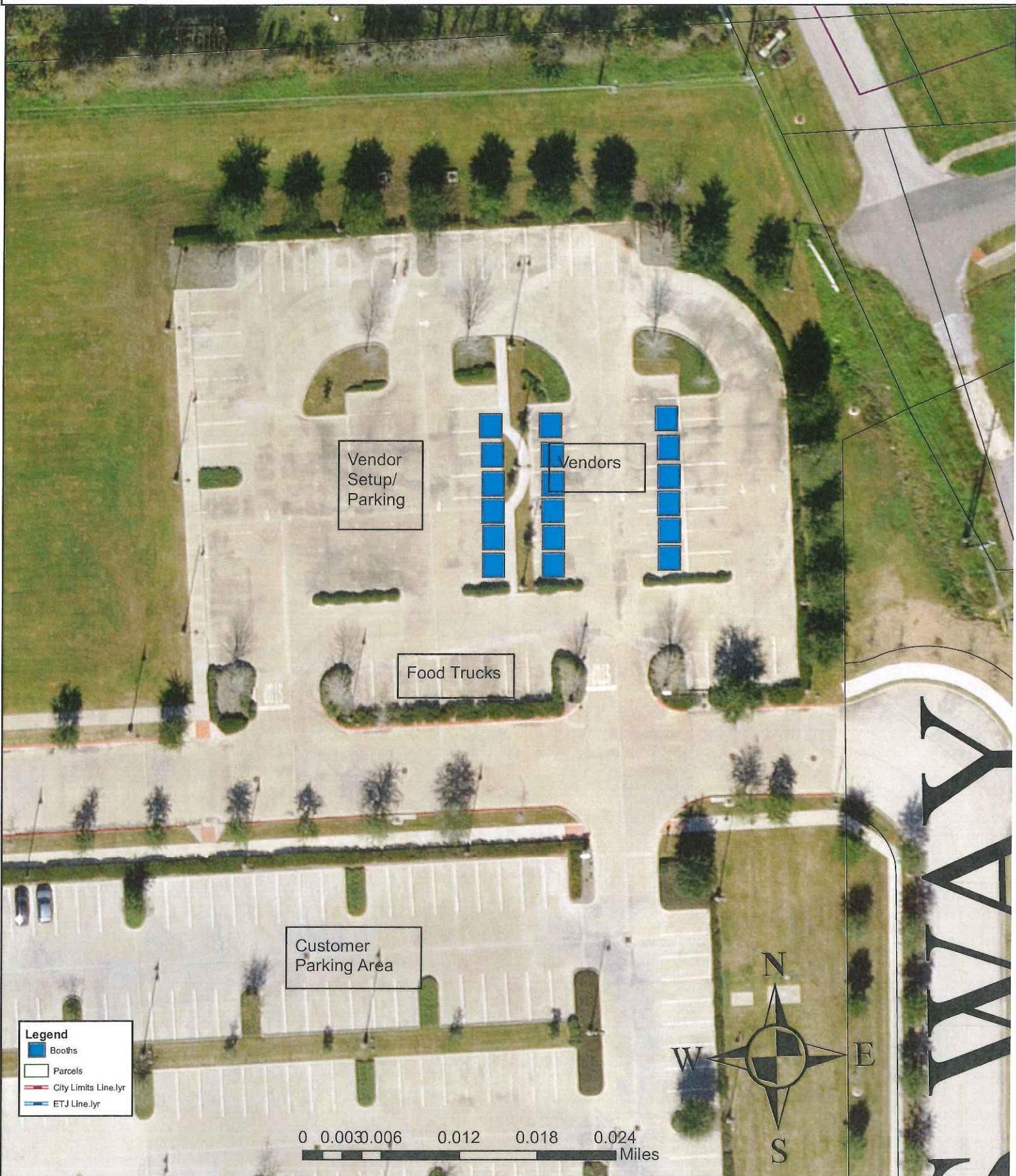
Sienna Springs Dr

Sienna Springs Dr

a Springs Dr

Farmers Market Partners

Site Layout- 5855 Sienna Springs Way



Farmers Market Partners Sign Location Plan





Farmers Market Partners

Join Us On The Road To Good Health

Missouri City Planning and Zoning Farmers Market Partners New Location Request

**Presented By:
Thomasine Johnson
March 15, 2019**

Agenda

- Objective
- Farmers Market Partners Overview
- Benefits to Missouri City and Community
- Community Feedback
- Requests and Permits to continue
- Market Photos taken by Missouri City Communication Dept.



Objective

Provide the City with details of our Farmers Market to support a permanent approval to operate:

- **Dates:** Every Saturday
- **Location:** Sienna Annex
5855 Sienna Springs Way
Missouri City, TX 77459
- **Time:** 9 am to 2 pm



Farmers Market Partners
Join Us On The Road To Good Health

Farmers Market Partners (FMP)

Overview

- **FMP is a Farmers Market Management Company**
 - Currently approved at 2700 Lake Olympia Parkway 1 & 3 Saturday
 - **Would like to move to 5855 Sienna Springs every Saturday**
 - Partner and support local farmers, producers and specialty vendors
 - Build a stronger local food movement
 - Grow a diverse local food culture by maintaining an authentic space for all people
 - Provide a space to be able to grow with success of farmers markets
 - Partner with non-profit organizations in support of their great causes
 - **Missouri City Pet Adoption, Boys Scouts of America, Alzheimer's Association, Makarios, Boys Choir and more**
- **Vendors**
 - Local/Regional farmers and artisan food vendors
 - Marketing Research vendors prefer weekly markets to build a following,
 - Non-profit organizations
 - Young Sprouts Club Lemonade Stand free of charge. Everything they earn they keep
 - **Young Sprouts Entrepreneurs are earning up to \$160.00 a market at lemonade stand.**
 - Rotating Food Truck Vendors
 - **Great success for food truck vendors**



Farmers Market Partners
Join Us On The Road To Good Health

Farmers Market Partners (FMP) Overview

- **Community focal point**
 - A place of destination for neighbors to meet and become more neighborly
 - FMP has opened a second location at Mercer Stadium in Sugar Land and would like to have a larger presence in Missouri City
 - **Neighbors enjoy meeting and chatting with neighbors and friends**
- **Educational/Entrepreneurial Program**
 - Activity based “**Young Sprouts Club**” for ages 5 – 12 years olds
 - Avenue to teach entrepreneurial skills to children
 - Set up educational series with Fort Bend Library that is on the same campus
 - Educational tool to teach children to make better food choices at a young age
 - An avenue for students to perform their community serve hours
 - Partnering with FBISD Schools
 - **School marketing days are very successful !**
- **Points**
 - Moving to the Sienna Annex Parking lot would eliminate FMP parking issues and concerns
 - Sienna Annex Parking Lot has ample room to grow FMP to be a focal point to help showcase Missouri City
 - Sienna Annex Building will get additional exposure
 - The Sienna Annex parking lot is presently an unutilized parking area
 - FMP's insurance will add SAB parking lot to it's existing policy.
 - We have a contractual agreement for the use of the Sienna Annex Building Parking Lot
- **Website Presence**
 - www.FarmersMarketPartners.com
 - **FMP had developed an app that allows the consumer to order online and pick up items at market**



Farmers Market Partners
Join Us On The Road To Good Health

Benefits to Missouri City & Community

- **Incremental Missouri City Revenue**
 - Temporary food permits required for certain vendors
 - **More than a dozen food truck permits to date**
- **Employment**
 - We have generated employment for Missouri City residents via our vendors and with our management company.
- **Further enhance the profile and image of the City “The Show Me City”**
- **Become a great destination point in Fort Bend County and Missouri City**
- **Partnered with Missouri City Adopt a Pet Program**
- **Community Focal Point**
 - Strengthen the community spirit and safety through all neighbors meeting each other at the market, hence forging a closer relationship to each other



Benefits to Missouri City & Community

- **Educational opportunity**
 - Residents meeting the farmers who grow their food and learn more about seasonal style eating
 - Great place for neighbors to meet
 - Our Young Sprouts Club mission is to inspire children to take part in their local food system and put a focus on the future generation to make better food choices from a young age
 - Young Sprouts Club participants are given a special educational tour with farmers the day of market
 - The Young Sprouts Club showcases Missouri City as being proactive to educate our younger generation.



Young Sprouts Club

Encouraging Little Minds To Think Big



Farmers Market Partners
Join Us On The Road To Good Health

Benefits to Missouri City & Community

○ Entrepreneurial opportunity

- The Young Sprouts Club participants are the emerging Missouri City entrepreneurs
 - Sprouts are learning how to run a business. Parents have given FMP great feedback
- Young Sprouts Club participants are given a certificate of appreciation
 - Young Sprouts are featured on FMP website
- Young Sprouts Club participants are given a pot and flower seeds to start their own garden at home
- The Young Sprouts Club participants keep all the money they earn the day of market
- The Young Sprouts Club showcases Missouri City as being proactive to educate our younger generation.



Young Sprouts Club

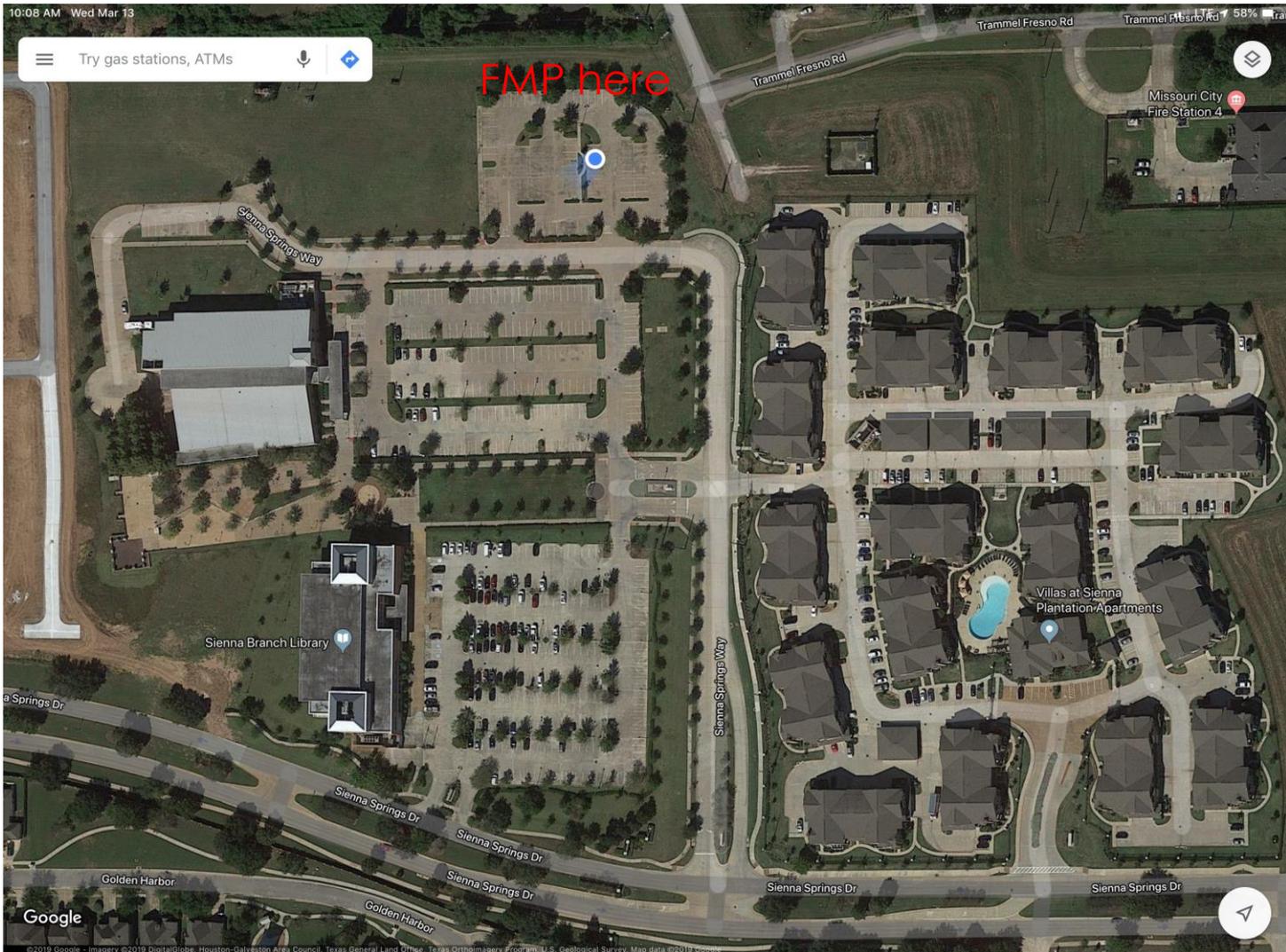
Encouraging Little Minds To Think Big



Farmers Market Partners

Join Us On The Road To Good Health

Sienna Annex Parking



Requests and Permits

- **Permanent Approval Request**

- Operate on the every Saturday of the month at 5855 Sienna Annex Building Parking Lot, Missouri City

- **Directional Signage**

- Place directional signage within a 3 mile radius on the day the market is open
- Place parking signage in designated areas

- **Feather Banners**

- Place feather banners (2.5x11.5) on the day of the market at the corner

- **City Support**

- Presence on the Missouri City Website
- Marketing support
- Presence with the Missouri City Visitors Bureau

Thank-you
Thomasine Johnson



Farmers Market Partners
Join Us On The Road To Good Health

Farmers Market Partners in action



Farmers Market Partners
Join Us On The Road To Good Health



Farmers Market Partners in action



Farmers Market Partners
Join Us On The Road To Good Health

Farmers Market Partners in action



Farmers Market Partners
Join Us On The Road To Good Health



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

April 1, 2019

To: Mayor and City Council
Agenda Item: 9(c) Fort Bend Parkway Business Park Phase 1
Submitted by: Thomas K. White Jr., Planner II

SYNOPSIS

Section 3.05 of the City's Home Rule Charter provides that the Mayor, when authorized by the Council, shall sign all official documents including official plats of city property.

