

ALLEN OWEN
Mayor

JERRY WYATT
Councilmember at Large Position 1

CHRIS PRESTON
Councilmember at Large Position 2



YOLANDA FORD
Councilmember District A

DON SMITH
Mayor Pro Tem
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 29, 2016, at 5:30 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. PUBLIC HEARINGS AND RELATED ACTIONS

- (a) Public hearing to receive comments for or against the disannexation of a 33.07-acre tract of land located north of Sienna Springs Boulevard, south of Oyster Creek Farms residential 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) Public hearing to receive comments for or against the disannexation of a 48.97-acre tract of land located north of Watts Plantation Road, south of Fort Bend Parkway, west of Oyster Creek, and east of the city limit line of the City of Missouri City along Sienna Parkway.

3. DISCUSSION/POSSIBLE ACTION

- (a) Receive an update on a proposed tracking system for city council requests.

4. CLOSED EXECUTIVE SESSION

The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by 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: manufacturing prospect update.

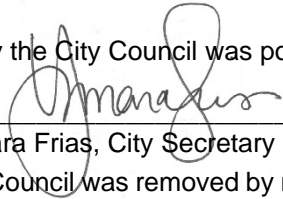
5. RECONVENE into Special Session and Consider Action, if any, on items discussed in Executive Session.

6. 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 29, 2016, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on February 26, 2016, 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 _____, 2016.

Signed: _____ Title: _____



**Council Agenda Item Cover Memo
February 29, 2016**

To: Mayor and City Council
Agenda Item: 2(a) Public hearing to receive comments for or against the discontinuation and the disannexation of a 33.07-acre tract of land.
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

A potential owner of a 33.07-acre tract of land has petitioned for the disannexation of the property. This is the first of two public hearings.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout.

BACKGROUND

The Houston Community College System owns a 33.07-acre tract of land within the Sienna Plantation development (the "Property"). Sienna/Johnson North, L.P. intends to purchase the Property. The Property is a portion of a larger tract of land and is adjacent to the existing Houston Community College System facility located on Sienna Springs Boulevard. The Property is currently zoned SD suburban district and is subject to Specific Use Permit No. 169, which provides for a community college campus, public library, and LC-2 local retail district uses.

In order to develop the Property, the potential property owner, through a joint petition with Fort Bend County (which may purchase the land adjacent to the Property), has petitioned the City for disannexation of the 33.07-acre tract. A copy of the petition is included as background information.

FISCAL ANALYSIS

The Property has been exempt from property taxes because it was owned by a governmental entity. Upon the sale of the Property to a non-tax exempt entity, the City would relinquish potential taxes, including property taxes, on the Property.

SUPPORTING MATERIALS

1. Petition for disannexation
2. Depiction of area to be annexed

STAFF'S RECOMMENDATION

Conduct the first public hearing on the disannexation of the 33.07-acre tract from the City.

Joint Petition for Disannexation

THIS Joint Petition for Disannexation ("Petition") is made by and between **SIENNA/JOHNSON NORTH, L.P.**, a Texas limited partnership; ("Sienna North") and **FORT BEND COUNTY** (the "County"), a political subdivision of the State of Texas, (collectively, the "Petitioners") represents land totaling approximately 33.07 acres described on attached **Exhibit "A"** made a part hereof (the "Tract"), all located within the City of Missouri City.

Petitioners hereby petition the City of Missouri City ("City") to disannex all of the Tract so as to be situated outside the City Boundaries.

Petitioners desire that the Tract be disannexed in accordance with Section 43.142 of the *Texas Local Government Code* and *not for failure to provide services as that process is set forth* in Section 43.141 Texas Local Government Code.

Furthermore, the Petitioners acknowledge that the amount of property taxes and fees collected by the City during the time this Tract 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 areas during that same period; and thus, the Petitioners waive any remedies or rights as set forth in law (specifically Section 43.148, Texas Local Government Code) or equity pertaining to same.

IN WITNESS HEREOF, Sienna North and the County have made and executed this Petition in multiple copies, each of which is an original.

EXECUTED this 20th day of January, 2016.

