YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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

missouri CITY
TEXAS
the show me city

CHERYL STERLING
Councilmember District A

JEFFREY L. BONEY
Councilmember District B

ANTHONY G. MAROULIS
Councilmember District C

FLOYD EMERY
Councilmember District D

CITY COUNCIL SPECIAL MEETING AGENDA

Notice is hereby given of a Special City Council Meeting to be held on **Monday, February 10, 2020,** at **6:00 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. CALL TO ORDER

2. DISCUSSION/POSSIBLE ACTION

(a) Public hearing to receive comments for or against the disannexation of a 5.5-acre tract of land located north of the Sienna Sports Complex, south of the Sienna Village of Bees Creek residential subdivision, east of the Brazos River, and west of the Brazos Canal Access Road. subdivision, west of the Houston Community College Sienna Plantation campus, and east of Section 3 of the Sienna Village of Anderson Springs residential subdivision.

(b) Consider the City's transportation needs and services provided by the Harris County Metropolitan Transit Authority (METRO).

3. 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 551.074 – Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: the city attorney and the city manager.

4. RECONVENE into Special Session and consider action, if any, on items discussed in Executive Session.

5. ADJOURN

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

CERTIFICATION

I certify that a copy of the February 10, 2020, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on February 6, 2020, 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 _____, 2020.

Signed: _____ Title: _____

CITY COUNCIL
AGENDA ITEM COVER MEMO

February 10, 2020

To: Mayor and City Council
Agenda Item: 2(a) Gulf Coast Water Authority Disannexation Request

Submitted by: E. Joyce Iyamu

SYNOPSIS

The owner of an approximate 5.36-acre tract of land has petitioned for the disannexation of the property. This is the first of two public hearings on disannexing the property.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout

BACKGROUND

Pursuant to Sections 43.142 and 43.145 of the Texas Local Government Code and Section 2.02 of the City's Home Rule Charter, the Gulf Coast Water Authority (GCWA) has requested that the City of Missouri City disannex an approximate 5.36-acre tract of land owned by GCWA. The land will be used to maintain a water pumping station.

The land is located within the corporate limits of Missouri City, Texas, north of the Sienna Sports Complex, south of the Sienna Village of Bees Creek subdivision, east of the Brazos River, and west of the Brazos Canal Access. If the land is disannexed, it will be surrounded by Missouri City on all sides. Pursuant to Section 43.057 of the Texas Local Government Code, the City Council of the City of Missouri City will have to find that surrounding the land is in the public interest prior to disannexation.

Notice of this first public hearing was published in the *Fort Bend Independent* on Wednesday, January 29, 2020.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY 20 Funds Budgeted	FY 20 Funds Available	Amount Requested
N/A	N/A	N/A	N/A	N/A	N/A

The Property has been exempt from property taxes because it was previously owned by a governmental entity.

Purchasing Review: **N/A**
Financial/Budget Review: **Allena 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. Disannexation request

STAFF'S RECOMMENDATION

Staff recommends that the City Council hold the required hearing.

Director Approval: **E. Joyce Iyamu**

GCWA
Gulf Coast Water Authority

3630 FM 1765 Texas City, Texas 77591 409.935.2438 fax 409.935.4156

January 23, 2020

MAYOR AND COUNCIL
CITY OF MISSOURI CITY
CITY HALL
1522 Texas Parkway
Missouri City, Texas 77489

RE: GULF COAST WATER AUTHORITY

Mayor and City Council,

Gulf Coast Water Authority is a conservation and reclamation district created by the Texas Legislature. The Authority respectfully requests that the City disannex the property described in Exhibit A, which is used by the Authority as part of its water transport facilities. Attached hereto is the action that the Authority requests.

Gulf Coast Water Authority, on behalf of its agents, heirs, executors, successors, assigns, and administrators, has determined that the amount of property taxes and fees collected by the City during the time the property has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the property during that same period, and in so determining has released and forever discharged the City from any and all remedies or rights as set forth in law or equity pertaining to such taxes and fees.

Respectfully,

Russell C. Jones
President, Gulf Coast Water Authority Board of Directors

Exhibit A, attached.

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, DISANNEXING AN APPROXIMATE 5.36-ACRE TRACT OF LAND LOCATED NORTH OF THE SIENNA SPORTS COMPLEX, SOUTH OF THE SIENNA VILLAGE OF BEES CREEK SUBDIVISION, EAST OF THE BRAZOS RIVER, AND WEST OF THE BRAZOS CANAL ACCESS ROAD; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE.