Fort Bend Business Park Phase 1 is a proposed commercial subdivision within the City limits. The City owns an approximate 32.27-acre tract of land included within the boundaries of the proposed subdivision.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout

BACKGROUND

A final plat for Fort Bend Parkway Business Park Phase 1 was conditionally approved by the Planning and Zoning Commission on September 12, 2018. The proposed subdivision of approximately 32.394 acres contains 0 lots, 3 Reserves, and 0 Blocks. The Reserves of A and B (approximately 32.27 acres) are restricted for drainage usage. The land area contained within Reserves A and B are owned by the City of Missouri City. As of March 26, 2019, all conditions placed on the approval of the final plat have been addressed or revised accordingly. The final plat has been approved for signature and subsequent recordation. It is necessary for the City as a property owner, to sign the plat.

SUPPORTING MATERIALS

1. Final plat of Fort Bend Parkway Business Park Phase 1

STAFF'S RECOMMENDATION

Consider authorizing the Mayor to sign the official plat of Fort Bend Parkway Business Park Phase 1.

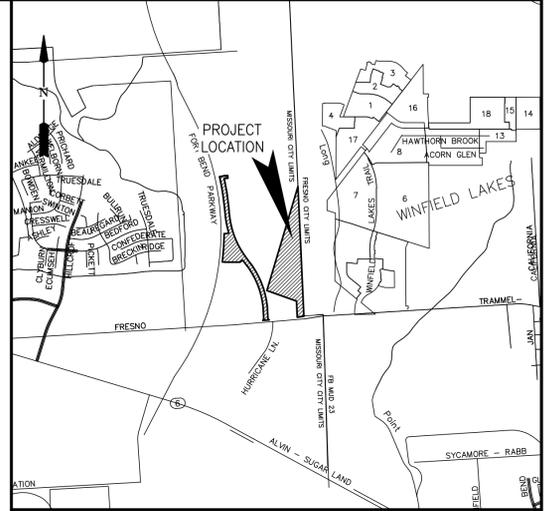
Director Approval: Otis T. Spriggs, AICP, Development Services Director

**Assistant City Manager
Approval:** Bill Atkinson

NOTES:

- 1. BENCHMARK - PCM-003 4 INCH BRASS DISC SET IN CONCRETE LOCATED ON THE SOUTHWESTERN CORNER OF THE INTERSECTION OF SIENNA PARKWAY AND TRAMMEL-FRESNO ROAD. ELEV.= 66.07 FEET (NAVD88, 2001 ADJUSTMENT)
2. TBM: MISSOURI CITY SURVEY SECONDARY BENCHMARK NO. SCM-11021A BRASS DISK STAMPED "C.O.M.C. SCM-11021" LOCATED ON THE TOP OF A CURB INLET ON THE WESTERLY SIDE OF HURRICANE LANE, APPROXIMATELY 3,070 FEET (0.6 MILES) NORTH OF TRAMMEL FRESNO ROAD. ELEV.= 68.18 FEET (NAVD88, 2001 ADJUSTMENT)
3. ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83). COORDINATES SHOWN ARE GRID AND MAY BE CONVERTED TO SURFACE BY DIVIDING BY A FACTOR OF 0.99987.
4. THIS PLAT WAS PREPARED TO MEET THE CITY OF MISSOURI CITY AND FORT BEND COUNTY REQUIREMENTS.
5. THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2018-0329 DATED AUGUST 31, 2018. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
6. THIS PLAT LIES WHOLLY WITHIN THE CITY OF MISSOURI CITY, FORT BEND COUNTY.
7. ALL SLAB ELEVATIONS SHALL BE ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION AS ESTABLISHED BY FEMA AS PER SECTION 3.C.(11) OF THE ADMINISTRATIVE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (JUNE 2014).
8. IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48157C 0295L AND 48157C 0315L, REVISED DATE APRIL 2, 2014, PROPERTY LIES WITHIN UNSHADED ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD. THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1% ANNUAL CHANCE OR GREATER FLOOD PLAIN. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
9. ALL EXISTING AND PROPOSED PIPELINES OR PIPELINE EASEMENTS THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
10. ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-168(D) OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
11. FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
12. ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
13. THE CITY OF MISSOURI CITY WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE FACILITIES (INCLUDING SWALES, DRAINAGE PONDS, OUTFALL PIPES, ETC.), THE CITY OF MISSOURI CITY MANAGEMENT DISTRICT NO. 2 WILL ULTIMATELY BE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE FACILITIES (INCLUDING SWALES, DRAINAGE PONDS, OUTFALL PIPES, ETC.) AS REQUIRED BY SECTION 3.C. (12) OF THE ADMINISTRATIVE PLATTING MANUAL OF THE CITY OF MISSOURI CITY. (JUNE 2014)
14. SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SECTION 82-164 OR THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.

- 15. DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
16. IN ACCORDANCE WITH CENTER POINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
17. ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES CONTACTED AT THE TIME OF PLATTING.
18. GAS METER LOCATION: GAS METERS SHALL BE LOCATED IN AN AREA ACCESSIBLE WITHOUT CUSTOMER ASSISTANCE, AND NOT BLOCKED BY FENCES, WALLS OR GATES. FOR FURTHER INFORMATION PLEASE CONTACT SIENERGY AT 281-778-6250.
19. NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
20. PRIOR TO THE BEGINNING OF THE ONE-YEAR MAINTENANCE PERIOD FOR UTILITIES AND PAVING BY FORT BEND COUNTY, ALL BLOCK CORNERS AND STREET RIGHT-OF-WAY WILL BE MONUMENTED.
21. ADEQUATE FIRE FLOWS SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE PROPOSED WATER LINE.
22. REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
23. THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500FT. FOR RESIDENTIAL DEVELOPMENT AND 300FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
24. STREET LIGHTING SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF MISSOURI CITY INFRASTRUCTURE DESIGN MANUAL, CHAPTER 4 STREET LIGHTING AND OVERHEAD UTILITIES. THE INSTALLATION, OPERATION, AND MAINTENANCE OF ORNAMENTAL STREET LIGHTS SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF MISSOURI CITY, EXCEPT AS PROVIDED THEREIN.
25. NO BUILDINGS OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS, WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THE SUBDIVISION UNTIL SUCH TIME AS [THE ESCROW OF FUNDS REQUIRED UNDER THE PROVISIONS OF SUBSECTION (C)] OR [THE PAYMENT OF MONEY IN LIEU OF PARKLAND REQUIRED UNDER THE PROVISION OF SUBSECTION (E)] OF SECTION 82-174 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS HAS BEEN SUBMITTED AND ACCEPTED BY THE CITY.
26. ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF MISSOURI CITY, TEXAS.
27. BUILDINGS SHALL BE SET BACK A MINIMUM DISTANCE OF 30 FEET FROM ANY PIPELINE OR 15 FEET FROM ANY PIPELINE EASEMENT, WHICHEVER DISTANCE IS GREATER.
28. SHARED ACCESS AND PARKING FACILITIES SHALL BE PROVIDED AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-159 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY.



VICINITY MAP SCALE: 1" = 2000' KEY MAP NO. 610V&Z

STATE OF TEXAS COUNTY OF FORT BEND

WE, FLC PARKWAY, LLP, A TEXAS LIMITED LIABILITY PARTNERSHIP, ACTING BY AND THROUGH ROCKY LAI, PRESIDENT, BEING AN OFFICER OF FLC PARKWAY, LLP, A TEXAS LIMITED LIABILITY PARTNERSHIP; THE CITY OF MISSOURI CITY, ACTING BY AND THROUGH ALLEN OWEN, MAYOR, BEING AN OFFICER OF THE CITY OF MISSOURI CITY, AND HOUSTON LIGHTING AND POWER COMPANY, ACTING BY AND THROUGH ... BEING AN OFFICER OF HOUSTON LIGHTING AND POWER COMPANY, OWNERS HERINAFTER REFERRED TO AS OWNERS OF THE 40.668 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF FORT BEND PARKWAY BUSINESS PARK PHASE 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

WE, FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNEES HEREBY WAIVE ANY CLAIM, DAMAGE OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OR EXACTIONS MADE HEREIN.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY WHEREOF, THE FLC PARKWAY, LLP, A TEXAS LIMITED LIABILITY PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ROCK LAI, ITS PRESIDENT, THEREUNTO AUTHORIZED, THIS ... DAY OF ... 2018.

FLC PARKWAY, LLP, A TEXAS LIMITED LIABILITY PARTNERSHIP

By: ROCK LAI, PRESIDENT

STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROCKY LAI, PRESIDENT OF FLC PARKWAY, LLP, A TEXAS LIMITED LIABILITY PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN SET OUT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ... DAY OF ... 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

IN TESTIMONY WHEREOF, THE CITY OF MISSOURI CITY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY YOLANDA FORD, ITS MAYOR, THEREUNTO AUTHORIZED, THIS ... DAY OF ... 2018.

THE CITY OF MISSOURI CITY

By: YOLANDA FORD, MAYOR

STATE OF TEXAS COUNTY OF FORT BEND

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALLEN OWEN, MAYOR OF THE CITY OF MISSOURI CITY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN SET OUT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ... DAY OF ... 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT ALL BOUNDARY CORNERS, ANGLES, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS (5/8) INCH WITH PLASTIC CAP MARKED "LJA ENG" AND A LENGTH OF NOT LESS THAN THREE (3) FEET.

KEITH W. MONROE, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 4797

I, OMAR NOE ESCOBAR, JR., A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF FORT BEND COUNTY TO THE BEST OF MY KNOWLEDGE.

OMAR NOE ESCOBAR, JR., P.E. LICENSED PROFESSIONAL ENGINEER TEXAS LICENSE NO. 107281



STATE OF TEXAS COUNTY OF FORT BEND

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF SIENNA FORT BEND PARKWAY BUSINESS PARK PHASE 1 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MISSOURI CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ... DAY OF ... 2018.