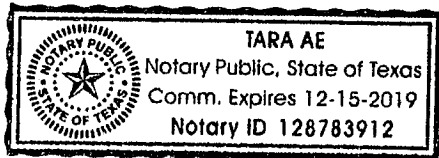
SIENNA/JOHNSON NORTH, L.P.
a Texas limited partnership

By: Sienna/Johnson North GP, LLC,
its general partner and a Texas limited
liability company

By: *Alvin San Miguel*
Alvin San Miguel
Vice President and General Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20th day of January, 2016,
by Alvin San Miguel, Vice President of Sienna/Johnson North, L.P., a Texas limited
partnership, as General Partner of Sienna/Johnson North, LLC, a Texas limited liability
company, on behalf of said partnership and said company.



Tara M. Ae
Printed Name: Tara Ae
ID #: 128783912
Commission Expires: 12-15-19

FORT BEND COUNTY

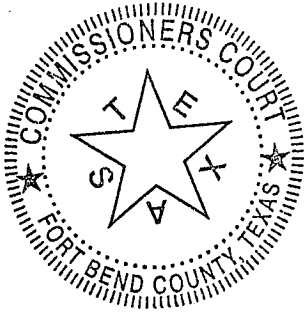
By: *Robert E. Hebert*
Robert E. Hebert
County Judge

Date: 2-2-16

ATTEST/SEAL:

By: *Laura Richard*
Laura Richard
County Clerk

Date: 2/2/16



Tract "B"
Metes and Bounds Description
33.07 Acres (1,440,463 Square Feet)
Moses Shipman League, Abstract No. 86
Fort Bend County, Texas

Description of an 33.07 acre (1,440,463 square feet) tract of land which is out of Reserve "A" of the plat of H.C.C.S. Campus Sienna Plantation Section 1 as recorded at Plat No. 20070119 of the Fort Bend County Plat Records (F.B.C.P.R.) and also being out of a called 30.000 acre tract described in a deed to Houston Community College System as recorded under File No. 2002123367 of the Fort Bend County Official Records (F.B.C.O.R.) and out of a called 19.325 acre tract described in a deed to Houston Community College System as recorded under File No. 2004029720 of said F.B.C.O.R., in the Moses Shipman League, Abstract No. 86, in Fort Bend County, Texas, said 33.07 acre tract being more particularly described as follows (with bearings referenced to the northerly line of said Reserve "A", called as North 86° 52' 50" East):

BEGINNING at a 5/8-inch iron rod with "LJA" cap found on the northerly right-of-way line of Sienna Springs Boulevard (100 feet wide) as recorded at Plat No. 20040028 of said F.B.C.P.R., said point marks the southernmost southeasterly corner of said Reserve "A" and the southwesterly corner of a called 4.500 acre tract described in a deed to Fort Bend County as recorded under File No. 2006070443 of said F.B.C.O.R., and being on the arc of a non-tangent curve to the left;

THENCE, in a westerly direction along said northerly right-of-way line and along the southerly line of said Reserve "A" as follows:

northwesterly, 533.39 feet along the arc of said curve to the left (central angle = 24° 26' 56"; radius = 1,250.00 feet; chord bearing and distance = North 84° 26' 16" West, 529.35 feet) to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for a point of compound curvature;

southwesterly, 240.23 feet along the arc of said curve to the left (central angle = 05° 23' 52"; radius = 2,550.00 feet; chord bearing and distance = South 80° 38' 20" West, 240.14 feet) to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for a point of tangency;

South 77° 56' 24" West, a distance of 256.28 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for the beginning of a tangent curve to the left;

southwesterly, 339.96 feet, along the arc of said curve to the left (central angle = 07° 38' 19"; radius = 2,550.00 feet; chord bearing and distance = South 74° 07' 15" West, 339.71 feet) to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for a point of tangency;

South 70° 18' 05" West, a distance of 113.99 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for the beginning of a tangent curve to the right;

southwesterly, 474.58 feet along the arc of said curve to the right (central angle = 12° 38' 50"; radius = 2,150.00 feet; chord bearing and distance = South 76° 37' 30" West, 473.62 feet) to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for a point of tangency;