* * * * *

WHEREAS, the Gulf Coast Water Authority (the "Owner"), the owner of an approximate 5.36-acre tract of land, more particularly described on Exhibit "A" attached hereto and located within the corporate limits of Missouri City, Texas, north of the Sienna Sports Complex, south of the Sienna Village of Bees Creek subdivision, east of the Brazos River, and west of the Brazos Canal Access Road (the "Property") has petitioned the City of Missouri City (the "City") to disannex and detach such land from the City in accordance with Sections 43.142 and 43.145 of the Texas Local Government Code and Section 2.02 of the City's Home Rule Charter; and

WHEREAS, at the time of the adoption of this Ordinance, the City of Missouri City has a population more than 4,000; and

WHEREAS, at the time of the adoption of this Ordinance, Fort Bend County and Harris County have populations of more than 205,000; and

WHEREAS, the Property includes at least three contiguous acres that are unimproved and adjoining the municipality; and

WHEREAS, the Owner, on behalf of its agents, heirs, executors, successors, assigns, and administrators, has determined that the amount of property taxes and fees collected by the City during the time the Property has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the Property during that same period, and in so determining has released and forever discharged the City from any and all remedies or rights as set forth in law or equity pertaining to such taxes and fees; and

WHEREAS, the City timely published notice and held two public hearings at which persons interested in such disannexation were afforded the opportunity to be heard; and

WHEREAS, the City has determined that the Property is unimproved and is within the vicinity of the City's boundaries; and

WHEREAS, disannexing the Property may cause the Property to be entirely surrounded by the City; and

WHEREAS, pursuant to Section 43.057 of the Texas Local Government Code, the City Council of the City finds that surrounding the Property is in the public interest; and

WHEREAS, the City Council of the City finds that it is in the best interest of the City to grant the petition, disannex the Property as part of the City, and surround the Property; now therefore,

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

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

Section 2. The Property described on Exhibit "A" is hereby disannexed from the municipal boundaries of the City. The Mayor of the City is authorized to enter an order into the records of the City confirming the disannexation of the Property, and City staff members are hereby authorized to do all things reasonably required to implement this Ordinance.

Section 3. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meeting Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. If any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions hereof. Such remaining portion or portions shall be and remain in full force and effect. Should this Ordinance for any reason be ineffective as to any part of the area hereby disannexed from the City of Missouri City, such ineffectiveness of this Ordinance as to any such part or parts of any such area shall not affect the effectiveness of the Ordinance as to all of the remainder of such area. The City Council hereby declares its purpose to disannex from the City of Missouri City every part of the area described in Section 2 of this Ordinance. Provided, further, that if there is included in the general description of territory set out in Section 2 of this Ordinance any land or area which is already not a part of and excluded from the general limits of the City of Missouri City or for which the City of Missouri City does not have legal authority to disannex, the same is hereby excluded and excepted from the territory to be disannexed as fully as if such excluded and excepted area was specifically described herein.

PASSED AND APPROVED on first reading this ____ day of _____, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this ____ day of _____, 2020.