SONYA BROWN-MARSHALL, CHAIRMAN

TIMOTHY R. HANEY, VICE CHAIRMAN

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON ... 2018 AT O'CLOCK ... M. IN PLAT NUMBER ... OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE, AT RICHMOND, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

LAURA RICHARD, COUNTY CLERK FORT BEND COUNTY, TEXAS

By: DEPUTY

FINAL PLAT OF FORT BEND PARKWAY BUSINESS PARK PHASE 1

A SUBDIVISION OF 40.668 ACRES OF LAND SITUATED IN THE ELIJAH ROARK LEAGUE, ABSTRACT 77, FORT BEND COUNTY, TEXAS,

0 LOTS 3 RESERVES (32.394 ACRES) 0 BLOCKS OCTOBER 29, 2018 JOB NO. 2319-3000.802

OWNERS: FLC PARKWAY, LLP. A TEXAS LIMITED LIABILITY PARTNERSHIP ROCKY LAI, PRESIDENT 3217 MONTROSE BOULEVARD, SUITE 222, HOUSTON, TEXAS 77006 PH: (281) 888-1919

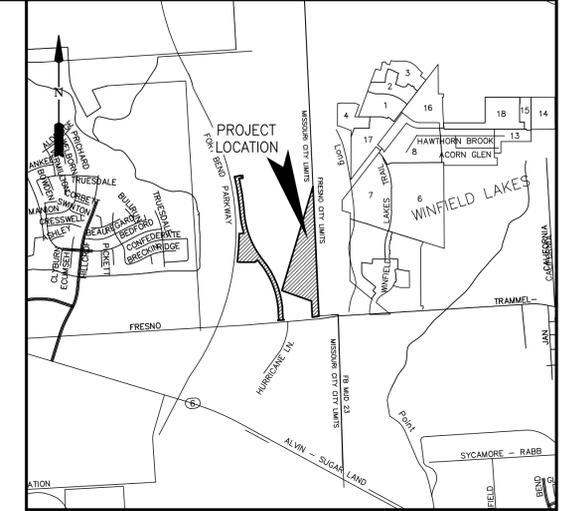
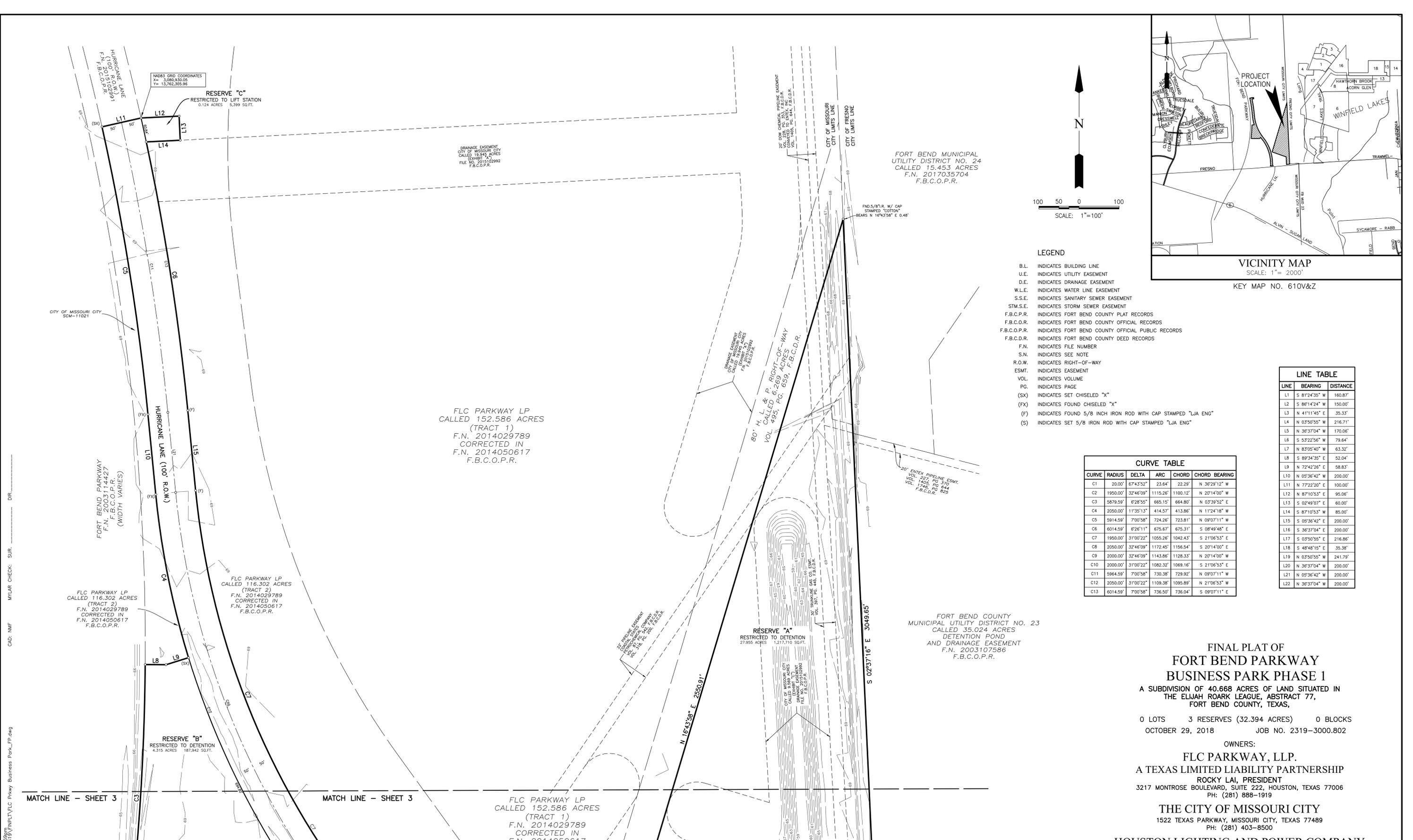
THE CITY OF MISSOURI CITY 1522 TEXAS PARKWAY, MISSOURI CITY, TEXAS 77489 PH: (281) 403-8500

HOUSTON LIGHTING AND POWER COMPANY 1111 LOUISIANA STREET, HOUSTON, TEXAS 77002 PH: (713) 207-1111

SURVEYOR: LJA Surveying, Inc. 2929 Briarpark Drive Suite 175 Houston, Texas 77042 Phone 713.953.5200 Fax 713.953.5026 T.B.P.L.S. Firm No. 10194382

ENGINEER: LJA Engineering, Inc. 2929 Briarpark Drive Suite 600 Houston, Texas 77042 Phone 713.953.5200 Fax 713.953.5026 FRN - F-1386

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- B.L. INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
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 - VOL. INDICATES VOLUME
 - PG. INDICATES PAGE
 - (SX) INDICATES SET CHISELED "X"
 - (FX) INDICATES FOUND CHISELED "X"
 - (F) INDICATES FOUND 5/8 INCH IRON ROD WITH CAP STAMPED "LJA ENG"
 - (S) INDICATES SET 5/8 IRON ROD WITH CAP STAMPED "LJA ENG"

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	20.00'	67°43'52"	23.64'	22.29'	N 36°29'12" W
C2	1950.00'	32°46'09"	1115.26'	1100.12'	N 20°14'00" W
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C8	2050.00'	32°46'09"	1172.45'	1156.54'	S 20°14'00" E
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C10	2000.00'	31°00'22"	1082.32'	1069.16'	S 21°06'53" E
C11	5964.59'	7°00'58"	730.38'	729.92'	N 09°07'11" W
C12	2050.00'	31°00'22"	1109.38'	1095.89'	N 21°06'53" W
C13	6014.59'	7°00'58"	736.50'	736.04'	S 09°07'11" E

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 81°24'35" W	160.87'
L2	S 86°14'24" W	150.00'
L3	N 41°11'45" E	35.33'
L4	N 03°50'55" W	216.71'
L5	N 36°37'04" W	170.06'
L6	S 53°22'56" W	79.64'
L7	N 83°05'40" W	63.32'
L8	S 89°34'35" E	52.04'
L9	N 72°42'26" E	58.83'
L10	N 05°36'42" W	200.00'
L11	N 77°22'20" E	100.00'
L12	N 87°10'53" E	95.06'
L13	S 02°49'07" E	60.00'
L14	S 87°10'53" W	85.00'
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FLC PARKWAY LP
CALLED 152.586 ACRES
(TRACT 1)
F.N. 2014029789
CORRECTED IN
F.N. 2014050617
F.B.C.O.P.R.

FLC PARKWAY LP
CALLED 116.302 ACRES
(TRACT 2)
F.N. 2014029789
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FORT BEND COUNTY
MUNICIPAL UTILITY DISTRICT NO. 23
CALLED 35.024 ACRES
DETENTION POND
AND DRAINAGE EASEMENT
F.N. 2003107586
F.B.C.O.P.R.

RESERVE "A"
RESTRICTED TO DETENTION
27.955 ACRES 1,217,710 SQ.FT.

RESERVE "B"
RESTRICTED TO DETENTION
4.315 ACRES 187,942 SQ.FT.

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RESERVE TABLE

RESERVE	ACREAGE	SQ.FT.	TYPE	MAINTENANCE
A	27.955	1,217,710	RESTRICTED TO DETENTION	MISSOURI CITY MANAGEMENT DISTRICT NO. 2
B	4.315	187,942	RESTRICTED TO DETENTION	MISSOURI CITY MANAGEMENT DISTRICT NO. 2
C	0.124	5,399	RESTRICTED TO LIFT STATION	QUAIL VALLEY UTILITY DISTRICT
TOTAL	32.394	1,411,051		

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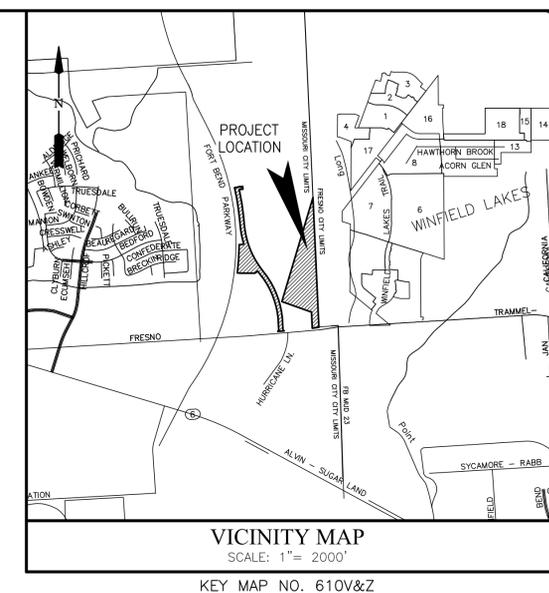
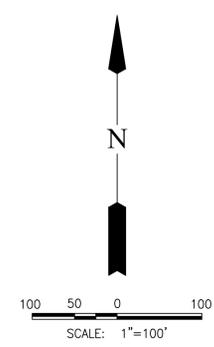
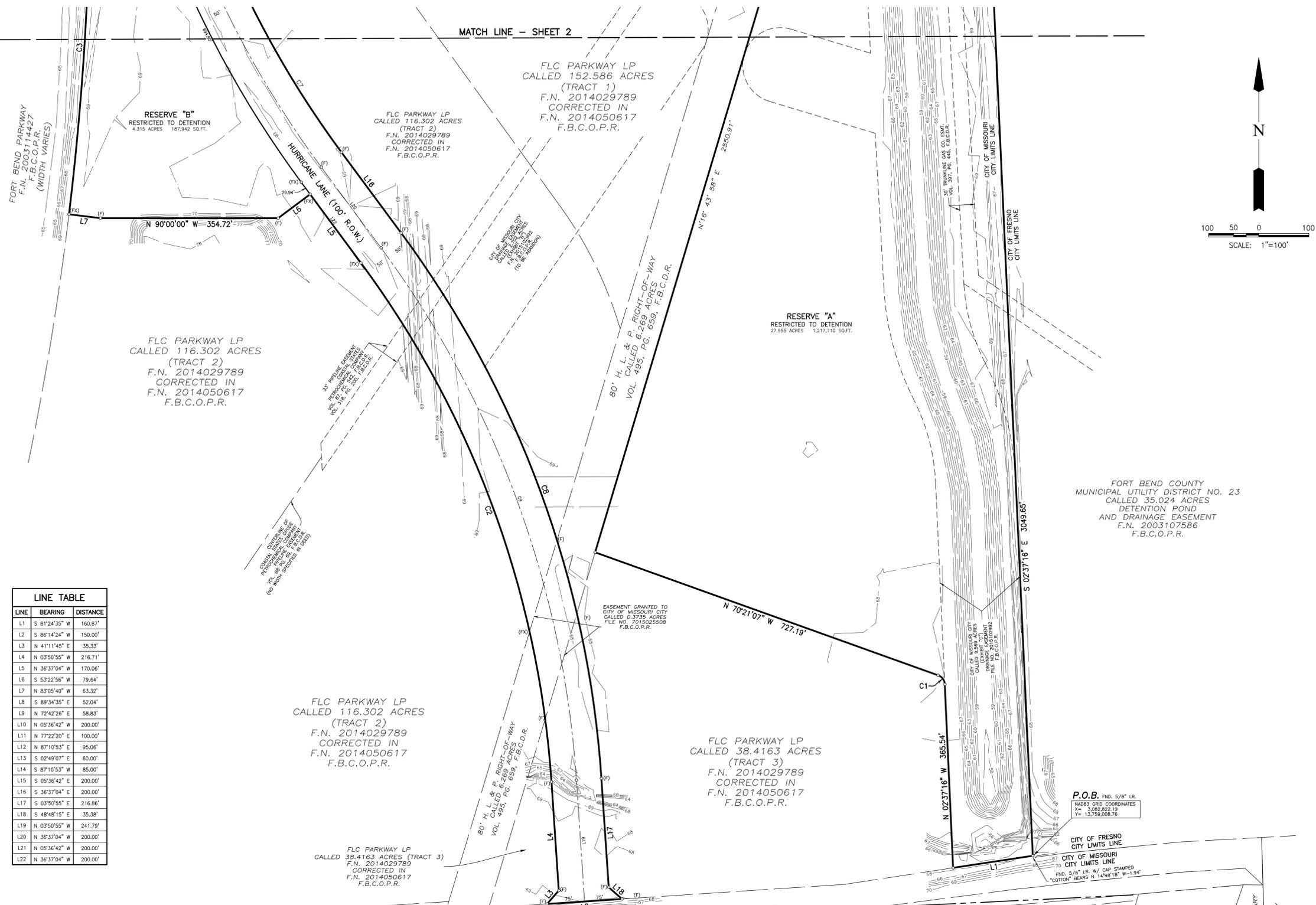
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CITY COUNCIL AGENDA ITEM COVER MEMO