South 82° 56' 55" West, a distance of 94.50 feet to a point for the southwesterly corner of said Reserve "A" and said 19.325 acre tract, and the southeasterly corner of the plat of Sienna Village of Anderson Springs Section Three-A as recorded at Plat No. 20040030 of said F.B.C.P.R., from which a found 5/8-inch iron rod bears South 70° 13' East, 0.30 foot;

THENCE, North 15° 03' 48" East, departing said northerly right-of-way line, along the westerly line of said Reserve "A" and said 19.325 acre tract, a distance of 762.04 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for the westernmost northwesterly corner of said Reserve "A" and said 19.325 acre tract and the southwesterly corner of the plat of Sienna Plantation M.U.D. No. 1 Water Plant No. 2 as recorded at Plat No. 20050060 of said F.B.C.P.R.;

THENCE, North 72° 39' 50" East, along the southerly line of said Water Plant No. 2 and a northerly line of said Reserve "A", a distance of 455.94 feet to a 5/8-inch iron rod found for the southeasterly corner of said Water Plant No. 2;

THENCE, North 03° 07' 10" West, along the easterly line of said Water Plant No. 2 and a westerly line of said Reserve "A", a distance of 243.37 feet to a 5/8-inch iron rod with "LJA" cap found for the northeasterly corner of said Water Plant No. 2 and the northernmost northwesterly corner of said Reserve "A";

THENCE, North 86° 52' 50" East, along the northerly line of said Reserve "A", a distance of 1,164.65 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for the northernmost northeasterly corner of this herein described tract;

THENCE, South 03° 07' 10" East, along an easterly line of this tract, a distance of 455.05 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for an angle point;

THENCE, South 08° 23' 30" East, continuing along said easterly line, a distance of 244.99 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for an interior corner;

THENCE, North 81° 36' 30" East, along a northerly line of this tract, a distance of 78.25 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for corner;

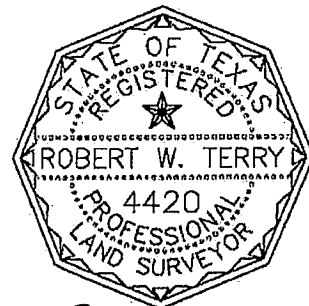
THENCE, North 08° 46' 23" West, a distance of 19.25 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for an interior corner;

THENCE, North 81° 36' 30" East, continuing along a northerly line of this tract, a distance of 164.50 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for corner in the westerly line of said 4.500 acre tract and an easterly line of said Reserve "A";

THENCE, South 17° 47' 12" West, along the westerly line of said 4.500 acre and an easterly line of said Reserve "A", a distance of 254.12 feet to the POINT OF BEGINNING and containing a computed area of 33.07 acres (1,440,463 square feet) of land.

This description is accompanied by a separate survey drawing dated February 10, 2015.

Compiled By:
McKim & Creed, Inc.
9960 West Sam Houston Parkway South, Suite 200
Houston, Texas 77099
Phone: 713-659-0021
TBPLS Firm Registration No. 101776-00
Date: February 10, 2015
Job No.: 06555-0013