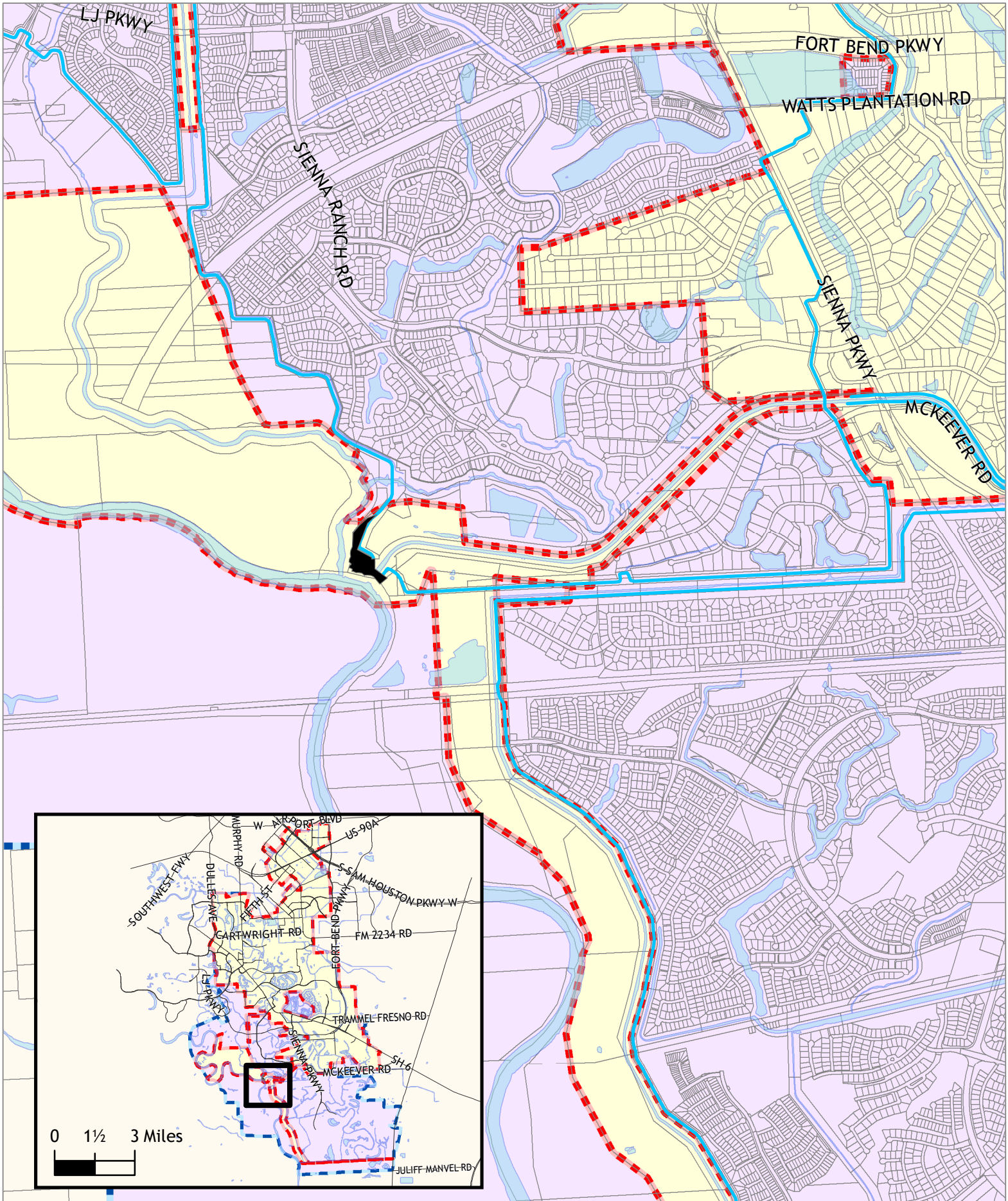
_____
Yolanda Ford, Mayor

ATTEST:

_____
Maria Jackson, City Secretary

APPROVED AS TO FORM:

_____
E. Joyce Iyamu, City Attorney



Map By:
GIS Division
February 2020

missouri CITY TEXAS

GCWA Disannexation

Legend

- GCWA DEANNEXATION
- Parcels
- Levee
- Hydro Features
- City Limits
- ETJ

0 500 1,000 2,000 3,000 Feet

Geographic Coordinate System North American Datum 1983 (NAD83)

The information on this map is provided and maintained by various agencies, including county departments, municipal governments, state and federal agencies. No guarantee is given as to the accuracy or currency of any of the data. The map is designed to serve as a secondary representation of real property found within this jurisdiction, and is compiled from the recorded deeds, plats, and other public records, which are primary sources for this public information. Users of this map are hereby notified that these primary sources should be consulted for verification of the information presented here. The data layers do not take the place of a legal survey or other primary source documentation. The city and its vendors assume no legal responsibility for the

Document Path: X:\GIS Team\Molly\2019\Requests\26761-GCWA Disannexation Request-E. Joyce\Deannexation_v4_8x11_Dec2019.mxd

1-28-2020

HENRY STEINKAMP, INC.
Texas Licensed Surveying Firm No. 10005000
Land Boundary & Topographic Surveying
909 Fifth Street
Rosenberg, Texas 77471
Telephone/Fax 281.342 2241
email: schodek@yahoo.com

Franklin R. Schodek
Registered Professional Land Surveyor

James L. Syptak, Sr.
Registered Professional Land Surveyor

January 16, 2020

A Field Note Description of 5.355 Acres of Land for De-Annexation from the City of Missouri City City Limits being all of the Original Gulf Coast Water Authorty's R242991 Call 3.3.584 Acre Tract and 1.771 Acres off of the Westerly end of the Gulf Coast Water Authority's R217726 Call 27.5461 Acre Tract (Volume 194, PAGE 91; Deed Records and Volume 2301, Page 674; Official Records); in the Thomas Barnett League, Abstract No. 7, Fort Bend County, Texas.