April 1, 2019

To: Mayor and City Council
Agenda Item: 9(d) Authorize contract for replacing the roof on Public Safety Headquarters (PSHQ)
Submitted by: Shashi K. Kumar, P.E., Director of Public Works

SYNOPSIS

The Department of Public Works requests authorization for the City Manager to enter into a contract with Bass Construction Co. for the removal and complete replacement of the roof for Public Safety Headquarters (PSHQ).

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

The roof of the Public Safety Headquarters has reached its end-of-life. Coupled with several leaks throughout the current roofing system, staff believes it is time to replace these roofs with a more modern and up-to-date roofing system.

The City contacted several firms through various consortia for consideration. Bass Construction Co. was the most responsive and staff believes offers the most advantageous proposition to the City for this work. Based upon their work order # 064203.00, the total cost to remove and replace the roof is \$429,549.68. This proposal is based on Buyboard Contract # 520-16 Area C-BCC.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY19 Funds Budgeted	FY19 Funds Available	Amount Requested
General Bond	404-54104-13-999-20017	PSHQ Roof	\$465,990.00	\$465,990.00	\$429,549.68

Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager
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. Work Order Signature Document # 064203.00, dated March 7, 2019

STAFF'S RECOMMENDATION

Staff recommends City Council to authorize the City Manager to enter into a contract with Bass Construction Co. for the removal and complete replacement of the roof for the Public Safety Headquarters.

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

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



Work Order Signature Document

ezIQc Buy Board Contract No.: 520-16 Area C - BCC

New Work Order **Modify an Existing Work Order**

Work Order Number.: 064203.00 Work Order Date: 03/07/2019

Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

Owner Name: City of Missouri City Contractor Name: Bass Construction Co.

Contact: Mark Law Contact: Buck Bass

Phone: 2814038539 Phone: 281-342-2022

Work to be Performed

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of ezIQc Buy Board Contract No 520-16 Area C - BCC.

Brief Work Order Description:

RE-Roof PSHQ

Time of Performance Estimated Start Date:
Estimated Completion Date:

Liquidated Damages Will apply: Will not apply:

Work Order Firm Fixed Price: \$429,549.68

Owner Purchase Order Number:

Approvals

Owner Date

Buck Bass 3/7/2019
Contractor Date

Detailed Scope of Work

To: Buck Bass
Bass Construction Co.
1124 Damon St
Rosenberg, TX 77471
281-342-2022

From: Mark Law
City of Missouri City
3845 Cartwright
Missouri city 77459, TX 77459
2814038539

Date Printed: March 07, 2019

Work Order Number: 064203.00

Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

Brief Scope: RE-Roof PSHQ

Preliminary

Revised

Final

The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

RE-Roof PSHQ (Overlay) - Building A and B

1.0 Description of Work - General

1.1 Provide labor, material, and equipment necessary to perform the following Work:

1. Roof Re-Cover: Single-Ply TPO Roof System

2.0 Specifications and Drawings

2.1 Specifications/Drawings - None

2.2 Manufacturer(s) - Carlisle Syntec Systems

3.0 Description of Work - Specific

3.1 Mobilization

1. Set-up all fall protection systems necessary to perform the Work.
2. Stage and load all materials, equipment, tools necessary to perform the Work.

3.2 TPO Single-Ply Roof System

1. Demolition
 - a) Remove all flashings, counter flashings, edge metal, coping, and metal wall panels.
 - b) Remove all ballast (heavy gravel) from roof Area B.
1. Separation Sheet
 - a) Install 1/2" Carlisle R-Tech Fanfold Recover Board over existing modified bitumen roof system.
 - b) Install 1/2" Carlisle R-Tech Fanfold Recover Board over existing EPDM roof system (Area B).
1. Membrane - Field
 - a) Install Carlisle Sure-Weld 60 mil TPO membrane in the field and perimeter sheets mechanically fastened and sealed with 1.50" heat-weld using 10.0' sheets.

Detailed Scope of Work Continues..

Work Order Number: 064203.00
Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

1. Membrane - Flashing
 - a) Install Carlisle Sure-Weld 60 mil TPO membrane in the field & perimeter sheets mechanically fastened and sealed with 1.50" heat-weld using 10.0' sheets.

1. Pipe Penetrations
 - a) Install Carlisle SureFlex PVC Pipe Boots at all pipe penetrations.

1. Wood
 - a) Install wood nailer at top of parapet walls.
 - b) Install wood nailer at penetrations and curbs.
 - c) Install wood sheathing on parapet walls.

3.3 Sheet Metal Flashing and Trim

1. Termination bar on vertical flashings where required
2. Counter flashing at vertical flashings where required
3. Edge Metal at the perimeters of roof
4. Install metal coping at parapet walls.
5. Install gutters and downspouts.

4.0 Warranty

4.1. Manufacturer Warranty

1. Carlisle Warranty - 20 Years No Dollar Limit

4.2. Contractor Warranty

1. Bass / Gutier Workmanship Warranty - 2 Years

Subject to the terms and conditions of JOC Contract **520-16 Area C - BCC**.

Buck Bass

Contractor

3/7/2019

Date

Owner

Date

Contractor's Price Proposal - Summary

Date: March 07, 2019

Re: IQC Master Contract #: 520-16 Area C - BCC
Work Order #: 064203.00
Owner PO #:
Title: City of Missouri City - PSHQ Re-Roof TPO
Contractor: Bass Construction Co.
Proposal Value: \$429,549.68

Area A	\$368,263.36
Area B	\$16,991.93
General Requirements for A and B	\$44,294.40
Proposal Total	\$429,549.68

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: %

Contractor's Price Proposal - Detail

Date: March 07, 2019

Re: IQC Master Contract #: 520-16 Area C - BCC
 Work Order #: 064203.00
 Owner PO #:
 Title: City of Missouri City - PSHQ Re-Roof TPO
 Contractor: Bass Construction Co.
 Proposal Value: \$429,549.68

Sect.	Item	Mod.	UOM	Description	Line Total
Labor	Equip.	Material	(Excludes)		
Area A					
1	07 22 16 00 0056		SF	1/4" Thick, R0.2, Gypsum-Fiber, Roof Board Insulation (USG Securock Gypsum)	\$49,709.46
			Installation	Quantity 35,640.00 x Unit Price 1.38 x Factor 1.0107 = Total 49,709.46	
2	07 22 16 00 0056 0137		MOD	For Mechanically Fastened To Gypsum, Add	\$7,204.27
			Installation	Quantity 35,640.00 x Unit Price 0.20 x Factor 1.0107 = Total 7,204.27	
3	07 22 16 00 0066		SF	2" Thick, R9.6, Polyisocyanurate And Oriented Strand Board, Nailbase Roof Board Insulation	\$91,134.01
			Installation	Quantity 35,640.00 x Unit Price 2.53 x Factor 1.0107 = Total 91,134.01	
4	07 22 16 00 0066 0138		MOD	For Mechanically Fastened To Gypsum, Add	\$9,725.76
			Installation	Quantity 35,640.00 x Unit Price 0.27 x Factor 1.0107 = Total 9,725.76	
5	07 51 13 00 0059		LF	1" x 12" Perlite Tapered Edge Strip	\$784.46
			Installation	Quantity 336.00 x Unit Price 2.31 x Factor 1.0107 = Total 784.46	
6	07 51 13 00 0164		SQ	60 Mil Thermoplastic Polyolefin (TPO) Polyester Fleece Backed White Membrane	\$73,991.16
			Installation	Quantity 356.00 x Unit Price 205.64 x Factor 1.0107 = Total 73,991.16	
7	07 54 23 00 0006		SQ	60 Mil, Single Ply TPO Roofing Membrane, Mechanically FastenedIncludes fasteners.	\$55,241.51
			Installation	Quantity 356.00 x Unit Price 127.90 x Factor 1.0107 = Total 46,019.60	
			Demolition	Quantity 356.00 x Unit Price 25.63 x Factor 1.0107 = Total 9,221.91	
8	07 54 23 00 0006 0105		MOD	For 20 Year Warranty, Add	\$2,183.11
			Installation	Quantity 360.00 x Unit Price 6.00 x Factor 1.0107 = Total 2,183.11	
9	07 54 23 00 0009		SQ	Acrylic, TPO Roofing Primer, Price Per Coat	\$14,244.85
			Installation	Quantity 356.00 x Unit Price 39.59 x Factor 1.0107 = Total 14,244.85	
10	07 54 23 00 0010		SQ	Acrylic Elastomeric, Surface Or Base Coating For TPO Roofing, Price Per Coat55% solids by volume.	\$12,251.50
			Installation	Quantity 356.00 x Unit Price 34.05 x Factor 1.0107 = Total 12,251.50	
11	07 54 23 00 0012		EA	>3" To 8" Pipe Diameter, Prefabricated TPO Pipe Cone/BootIncludes attaching the boot to the membrane, caulking around the pipe and installing a draw band.	\$615.46
			Installation	Quantity 17.00 x Unit Price 31.92 x Factor 1.0107 = Total 548.45	
			Demolition	Quantity 17.00 x Unit Price 3.90 x Factor 1.0107 = Total 67.01	

Contractor's Price Proposal - Detail Continues..