Robert W. Terry
2-10-15

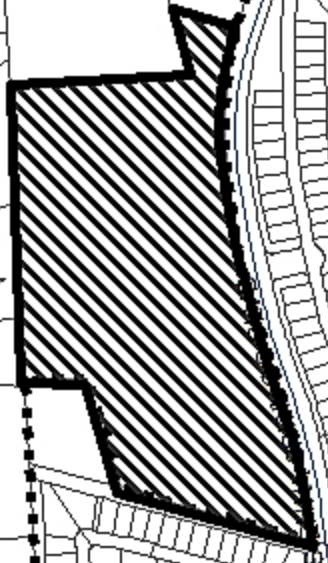


SIENNA PKWY

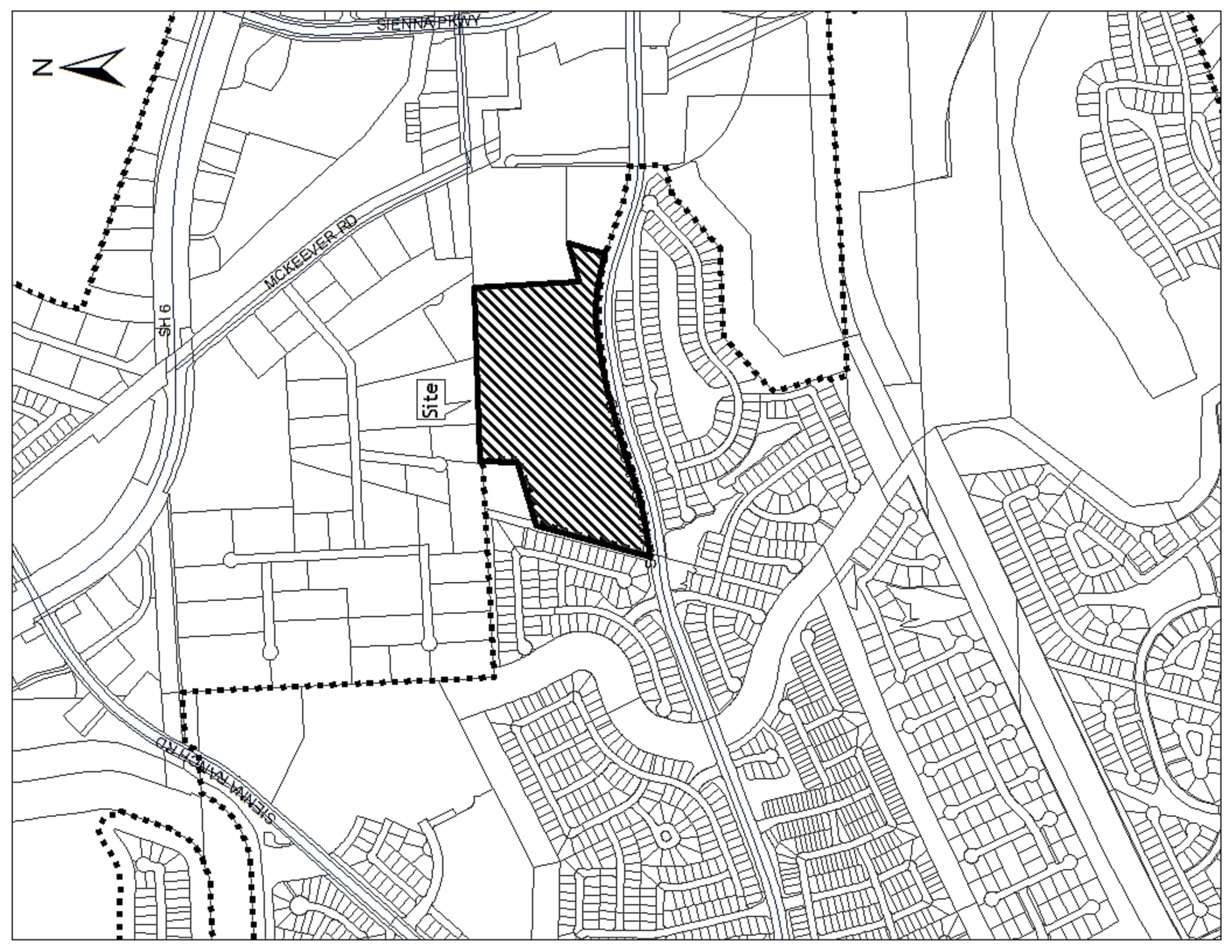
MCKEEVER RD

SH 6

Site



SIENNA PKWY





**Council Agenda Item Cover Memo
February 29, 2016**

To: Mayor and City Council
Agenda Item: 2(b) Public hearing to receive comments for or against the discontinuation and the disannexation of a 48.97-acre tract of land.
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

The owner of a 48.97-acre tract of land has petitioned the City for the disannexation of the property. This is the first of two public hearings.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout.

BACKGROUND

Sienna 325, L.P. owns undeveloped land north of Watts Plantation Road, south of Fort Bend Parkway, west of Oyster Creek, and east of Sienna Parkway. The 48.97-acre tract includes approximately 4 acres of Sienna Parkway. The Property is currently zoned SD suburban district and is to be developed suburban commercial according to the Future Land Use and Character map of the City of Missouri City Comprehensive Plan.