Beginning at a capped iron rod stamped "LJA" found marking the Southwest corner of the GCWA to Sienna/Johnson North, LP Part II. 5.317 Acre Tract (FBC 2000009779);

THENCE, North 87deg.21'36" East, along the North line of the Gulf Coast Water Authority's call original 5.0 Acre Tract (Volume 194, Page 91; DRFBCT), 56.0 feet to a point on the centerline of a Levee and marking the Northeast corner of this tract;

THENCE, South, along the centerline of the Levee, 170.58 feet to an angle point;

THENCE, South 53deg.15'07" East, at 29.3 feet begins corner on the Northeast face of a Concrete Headwall, leaving said Headwall at 142.4 feet, in all 249.39 fee to a point in the Northwest line of the Centerpoint Energy Houston Electric, LLC R30718 0.5344 Acre Tract (FBC 2002094441) and marking the East corner of this tract;

THENCE, South 51deg.14'14" West, along said Northwest line of said Centerpoint Energy Houston Electric, LLC Tract, 157.25 feet to a point for corner on the North Bank of the Brazos River and marking the South corner of this tract;

THENCE, Northwesterly along the North Bank of the Brazos River with the following courses and distances:

North 39deg.09'36" West, 110.0 feet to an angle point;
North 42deg.40'01" West, 46.95 feet to an angle point;
North 57deg.53'07" West, 43.53 feet to an angle point;
North 82deg.46'07" West, 55.99 feet to an angle point;
North 89deg.38'39" West, 62.46 feet to an angle point;
North 54deg.29'52" West, 50.0 feet to an angle point;
North 80deg.30'33" West, 54.89 feet to an angle point;
South 88deg.21'40" West, 43.53 feet to an angle point;
North 66deg.30'52" West, 44.75 feet to an angle point;
North 81deg.11'24" West, 25.69 feet to an angle point; North 14deg.18'50" West, 7.01 feet to an angle point;

THENCE, Northerly along the Top East Bank of the Steepbank Creek with the following courses and distances:

North 24deg.38'09" East, 25.89 feet to an angle point;
North 46deg.50'34" West, 19.79 feet to an angle point;
North 67deg.14'40" West, 46.0 feet to an angle point;
North 22deg.01'16" East, 41.49 feet to an angle point;
North 70deg.04'41" East,24.09 feet to an angle point;
North 04deg.11'37" West, 16.57 feet to an angle point;
North 46deg.51'20" West, 43.63 feet to an angle point;
North 00deg.57'22" East, 48.25 feet to an angle point;
North 28deg.05'14" East, 47.49 feet to an angle point;
North 10deg.00'53" West, 52.76 feet to an angle point;
North 09deg.23'12" East, 48.84 feet to an angle point;
North 26deg.30'35" East, 66.36 feet to an angle point;
North 03deg.45' East, 233.0 feet to an angle point;
North 39deg. East, 171.0 feet to an angle point;
North 49deg.20' East, 172.75 feet to a point marking the Northerly Northwest corner of this tract;

THENCE, North 68deg.43'32" East, 157.88 feet to a point marking the Northerly Northeast corner of this tract;

THENCE, South 45deg.48'37" West, along the Westerly line of the GCWA to Sienna/Johnson North, LP Part II-5.317 Acre Tract (FBC 2000009779), 212.17 feet to an angle point;

THENCE, South 21deg.25'36" West, 463.58 feet along said Westerly line of said 5.317 Acre Tract to a point marking a re-entrant corner of this tract;

THENCE, South 60deg.57'04" East, along a South line of said 5.317 Acre Tract 272.41 feet to a point for corner;

THENCE, South 02deg.38'24" East, 21.26 feet along a West line of said call 5.317 Acre Tract to the place of beginning and containing 5.355 Acres of Land.

Signed: Frank L. Schmidt
Registered Professional Land Surveyor No. 1535

NOTE: Not a field survey this date, based on field surveys by our Firm dated August 23, 2018 and March 18, 2109.