Work Order Number: 064203.00
Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

Area A

12	07 54 23 00 0013	EA	6" Diameter, Prefabricated TPO Penetration Pocket	Includes attaching the pocket to the membrane, sealing around the penetration and filling the pocket with pourable sealer.						\$1,706.51
			Installation	Quantity	Unit Price	Factor	=	Total		
				26.00	60.64	1.0107	=	1,593.51	x	
			Demolition	26.00	4.30	1.0107	=	113.00	x	
13	07 54 23 00 0015	SF	TPO Membrane Base Flashing							\$24,481.18
			Installation	Quantity	Unit Price	Factor	=	Total		
				6,600.00	3.67	1.0107	=	24,481.18	x	
14	07 59 00 00 0002	LF	Roofing Membrane Termination Bar	Includes fasteners and caulking.						\$38.57
			Installation	Quantity	Unit Price	Factor	=	Total		
				18.00	2.12	1.0107	=	38.57	x	
15	07 62 00 00 0222	LF	>12" To 15" Girth, 24 Gauge, KYNAR 500® Finish, Galvanized Steel Drip Edge							\$4,757.26
			Installation	Quantity	Unit Price	Factor	=	Total		
				605.00	7.78	1.0107	=	4,757.26	x	
16	07 71 13 00 0067	LF	Remove And Reinstall Metal Coping							\$2,042.32
			Installation	Quantity	Unit Price	Factor	=	Total		
				605.00	3.34	1.0107	=	2,042.32	x	
17	07 71 23 00 0141	LF	6", 26 Gauge, K-Style Galvanized Steel Gutter							\$4,109.10
			Installation	Quantity	Unit Price	Factor	=	Total		
				605.00	5.52	1.0107	=	3,375.33	x	
			Demolition	605.00	1.20	1.0107	=	733.77	x	
18	34 82 29 00 0008	LF	6" x 6" x 1/2" Galvanized Steel Bridge Downspout							\$14,042.87
			Installation	Quantity	Unit Price	Factor	=	Total		
				180.00	74.15	1.0107	=	13,489.81	x	
			Demolition	180.00	3.04	1.0107	=	553.06	x	

Subtotal for Area A

\$368,263.36

Area B

19	07 01 50 19 0003	SQ	Remove Gravel Ballast From Roof, Vacuum And Disposal							\$681.53
			Installation	Quantity	Unit Price	Factor	=	Total		
				21.00	32.11	1.0107	=	681.53	x	
20	07 22 16 00 0056	SF	1/4" Thick, R0.2, Gypsum-Fiber, Roof Board Insulation (USG Securock Gypsum)							\$292.90
			Installation	Quantity	Unit Price	Factor	=	Total		
				210.00	1.38	1.0107	=	292.90	x	
21	07 22 16 00 0056 0137	MOD	For Mechanically Fastened To Gypsum, Add							\$4.24
			Installation	Quantity	Unit Price	Factor	=	Total		
				21.00	0.20	1.0107	=	4.24	x	
			Area B							
22	07 22 16 00 0066	SF	2" Thick, R9.6, Polyisocyanurate And Oriented Strand Board, Nailbase Roof Board Insulation							\$536.98
			Installation	Quantity	Unit Price	Factor	=	Total		
				210.00	2.53	1.0107	=	536.98	x	
23	07 22 16 00 0066 0138	MOD	For Mechanically Fastened To Gypsum, Add							\$57.31
			Installation	Quantity	Unit Price	Factor	=	Total		
				210.00	0.27	1.0107	=	57.31	x	

Contractor's Price Proposal - Detail Continues..

Work Order Number: 064203.00
Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

Area B

24	07 51 13 00 0164	SQ	60 Mil Thermoplastic Polyolefin (TPO) Polyester Fleece Backed White Membrane						\$4,364.65
		Installation	Quantity	Unit Price	Factor	=	Total		
			21.00 x	205.64 x	1.0107	=	4,364.65		
25	07 54 23 00 0006	SQ	60 Mil, Single Ply TPO Roofing Membrane, Mechanically FastenedIncludes fasteners.						\$2,714.64
		Installation	Quantity	Unit Price	Factor	=	Total		
			21.00 x	127.90 x	1.0107	=	2,714.64		
26	07 54 23 00 0009	SQ	Acrylic, TPO Roofing Primer, Price Per Coat						\$840.29
		Installation	Quantity	Unit Price	Factor	=	Total		
			21.00 x	39.59 x	1.0107	=	840.29		
27	07 54 23 00 0010	SQ	Acrylic Elastomeric, Surface Or Base Coating For TPO Roofing, Price Per Coat55% solids by volume.						\$722.70
		Installation	Quantity	Unit Price	Factor	=	Total		
			21.00 x	34.05 x	1.0107	=	722.70		
28	07 54 23 00 0012	EA	>3" To 8" Pipe Diameter, Prefabricated TPO Pipe Cone/BootIncludes attaching the boot to the membrane, caulking around the pipe and installing a draw band.						\$72.41
		Installation	Quantity	Unit Price	Factor	=	Total		
			2.00 x	31.92 x	1.0107	=	64.52		
		Demolition	Quantity	Unit Price	Factor	=	Total		
			2.00 x	3.90 x	1.0107	=	7.88		
29	07 54 23 00 0013	EA	6" Diameter, Prefabricated TPO Penetration PocketIncludes attaching the pocket to the membrane, sealing around the penetration and filling the pocket with pourable sealer.						\$65.63
		Installation	Quantity	Unit Price	Factor	=	Total		
			1.00 x	60.64 x	1.0107	=	61.29		
		Demolition	Quantity	Unit Price	Factor	=	Total		
			1.00 x	4.30 x	1.0107	=	4.35		
30	07 54 23 00 0015	SF	TPO Membrane Base Flashing						\$4,080.20
		Installation	Quantity	Unit Price	Factor	=	Total		
			1,100.00 x	3.67 x	1.0107	=	4,080.20		
31	07 59 00 00 0002	LF	Roofing Membrane Termination BarIncludes fasteners and caulking.						\$6.43
		Installation	Quantity	Unit Price	Factor	=	Total		
			3.00 x	2.12 x	1.0107	=	6.43		
32	07 62 00 00 0222	LF	>12" To 15" Girth, 24 Gauge, KYNAR 500® Finish, Galvanized Steel Drip Edge						\$432.48
		Installation	Quantity	Unit Price	Factor	=	Total		
			55.00 x	7.78 x	1.0107	=	432.48		
33	07 71 13 00 0067	LF	Remove And Reinstall Metal Coping						\$185.67
		Installation	Quantity	Unit Price	Factor	=	Total		
			55.00 x	3.34 x	1.0107	=	185.67		
34	07 71 23 00 0141	LF	6", 26 Gauge, K-Style Galvanized Steel Gutter						\$373.55
		Installation	Quantity	Unit Price	Factor	=	Total		
			55.00 x	5.52 x	1.0107	=	306.85		
		Demolition	Quantity	Unit Price	Factor	=	Total		
			55.00 x	1.20 x	1.0107	=	66.71		
35	34 82 29 00 0008	LF	6" x 6" x 1/2" Galvanized Steel Bridge Downspout						\$1,560.32
		Installation	Quantity	Unit Price	Factor	=	Total		
			20.00 x	74.15 x	1.0107	=	1,498.87		
		Demolition	Quantity	Unit Price	Factor	=	Total		
			20.00 x	3.04 x	1.0107	=	61.45		

Subtotal for Area B

\$16,991.93

General Requirements for A and B

Contractor's Price Proposal - Detail Continues..

Work Order Number: 064203.00

Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

General Requirements for A and B

36	01 22 16 00 0002	EA	Reimbursable Fees	Reimbursable Fees will be paid to the contractor for eligible costs. The base cost of the Reimbursable Fee is \$1.00. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee (e.g. quantity of 125 = \$125.00 Reimbursable Fee). If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warrantee, expedited shipping costs, etc.). A copy of each receipt shall be submitted with the Price Proposal.						\$9,315.00
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			9,315.00		1.00		1.0000		9,315.00	
		P & P BONDS								
37	01 22 20 00 0015	HR	Laborer	For tasks not included in the Construction Task Catalog® and as directed by owner only.						\$1,925.67
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			64.00		29.77		1.0107		1,925.67	
		General Cleanup Throughout Project								
38	01 22 20 00 0015 0004	MOD	For Foreman, Add							\$240.95
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			160.00		1.49		1.0107		240.95	
39	01 22 20 00 0024	HR	Plumber	For tasks not included in the Construction Task Catalog® and as directed by owner only.						\$1,680.83
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			32.00		51.97		1.0107		1,680.83	
40	01 22 20 00 0024 0004	MOD	For Foreman, Add							\$42.05
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			16.00		2.60		1.0107		42.05	
41	01 22 20 00 0029	HR	Sheet Metal Worker	For tasks not included in the Construction Task Catalog® and as directed by owner only.						\$2,303.91
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			48.00		47.49		1.0107		2,303.91	
42	01 22 20 00 0029 0004	MOD	For Foreman, Add							\$95.81
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			40.00		2.37		1.0107		95.81	
43	01 22 20 00 0055	HR	Maintenance Electrician With Truck And Tools	This task will be used specifically for maintenance service calls.						\$5,108.81
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			64.00		78.98		1.0107		5,108.81	
44	01 22 20 00 0059	HR	Maintenance HVAC/Refrigeration Worker With Truck And Tools	This task will be used specifically for maintenance service calls.						\$5,948.74
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			48.00		122.62		1.0107		5,948.74	
45	01 22 20 00 0060	HR	Maintenance Roofer Worker With Truck And Tools	This task will be used specifically for maintenance service calls.						\$8,763.50
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			96.00		90.32		1.0107		8,763.50	
46	01 22 23 00 0030	MO	60' Engine Powered, Articulating (Up/Over) Boom Manlift							\$5,053.64
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			2.00		2,500.07		1.0107		5,053.64	
47	01 52 13 00 0003	MO	8' x 32' Office, With Toilet							\$646.05
		Installation	Quantity	x	Unit Price	x	Factor	=	Total	
			3.00		213.07		1.0107		646.05	

Contractor's Price Proposal - Detail Continues..

Work Order Number: 064203.00
Work Order Title: City of Missouri City - PSHQ Re-Roof TPO

General Requirements for A and B

48	01 52 19 00 0002	WK	Portable Toilets, Chemical						\$646.81
		Installation		Quantity		Unit Price		Factor	Total
				12.00	x	53.33	x	1.0107	646.81
49	01 71 13 00 0003	EA	Equipment Delivery, Pickup, Mobilization And Demobilization Using A Tractor Trailer With Up To 53' BedIncludes delivery of equipment, off loading on site, rigging, dismantling, loading and transporting away. For equipment such as bulldozers, motor scrapers, hydraulic excavators, gradalls, road graders, loader-backhoes, heavy duty construction loaders, tractors, pavers, rollers, bridge finishers, straight mast construction forklifts, telescoping boom rough terrain construction forklifts, telescoping and articulating boom manlifts with >40' boom lengths, etc.						\$303.21
		Installation		Quantity		Unit Price		Factor	Total
				1.00	x	300.00	x	1.0107	303.21
50	01 74 19 00 0017	EA	40 CY Dumpster (5 Ton) "Construction Debris"Includes delivery of dumpster, rental cost, pick-up cost, hauling, and disposal fee. Non-hazardous material.						\$2,219.42
		Installation		Quantity		Unit Price		Factor	Total
				4.00	x	548.98	x	1.0107	2,219.42

Subtotal for General Requirements for A and B **\$44,294.40**

Proposal Total **\$429,549.68**

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: %

Subcontractor Listing

Date: March 07, 2019

Re: IQC Master Contract #: 520-16 Area C - BCC
 Work Order #: 064203.00
 Owner PO #:
 Title: City of Missouri City - PSHQ Re-Roof TPO
 Contractor: Bass Construction Co.
 Proposal Value: \$429,549.68

Name of Contractor	Duties	Amount	%
No Subcontractors have been selected for this Work Order		\$0.00	0.00



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

April 1, 2019

To: Mayor and City Council
Agenda Item: 10(a) Tenth Amendment to the Sienna Plantation Joint Development Agreement
Submitted by: Jennifer Thomas Gomez, AICP, Planning Manager

SYNOPSIS

This is the first of two readings of an ordinance to consider the Tenth Amendment to the Sienna Plantation Joint Development Agreement.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Have quality development through buildout

BACKGROUND

The Developer has petitioned the City to modify the total single family lot count and Master Plan applicable to Tract D and to add a process to present and review major and minor modifications to the agreement.

The proposed Tenth Amendment would allow for a maximum of 450 single family dwelling units to be constructed in Tract D, would revise the master plan applicable to Tract D and would add the same major and minor modification allowances as applied in the Eighth Amendment for Tract B.

Staff recommended approval and the Planning and Zoning Commission forwards a positive recommendation.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY__ Funds Budgeted	FY__ Funds Available	Amount Requested
Budget	N/A				

Purchasing Review: N/A
Financial/Budget Review: N/A

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. Ordinance

ORDINANCE NO. O-19-__

**AN ORDINANCE OF THE CITY OF MISSOURI CITY,
TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AND
THE CITY SECRETARY TO ATTEST THE TENTH
AMENDMENT TO THE SIENNA PLANTATION JOINT
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
MISSOURI CITY AND DEWALT LAND LIMITED;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR
OTHER MATTERS RELATING TO THE SUBJECT.**

* * * * *

WHEREAS, pursuant to Ordinance No. O-96-05, the City of Missouri City ("City") entered into a development agreement known as the Sienna Plantation Joint Development Agreement ("Agreement"), dated February 19, 1996, with Sienna Plantation Development Company ("Developer") and landowners which regulates the development of a master-planned community of approximately 7,361 acres of land in Fort Bend County, Texas; and

WHEREAS, pursuant to Ordinance No. O-98-08, the City approved entering into the First Amendment to the Agreement ("First Amendment") on or about February 16, 1998, with Developer and landowners (1) to add approximately 2,597 acres of land to the master-planned community governed by the provisions of the Agreement and First Amendment and (2) to approve an Amended Master Plan; and

WHEREAS, pursuant to Ordinance No. O-99-57, the City approved entering into the Second Amendment to the Agreement ("Second Amendment") on or about October 18, 1999, with Developer and landowners (1) to add approximately 444 additional acres of land to the master-planned community governed by the provisions of the Agreement, First Amendment and Second Amendment and (2) to approve a Master Plan applicable to Tract G; and

WHEREAS, pursuant to Ordinance No. O-00-23, the City approved entering into the Third Amendment to the Agreement ("Third Amendment") on or about May 15, 2000, with Developer and other landowners (1) to include such other landowners as parties to the Agreement, (2) to add approximately 110 additional acres of land in the master-planned community to be governed by the provisions of the Agreement, the First Amendment, the Second Amendment, and the Third Amendment and (3) to approve an Amended Master Plan; and

WHEREAS, pursuant to Ordinance No. O-05-25, the City approved entering into the Fourth Amendment to the Agreement ("Fourth Amendment") on or about June 24, 2005, with AFG Pacific Properties, Inc. to modify the Master Plan applicable to Tract B; and

WHEREAS, pursuant to Ordinance No. O-07-56, the City approved entering into the Fifth Amendment to the Agreement (“Fifth Amendment”) on or about November 5, 2007, with HW Sienna, L.P. (1) to approve a Master Plan applicable to Tract B, (2) to acknowledge the potential issuance of bonds by the municipal utility districts that serve Tract B to finance road improvements, (3) to provide for the timely and orderly construction of Sienna Parkway and (4) to provide for a modification of the terms relating to private building inspections; and

WHEREAS, pursuant to Ordinance No. O-12-05, the City approved entering into the Sixth Amendment to the Agreement (“Sixth Amendment”) on or about February 20, 2012, with Sienna/Johnson North, L.P. to modify the Master Plan applicable to Tract F; and

WHEREAS, pursuant to Ordinance No. O-13-07, the City approved entering into the Seventh Amendment to the Agreement (“Seventh Amendment”) on or about February 4, 2013, to modify the allocations of residential units and commercial and rural estate lot acreage and to amend the Master Plan applicable to Tracts D, F, and I; and

WHEREAS, pursuant to Ordinance No. O-13-27, the City approved entering into the Eighth Amendment to the Agreement (“Eighth Amendment”) on or about July 15, 2013, with UST-Pru Sienna, L.P. to modify the terms of the Agreement and the development plans applicable to Tract B and to clarify certain terms of the Agreement applicable to certain portions of the development; and

WHEREAS, pursuant to Ordinance No. O-13-39, the City approved entering into the Ninth Amendment to the Agreement (“Ninth Amendment”) on or about December 2, 2013, to modify the allocations of residential units and commercial acreage and to amend the Master Plan applicable to Tract D; and

WHEREAS, the Agreement, as amended by subsequent and applicable amendments, excluding certain portions of the Eighth Amendment, remains in full force and effect as to Tract D; and

WHEREAS, Sienna/Johnson North, L.P. has petitioned the City to authorize certain minor modifications and to modify the allocation of residential units, commercial and rural estate lot acreage (“use allocations”), and the Master Plan, as applicable to Tract D; and

WHEREAS, pursuant to Section 3.06 of the Second Amendment and pursuant to Section 4.05 of the Third Amendment, the City and a developer or landowner of property subject to the Agreement, as amended, may agree to amend the terms and conditions of the Agreement, as amended, only as to the consenting parties; and

WHEREAS, the City and Sienna/Johnson North, L.P. have agreed to amend the use allocations and Master Plan only as applicable to Tract D; and

WHEREAS, all other parties to the Agreement were duly notified of such proposed change and no written protest was made following such notice; and

WHEREAS, City Council now desires to make such changes to the Agreement, as amended, by adopting the Tenth Amendment as set forth herein; now therefore,

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

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

Section 2. That the Mayor and City Secretary of the City are hereby authorized and directed to execute and attest, respectively, the Tenth Amendment to the Agreement between the City and Sienna/Johnson North, L.P. A copy of this Tenth Amendment to the Agreement is attached hereto as Exhibit "A" and made a part hereof.

Section 3. *Severability.* That in the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance 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 such part thus declared to be invalid, whether there be one or more parts.

PASSED and APPROVED on the first reading this 1st day of April, 2019.

PASSED, APPROVED and ADOPTED on the second and final reading this 15th day of April, 2019.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney for



Phase 1	Phase 2	Phase 3	Phase 4
80'x140' 26	80'x140' 20	80'x140' 0	80'x140' 12
70'x130' 54	70'x130' 0	70'x130' 0	70'x130' 16
65'x125' 0	65'x125' 0	65'x125' 0	65'x125' 0
60'x130' 46	60'x130' 47	60'x130' 0	60'x130' 28
50'x130' 0	50'x130' 0	50'x130' 55	50'x130' 2
30'x110' 0	30'x110' 0	30'x110' 0	30'x110' 0
Total 126	Total 67	Total 55	Total 58

Phase 5	Phase 6	Phase 7	Total
80'x140' 0	80'x140' 0	80'x140' 0	80'x140' 59
70'x130' 0	70'x130' 0	70'x130' 0	70'x130' 70
65'x125' 20	65'x125' 19	65'x125' 0	65'x125' 39
60'x130' 0	60'x130' 0	60'x130' 0	60'x130' 121
50'x130' 0	50'x130' 0	50'x130' 49	50'x130' 106
30'x110' 0	30'x110' 30	30'x110' 0	30'x110' 30
Total 20	Total 49	Total 49	Total 424



Avalon at
Sienna Plantation

Master
Plan

Missouri City, Texas
11/27/2018
Taylor Morrison

TBG
3050 Post Oak Blvd.
Suite 1100
Houston, Texas 77056

[713] 439 0027
tbgpartners.com

The information shown is based on
the best information available and is
subject to change without notice.



property subject to the Agreement, as amended, may agree to amend the terms and conditions of the Agreement, as amended, only as to the consenting parties; and

WHEREAS, Developer has petitioned the City to modify the approximate allocations of minimum and maximum development allocations and the Master Plan applicable to Tract D; and

WHEREAS, it is desired by both parties to this Tenth Amendment that the use allocations and the Master Plan relating to Tract D be modified as so requested; and

WHEREAS, all other parties to the Agreement, as amended, were duly notified of such proposed change and no written protest was made following such notice; now therefore

FOR AND IN CONSIDERATION of the premises, and the receipt of other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I AMENDMENTS TO THE AMENDED AGREEMENT

Section 1.01. Definitions for Major Modifications/Minor Modifications.
Section 1.01 of Article I of the Original Agreement is amended by adding the following definitions:

- a) "Major Modification" means a significant modification or amendment to either the Master Plan or Development Guidelines that materially impacts the theme, character, or continuity of the integrated development proposed and approved by this Agreement. A Major Modification must be reviewed and approved by the City Council as an amendment to the Original Agreement. A Major Modification would include, but is not limited to,
 - i. a change in a particular land use category as applicable to each Landowner's respective Master Plan (other than civic or park or multi-family) that results in a net increase or decrease of more than 10% of the acreage allocated to such category, or a series of modifications that would collectively result in a net increase or decrease of more than 15% of the acreage allocated in such land use category (excluding civic or park); or
 - ii. a major traffic impact, which would include the elimination of a major thoroughfare or major collector street, an adjustment in alignment of a roadway of over 1000 linear feet in any direction, or a change in land use that lowers the level of service despite the implementation of mitigating improvements; or
 - iii. any change in civic or park uses that would result in a net decrease of the parkland dedication requirements pursuant to the City Parkland Dedication

Ordinance, as applicable to each Landowner and such Landowner's respective Master Plan; or

- iv. Any change in multi-family use that would result in a net increase of the units or acreage dedicated to such uses.
- b) "Minor Modification" means a minor modification or amendment to either the Master Plan or Development Guidelines that is an elaboration, refinement or clarification of, or the addition of more precise specificity to the Master Plan or Development Guidelines and does not materially impact the theme, character, or continuity of the development. Minor Modifications to the Master Plan or Development Guidelines are authorized under this Agreement upon review and approval of the City Manager, or designee. An approved Minor Modification will be evidenced by a filed memorandum filed by the City Manager, or designee, with the City Secretary with Notice provided to all Parties to the Tenth Amendment, in accordance with Section 11.01 of the Original Agreement. A Minor Modification would include, but is not limited to,
- i. A change in a particular land use category as applicable to each Landowner's respective Master Plan (other than civic or park or multi-family) that results in a net increase or decrease of less than 10% of the acreage allocated to such category, or a series of modifications that would collectively result in a net increase or decrease of less than 15% of the acreage allocated to such land use category (excluding civic or park); or
 - ii. An adjustment in the alignment a roadway of less than 1000 linear feet in any direction; or
 - iii. An adjustment in civic or park use that does not affect the overall parkland dedication requirements pursuant to City Parkland Dedication Ordinance, the Parks Master Plan or the Development Guidelines as applicable to each Landowner and such Landowner's respective Master Plan; or
 - iv. An adjustment in the trail plan that does not affect the continuity of the system as shown on the most recent Parks Master Plan; or
 - v. An adjustment or relocation of public utility infrastructure if approved by the City Manager or designee; or
 - vi. An adjustment in multi-family use that decreases the overall units or acreage dedicated to such uses; or
 - vii. Any modification that is an elaboration, refinement or clarification of the Master Parks Plan or the Development Guidelines and deemed to be a Minor Modification by the City Manager.

Section 1.02. Tract D Lot Count. Developer now wishes to amend the total Single Family lot count for the Tract D. A rendering of the land plan is attached as **Exhibit A** to this Tenth Amendment. Section 2.02 of Article II of the Amended Agreement (Section 2.02 of the Third Amendment to the Sienna Plantation Joint Development Agreement, as amended by Section 3.01 of the Seventh Amendment and by Section 1.02 of the Ninth Amendment) is hereby amended to read in its entirety as follows:

Section 2.02. Development of Sienna North. Developer hereby agrees that the development of Sienna North shall be in accordance with the Master Plan and the Amended Agreement both as amended hereby. The allocations of the residential units and commercial acreage for the individual tracts in Sienna North are set forth below:

	TRACT D ¹
Residential units	
-Single Family	450 units
-Multifamily	870 units
-Retirement Residential	0
Commercial/Retail/Civic Community	95.82 acres
Rural Estate Lot Acreage	0 acres

¹ Of the 95.82 acres allocated to Commercial/Retail/Civic Community uses, DeWalt intends to develop 59 acres as a "mixed use" development. A "mixed use" may be comprised of multifamily residential, condominium residential, commercial/office and retail uses. A "mixed use" may also include concert and performance halls, movie theaters, and outdoor amphitheaters. Such use may include one, some or all such uses. To the extent that a mixed use includes a residential use, the number of residential units provided by such development shall be included in the total number of residential units allocated for Tract D and allocated to the specific type of each residential unit. To the extent that a mixed use includes a commercial use, the acreage for such use shall be included in the total acreage allocated for commercial/retail/civic community uses in Tract D.

ARTICLE II
MISCELLANEOUS PROVISIONS

Section 2.01. Representation of ownership. Sienna/Johnson North, L.P., represents that it is the landowner of Tract D.

Section 2.02. Legal authority. By signature below, Sienna/Johnson North, L.P., represents that it has full legal authority to enter into this Tenth Amendment without the approval of any third party.

Section 2.03. Written notice of sale and assignment. By signature below, the City acknowledges that Sienna/Johnson North, L.P., intends to sell Tract D and assign a portion of its rights and obligations under the Agreement, as amended, to Taylor Morrison.

Section 2.04. Applicability of the Tenth Amendment. This Tenth Amendment in no way affects the applicability of the Agreement, as amended, to all tracts specifically made subject to said Agreement and the Master Plan, as amended, referenced therein save and except as to Tract D as set forth herein.

Section 2.05. Notice. All required notices permitted under this Tenth Amendment shall be in writing and shall be served on the parties at the following addresses:

City:

City of Missouri City
1522 Texas Parkway
Missouri City, Texas 77489
Attention: City Manager

With a copy to:

City Attorney

Tract D Owner:

Sienna/Johnson North, L.P.
c/o Alvin San Miguel
5777 Sienna Parkway, Suite 100
Missouri City, Texas 77459

With a copy to:

Johnson Development
5005 Riverway Drive, Suite 560
Houston, Texas 77056

Section 2.06. Conflict, term. The Agreement, as amended, shall remain in full force and effect except as specifically amended hereby. This Tenth Amendment shall continue in force and be in effect so long as the Agreement, as amended, is in force and effect.

Section 2.07. Severability. The provisions of this Tenth Amendment are severable, and if any provision or part of this Tenth Amendment or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Tenth Amendment and the application of such provision or part of this Tenth Amendment to other persons or circumstances shall not be affected thereby.

Section 2.08. Merger. This Tenth Amendment, together with the Agreement, as amended, but excluding the Eighth Amendment, constitutes the entire agreement among the parties relative to the subject matter hereof and thereof.

Section 2.09. Waiver of actions under Private Real Property Rights Preservation Act. Developer hereby waives its right, if any, to assert any causes of action against the City accruing under the Private Real Property Rights Preservation Act, Chapter 2007, Texas Government Code (the "Act"), that the City's execution or performance of this Tenth Amendment or any authorized amendment or supplements thereto may constitute, either now or in the future, a "taking" of developer's, landowners', or a grantee's successor's "private real property," as such terms are defined in the Act. Provided, however, that this waiver does not apply to, and the developer, landowners, and grantees and successors do not waive their rights under the Act to assert a claim under the Act for any action taken by the City beyond the scope of the Agreement, as amended, which otherwise may give rise to a cause of action under the Act.

Section 2.10. Incorporation of recitals. The recitals to this Tenth Amendment are deemed to be true and correct and shall be a part of this Tenth Amendment for all purposes.

Section 2.11. Effective Date. This Tenth Amendment shall be effective by and between the City and Sienna/Johnson North, L.P. when executed by those parties.

[EXECUTION PAGE FOLLOWS]

IN WITNESSETH THEREOF, The Undersigned Parties have executed this Tenth Amendment to the Development Agreement effective as of this ___ day of _____, 2019.

CITY OF MISSOURI CITY, TEXAS

Yolanda Ford, Mayor

ATTEST:

Maria Jackson, City Secretary

(SEAL)

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on _____, 2019, by Yolanda Ford as Mayor of the City of Missouri City, Texas, a Texas municipal corporation.

Notary Public, State of Texas

(NOTARY SEAL)

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on _____, 2019, by Maria Gonzalez as City Secretary of the City of Missouri City, Texas, a Texas municipal corporation.

Notary Public, State of Texas

(NOTARY SEAL)

Tract D Owner

Sienna/Johnson North, L.P., a Texas limited partnership

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2019, by _____ as President of Sienna/Johnson North, L.P., a Texas limited partnership.

Notary Public, State of Texas

(NOTARY SEAL)

Exhibit A



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
March 13, 2019**

1. CALL TO ORDER

The Notice of the Meeting and Agenda having been duly posted in accordance with the legal requirements and a quorum being present, the meeting was called to order by Chairman Brown-Marshall, at 7:15 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Hugh Brightwell
James G. Norcom III
Gloria Lucas
Ramesh Anand
Douglas Parker

Commissioners Absent: Courtney Johnson Rose, John O'Malley, Tim Haney

Councilmembers Present: None.

Staff Present:

Otis T. Spriggs, Director of Development Services
Jennifer Gomez, Planning Manager
Cliff Brouhard, Assistant Public Works Director
Jamilah Way, First Assistant City Attorney
Thomas White, Planner II
Egima Edwards, Planning Technician
Bill Atkins, Assistant City Manager

Others Present:

Marie Escue / LJA Engineers, Jake Burgus / TBG Partners

9. OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION OR THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

A. DEVELOPMENT AGREEMENTS

(1) Consideration of the adoption of a recommendation to the City Council on a

proposed amendment to the Sienna Joint Development Agreement.

Jennifer Gomez presented the item and informed that it was a proposed 10th amendment. There was a summary of all of the previous amendments in the report. It was an amendment to clarify language, specifically from the 3rd amendment, 7th amendment, and the 9th amendment as it pertained to the tract. Tract "D" is the area that is being developed as Avalon, just south of the Fort Bend Parkway, west of Sienna Parkway, and north and south of Watts Plantation. The Commission remembered when the concept plan came through in July, there were conflicting language in the amendment as it responded to the maximum number of single family residential lots that could be developed. Ms. Gomez informed that there were about three areas. The language capped the number of residential lots in Sienna North not to exceed 7,000 units. There was language for the chart that was included that showed the approximate number of single family residential lots. The chart capped the number of single family lots at 400. The plats that were presented with a concept for Avalon Sections 3, 4 and 5, exceeded the 400 number but kept the total number for Sienna North below 7,000.

Ms. Gomez informed that the Legal staff, along with Planning staff, had been working with the developer on clarifying the language, which was currently presented before the Commission, the 10th amendment to the DA, Development Agreement. The clarification on the language is to adopt a new land plan and to refine the language. The reference to not to exceed 7,000 units would be removed. The chart would include the allocations that are permitted within Sienna North, as it pertains to tract "D". Ms. Gomez informed that the developer would like to have an allocation of no more than 450 single family residential units.

Ms. Gomez informed that the presented plan had about 424 units. Avalon Section 4, which was the next item to consider, would basically almost build out their single family allocation within the area. There were still in the 450 range.

Ms. Gomez presented the site plan for the area.

Ms. Gomez informed that the site plan showed the Sienna Parkway right of way, the Fort Bend Parkway, and Watts Plantation. Avalon at Sienna is on the east side of Sienna Parkway, and the bulk of it is on the west side of Sienna Parkway. Most of the site is built out or already platted. Ms. Gomez informed that Section 4 is one of the last remaining pieces. The presented allocation only pertained to the showed area.

Commissioner Brightwell asked if Article I of the amendments were only for major / minor modifications. Roman numeral V was about any change in multi-family use that would result in a net increase to the units or acreage dedicated to such uses was under a major modification.

Chair Brown-Marshall asked if it should.

Commissioner Brightwell informed that he was ok with it, and he guessed that the whole idea was to not have the multi-family overcome the single family.

Ms. Gomez informed that was correct. There was an allocation of no more than 700 multi-family units. That would be in the areas marked as mixed-use. One apartment complex is

under construction currently, on the east side of Sienna Parkway, in the mix-use area. That is where the multi-family uses would be developed.

Commissioner Brightwell asked if basically the major modifications meant that the developer would have to come back before the Commission, and minor meant that it could be done administratively.

Ms. Gomez informed that was right.

Ms. Gomez informed that it was consistent with the 8th amendment for Sienna South so that there was some flexibility in the plan. Otherwise, every little change in the land use plan would have to be presented before the Commission.

Motion: The Planning and Zoning Commission forwards a positive recommendation to the City Council on a proposed amendment to the Sienna Joint Development Agreement.

Made By: Commissioner Brightwell

Second: Commissioner Norcom

AYES: Commissioner Brown-Marshall, Commissioner Lucas, Commissioner Brightwell, Commissioner Anand, Commissioner Norcom, Commissioner Parker

NAYES: None

ABSTENTIONS: None

The motion passed



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 1, 2019

AGENDA ITEM SUBJECT: Tenth Amendment to the Sienna Plantation Joint Development Agreement

AGENDA ITEM NUMBER: 10.A.

PROJECT PLANNER: **Jennifer Thomas Gomez, AICP**, Planning Manager

APPROVAL: **Otis T. Spriggs, AICP**, Director, Development Services

Sonya Brown Marshall, Planning and Zoning Commission Chair


Sonya Brown Marshall, Chair

PERMIT NUMBER: N/A

PROPERTY ID: Various

LOCATION: The subject site is located north and south of Watts Plantation Road, south of the Fort Bend Parkway, east and west of Sienna Parkway and contains various Sections of the Avalon at Sienna Plantation subdivision.

RECOMMENDED ACTION:

The proposed amendment is supported by the goals of the Comprehensive Plan.

The Planning and Zoning Commission adopts this as its Final Report and forwards it to City Council with a **positive recommendation** for consideration.

PROPOSED TENTH AMENDMENT:

The Developer has petitioned the City to modify the total single family lot count and Master Plan applicable to Tract D and to add a process to present and review major and minor modifications to the agreement.

Existing Agreements – Single family lot count:

Third Amendment, Article II, Agreement, Section 2.02. Development of Sienna North.

*Developer hereby agrees that the development of Sienna North shall be in accordance with the Master Plan and the Amended Agreement both as amended hereby. **The number of residential housing units within Sienna North shall not exceed 7000 units** and commercial acreage shall not be more than 800 acres.*

Seventh Amendment, Article III, Amendments to the Amended Agreement, Section 3.01. Amending Section 2.02 of the Amended Agreement.

*Developer hereby agrees that the development of Sienna North shall be in accordance with the Master Plan and the Amended Agreement both as amended hereby. **The number of residential units within Sienna North shall not exceed 7000 units** and commercial acreage shall not be more than 800 acres.*

Ninth Amendment, Article I, Amendments to the Amended Agreement, Section 1.02. Amended use allocations for Tract D.

The chart specifying certain uses allocations contained in Section 3.01 of the Seventh Amendment is hereby amended to read in its entirety as follows:

	Tract D
Residential units	
- Single Family	400 units
- Multifamily	870 units
- Retirement Residential	0
- Commercial / Retail / Civic Community	95.82 acres
- Rural Estate Lot Acreage	0 acres

¹Of the 95.82 acres allocated to Commercial/Retail/Civic Community uses, DeWalt intends to develop 59 acres as a “mixed use” development. A “mixed use” may be comprised of multifamily residential, condominium residential, commercial/office and retail uses. A “mixed use” may also include concert and performance halls, movie theaters, and outdoor amphitheatres. Such use may include one, some or all such uses. To the extent that a mixed use includes a residential use, the number of residential units provided by such development shall be included in the total number of residential units allocated for Tract D and allocated to the specific type of each residential unit. To the extent that a mixed use includes a commercial use, the acreage for such use shall be included in the total acreage allocated for commercial/retail/civic community uses in Tract D.

Proposed Tenth Amendment – Single family lot count:

Section 2.02. Development of Sienna North.

*Developer hereby agrees that the development of Sienna North shall be in accordance with the Master Plan and the Amended Agreement both as amended hereby. **The allocations of the residential units and commercial acreage for the individual tracts in Sienna North are set forth below:***

	Tract D ¹
Residential units	
- Single Family	450 units
- Multifamily	870 units
- Retirement Residential	0
- Commercial / Retail / Civic Community	95.82 acres
- Rural Estate Lot Acreage	0 acres

¹Of the 95.82 acres allocated to Commercial/Retail/Civic Community uses, DeWalt intends to develop 59 acres as a “mixed use” development. A “mixed use” may be comprised of multifamily residential, condominium residential, commercial/office and retail uses. A “mixed use” may also include concert and performance halls, movie theaters, and outdoor amphitheatres. Such use may include one, some or all such uses. To the extent that a mixed use includes a residential use, the number of residential units provided by such development shall be included in the total number of residential units allocated for Tract D and allocated to the specific type of each residential unit. To the extent that a mixed use includes a commercial use, the acreage for such use shall be included in the total acreage allocated for commercial/retail/civic community uses in Tract D.

BACKGROUND INFORMATION:

On February 19, 1996, the City executed the Sienna Plantation Joint Development Agreement with the developer, Sienna Plantation Development Company, and the landowners, Sienna Plantation Partners, L.P., AFG Pacific Properties, Inc., and Thompson Lake Partners, LTD. The primary purposes of entering into such an agreement were to define the City’s regulatory authority over approximately 7, 361 acres (referenced as Tracts A, B, and C) located within the City’s ETJ, extraterritorial jurisdiction to identify and establish a master plan, to provide the developer assurances concerning the timing of future annexation and regulation of development by the City, to authorize the creation of municipal utility districts, to require City building standards, and to establish a semi-annual fee of \$15,375 to defray the costs of periodic spot inspections of private improvements within the development.

The **First Amendment** to the Development Agreement added Tracts D, E, and F (called “Sienna North”), and was executed February 16, 1998. The terms of the first amendment included the City’s consent for the creation of six additional municipal utility districts, and an increase to the semi-annual inspection fee paid to the City to \$22,375 with future annual CPI (Consumer Price Index) adjustments.

The **Second Amendment** to the Development Agreement was approved on October 18, 1999, and annexed Tract G (Called “Brushy Lake”) to the Agreement with provisions for

it to be annexed by SP MUD No. 3 and SPLID. The second amendment also included the approval of a maximum density of 1,000 single-family housing units for Tract G, and a revised Sienna Master Plan.

The **Third Amendment** to the Development Agreement was approved on May 15, 2000. This amendment included: (1) the annexation of Tracts H and I into the Development Agreement; (2) the annexation of Tract H in to the City's corporate limits; (3) the deannexation of areas located in Sienna North; (4) the consent to the creation of Sienna North MUDs; (5) the approval of an amended Master Plan; and, (6) the approval of a strategic partnership agreement. Please note that upon annexation of Tract H into the City's corporate limits, the Development Agreement no longer governed Tract H.

The **Fourth Amendment** to the Development Agreement was approved on June 24, 2005. This amendment pertained only to Tract B and allowed for the relocation of the proposed town center and related commercial uses to a more centrally located area within the community.

The **Fifth Amendment** to the Development Agreement was approved on November 5, 2007. This amendment pertained only to Tract B and provided for the relocation and redistribution of retail and commercial uses along the proposed extension of Sienna Parkway in addition to reducing the proposed width along this right-of-way.

The **Sixth Amendment** to the Development Agreement was approved on February 20, 2012. This amendment pertained only to Tract F and modified the Land Use Plan to accurately reflect land uses already constructed as well as future uses including the proposed extension of the Fort Bend Parkway.

The **Seventh Amendment** to the Development Agreement was approved on January 22, 2013. This amendment modified the use allocations and the Master Plan relating to Tracts D, F, and I.

The **Eighth Amendment** to the Development Agreement was approved on July 15, 2013. This amendment pertained only to Tract B to (1) modify the terms of the Agreement to specify the development plans applicable to Tract B; (2) to clarify that, unless otherwise provided, none of the terms of the First through Seventh Amendments are applicable to Tract B; (3) to provide that the Agreement as amended by the Eighth Amendment constitutes the entire agreement between UST-Pru, Sienna L.P.; (4) to provide that the Agreement as amended by subsequent applicable Amendments and Article II of the Eighth Amendment remains in full force and effect for the Tract A, F, and G owners; and (5) to provide that the Agreement as amended by subsequent applicable Amendments but not including the Eighth Amendment remains in full force for the Tract D Owner.

The **Ninth Amendment** to the Development Agreement was approved on December 2, 2013. This amendment was to modify the approximate allocations of residential units and commercial and rural estate lot acreage and the Master Plan as applicable to Tract D.

----- **END OF REPORT** -----



CITY COUNCIL AGENDA ITEM COVER MEMO

April 1, 2019

To: Mayor and City Council

Agenda Items: 11(a) Consider a resolution to consent to an assignment of an Economic Development Agreement by CityPark II, LLC; and CityPark III, LLC; to CityPark I, LLC.

Submitted by: Joseph Esch, Economic Development

SYNOPSIS

Consider a resolution authorizing the Mayor to execute and the City Secretary to attest to the City's consent to an assignment of Chapter 380 economic development agreement

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City
- Grow business investments in Missouri City
- Have quality development through buildout

BACKGROUND

In November 2017, Fort Bend County voters passed a \$218 Million bond package to fund potential roadway/mobility projects in Fort Bend County (FBC). The submission of City's project list to FBC was approved by City Council via Resolution No. R-17-10., of which four (4) projects were authorized within Missouri City limits. In general, all these projects require a 50% funding match by the local entity (City) based on estimated construction costs. The other 50% is programmed to be funded by FBC, with a not to exceed cap. In addition, sections of the projects that extend beyond FBC limits are not funded by the County, and would require local jurisdictions to absorb these costs. Currently, in the City's adopted 5-year CIP, the City has not committed its share of funding for the four (4) authorized mobility bond projects.

One of the key mobility projects authorized include the "Beltway 8 Connector" project as shown in the attached vicinity map. The scope of this project includes construction of a 3-lane concrete curb and gutter roadway connecting Cravens Rd. and Beltway 8. This project is designed to alleviate heavy/truck traffic that currently uses Gessner Rd., extending thru the residential neighborhood. In addition it will provide access to undeveloped tracts in the City's Industrially Zoned areas. This project is located within both Fort Bend and Harris Counties, with approximately 30% of the southern section of the roadway extending to FBC. As such, FBC has only committed funding for the Fort Bend section (\$970,000), whereas the total project cost is estimated at \$3.32 Million.

Since none of the mobility projects are currently funded in the City's CIP, the entered into a Chapter 380 agreement with the developer on December 21, 2018 through their entities CityPark I – IV whereby the developer would construct the road to city standards. In consideration for the developer constructing the connector road the city would provide the developer with the county match funds identified for this project in the County mobility bond program.

The developer has now merged the CityPark entities into one entity and is requesting the city assign the agreement to the new entity. The assignment does not impact the obligations of the developer to construct the road to city standards.

SUPPORTING MATERIALS

1. Resolution

STAFF'S RECOMMENDATION

Staff recommends approval of resolution

Director Approval: Joseph Esch, Economic Development

**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, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AND THE CITY SECRETARY TO ATTEST TO THE CITY'S CONSENT TO AN ASSIGNMENT OF AN ECONOMIC DEVELOPMENT AGREEMENT BY CITYPARK II, LLC; AND CITYPARK III, LLC; TO CITYPARK I, LLC.

* * * * *

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

Section 1. The City Manager of the City of Missouri City, Texas, or his designee, be, and is authorized to execute for and on behalf of the City of Missouri City, Texas, and the City Secretary be, and is hereby, authorized to attest to the consent authorized by the City Council of the City of Missouri City for the Assignment by and between CityPark II, LLC, a Delaware limited liability company, and CityPark III, LLC, a Delaware limited liability company, to CityPark I, LLC, a Delaware limited liability company, pertaining to an economic development agreement between the City of Missouri City, Texas; CityPark I, LLC, a Delaware limited liability company; CityPark II, LLC, a Delaware limited liability company; CityPark III, LLC, a Delaware limited liability company; and CityPark IV, LLC, a Delaware limited liability company. A copy of such Assignment is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 2. 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 3. 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 1st day of April, 2019.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

James Santangelo, Assistant City Attorney
for E. Joyce Iyamu, City Attorney

Maria Jackson, City Secretary



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

April 1, 2019

To: Mayor and City Council
Agenda Item: 11(b) Consider Authorizing Sponsorship of Fort Bend Regional Council on Substance Abuse
Submitted by: Anthony Snipes, City Manager

SYNOPSIS

Through Mayor Pro Tem Preston, the Fort Bend Regional Council on Substance Abuse is seeking City assistance in providing assemblies, health fairs, and town halls.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

The Fort Bend Regional Council on Substance Abuse is a 501(c)3 organization with the mission to provide a full spectrum of community substance use prevention, school-based prevention, education, intervention, treatment, and recovery services for people of all ages whose lives have been affected by alcohol, drugs, addiction-related issues, and co-occurring disorders. This year they are asking the City to assist with assemblies, health fairs, and town halls.

BUDGET/FISCAL ANALYSIS

Purchasing Review: N/A
Financial/Budget Review: N/A

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. Letter of agreement and letter of commitment requests

STAFF'S RECOMMENDATION

Staff will move forward as directed by the City Council.

RESOLUTION NO. R-19-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, AUTHORIZING THE USE OF CITY RESOURCES FOR THE FORT BEND REGIONAL COUNCIL ON SUBSTANCE ABUSE, INC.; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND MAKING CERTAIN FINDINGS RELATING THERETO.

* * * * *

WHEREAS, pursuant to Resolution No. R-17-37, adopted on December 18, 2017, the City of Missouri City, Texas (the "City"), adopted a community event participation policy to provide certain entities with additional resources for the public purposes of providing opportunities for civic engagement and recreation for the Missouri City community (the "Policy"); and

WHEREAS, the Fort Bend Regional Council on Substance Abuse, Inc. is a 501(c)3 organization whose mission is to provide a full spectrum of community substance use prevention, school-based prevention, education, intervention, treatment, and recovery services for people of all ages whose lives have been affected by alcohol, drugs, addiction-related issues, and co-occurring disorders ("Fort Bend Regional Council"); and

WHEREAS, Fort Bend Regional Council seeks the City's assistance in providing assistance with assemblies, health fairs, and town halls; and

WHEREAS, Fort Bend Regional Council is not eligible for a traditional co-sponsorship under the City's Policy; and

WHEREAS, the City Council finds that providing Fort Bend Regional Council assistance with assemblies, health fairs, and town halls serves a public purpose and is in the best interest of the residents of the City; now therefore,

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

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. City assistance with assemblies, health fairs, and town halls for Fort Bend Regional Council, is hereby authorized.

Section 3. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution.

Section 4. 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 5. 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 1st day of April, 2019.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

James Santangelo, Assistant City Attorney
for
E. Joyce Iyamu, City Attorney

Letter of Agreement
between
Fort Bend Regional Council (FBRC) AND Missouri City, TX

Dear Mrs. Poynor:

Missouri City, TX is pleased to continue working with **Fort Bend Regional Council on Substance Abuse, Inc. (FBRC)** mission of providing families and individuals substance abuse prevention, education, and treatment services they need for positive change for themselves and the community through the planning and implementation of Texas Health and Human Services Commission prevention programs beginning September 1, 2019 to August 31, 2020.

FBRC will continue to provide the following services in support of this program.

- Oversee operations of activities and programs.
- Provide programs designed to reach universal, selective and indicated group of children and adolescents to prevent substance abuse.
- Utilize the Strategic Prevention Framework to identify local needs, plan interventions, build capacity, and implement strategies.
- Create and follow a strategic Action Plan resulting from the SPF Process.
- Maintain a coalition dedicated to youth substance use prevention.
- Provide appropriate training and technical assistance.
- Provide funds for strategy implementation.
- Receive training in related topics.
- Collect and share anonymous and relevant data.

The **Missouri City, TX** will collaborate with **FBRC** in the following ways.

- Participate in meetings and trainings.
- Provide data to **FBRC** as available.
- Coordinate with **FBRC** to hold public information events, e.g. Town Halls, assemblies, health fairs, etc.
- Endorse, support, and participate in the informational prevention campaigns.
- Participate in planning the institutionalization of strategies.
- Ensure materials are culturally- and linguistically competent.

Missouri City, TX looks forward to continuing our partnership with **FBRC** in providing prevention services to our community.

Sincerely,

FBRC

Missouri City, TX

Letter of Commitment
between
Fort Bend Community Prevention Coalition (FBCPC) AND Missouri City, TX

This Community Agreement is a voluntary agreement to assist in the implementation of the plans described in **FBCPC's** Partnership for Success (PFS) grant project targeting **Fort Bend County, Fort Bend, Texas**. This grant is funded by the Substance Abuse Mental Health Service Administration (SAMHSA).

Purpose of the Grant | The purpose of this grant program is to prevent the onset and reduce the progression of underage drinking and opioid misuse and their related problems while strengthening prevention capacity and infrastructure at the community level.

I. The Letter of Commitment shall begin upon grant funding approval and extend through the grant period unless either party gives notice of intent to withdraw from the project.

II. In addition to ongoing program planning and evaluation of the *PFS grant*, **FBCPC** will provide the following services in support of this project.

- Oversee operations of activities and programs.
- Utilize the Strategic Prevention Framework to identify local needs, plan interventions, build capacity, and implement strategies.
- Create and follow a strategic Action Plan resulting from the SPF Process.
- Maintain a coalition dedicated to youth substance use prevention.
- Provide appropriate training and technical assistance.
- Provide funds for strategy implementation.
- Receive training in related topics.
- Collect and share anonymous and relevant data with Houston HIDTA.

III. The **Missouri City** will collaborate with **FBCPC** in the following ways.

- Participate in meetings and trainings.
- Provide data to **FBCPC** as available.
- Coordinate with **FBCPC** to hold public information events, e.g. Town Halls, assemblies, health fairs, etc.
- Endorse, support, and participate in the informational prevention campaigns.
- Participate in planning the institutionalization of strategies.
- Ensure materials are culturally- and linguistically competent.

FBCPC

Missouri City, TX



**Council Agenda Item
April 1, 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.

14. RECONVENE

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

15. ADJOURN