In order to develop the Property, Sienna 325, L.P. has petitioned the City for the disannexation of the Property. A copy of the petition is included as background information.

FISCAL ANALYSIS

The City would relinquish potential taxes on the Property, including property taxes.

SUPPORTING MATERIALS

1. Petition for disannexation

STAFF'S RECOMMENDATION

Conduct the first public hearing on the disannexation of the 48.97-acre tract from the City.

Petition for Disannexation

SIENNA 325, L.P., a Texas limited partnership (the "Petitioner") represents that the Petitioner owns the majority of land of the approximately 48.974 acres described on attached **Exhibit "A"** made a part hereof (the "Tract"), all located within the city limits of the City of Missouri City.

Petitioner hereby petitions the City of Missouri City ("City") to de-annex all of the Tract so as to be situated outside the City boundaries.

Petitioner desires that the Tract be disannexed in accordance with Section 43.142 of the *Texas Local Government Code* and not for failure to provide services as that process is set forth in Section 43.141 Texas Local Government Code.

Furthermore, the Petitioner acknowledges that the amount of property taxes and fees collected by the City during the time this Tract 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 areas during that same period; and thus, the Petitioners waive any remedies or rights as set forth in law (specifically Section 43.148, Texas Local Government Code) or equity pertaining to same.

EXECUTED this 27th day of January, 2016.

SIENNA 325 LP,
a Texas limited partnership

By: Sienna 325 GP, LLC,
its general partner

By: Alvin San Miguel
Name: Alvin San Miguel
Title: Vice President

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 27th day of January, 2016, by Alvin San Miguel, Vice President of Sienna 325 GP, LLC a Texas limited liability company, as General Partner of Sienna 325 LP a Texas limited partnership, on behalf of said limited partnership and said company. .



Tara m. ae
Printed Name: Tara ae
ID #: 128783912
Commission Expires: 12-15-19

County: Fort Bend
Project: Sienna 325
Job No. 133325
MBS No. 16-013

FIELD NOTES FOR 48.974 ACRES

Being a tract containing 48.974 acres of land, located in the Moses Shipman League, Abstract 86, in Fort Bend County, Texas; Said 48.974 acre tract being a portion of a call 45.187 acre tract recorded in the name of Sienna 325 LP in File Number 2013157640 of the Official Records of Fort Bend County (O.R.F.B.C.), a portion of a call 0.242 acre tract recorded in the name of Fort Bend County Toll Road Authority in File Number 2011121795 of the O.R.F.B.C. and a portion of Sienna Parkway (width varies); Said 48.974 acre tract being more particularly described by metes and bounds description as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS Observations):

Commencing at a 5/8-inch iron rod found at the northeasterly corner of a call 212.202 acre tract recorded in the name of Sienna 325 LP in File Number 2013157640 of the O.R.F.B.C.;

Thence, with the easterly line of said 212.202 acre tract the following two (2) courses:

- 1) 69.67 feet along the arc of a curve to the left, said curve having a radius of 1098.68 feet, a central angle of 03 degrees 37 minutes 59 seconds and a chord that bears South 22 degrees 59 minutes 25 seconds East, a distance of 69.66 feet to a 5/8-inch iron rod found;
- 2) South 24 degrees 58 minutes 49 seconds East, a distance of 93.86 feet to the **Point of Beginning** of the herein described tract;

Thence, crossing Sienna Parkway, partially with the northerly line of aforesaid 45.187 acre tract and partially with the southerly line of a call 12.336 acre tract recorded in the name of Fort Bend County Toll Road Authority in File Number 2011121789 of the O.R.F.B.C., North 87 degrees 34 minutes 25 seconds East, a distance of 1123.48 feet to a 5/8-inch iron rod found;

Thence, continuing with said southerly and northerly lines, the following four (4) courses:

- 1) 534.88 feet along the arc of a curve to the right, said curve having a radius of 2714.80 feet, a central angle of 11 degrees 17 minutes 19 seconds and a chord that bears South 86 degrees 46 minutes 55 seconds East, a distance of 534.02 feet to a 5/8-inch iron rod set;
- 2) South 81 degrees 08 minutes 16 seconds East, a distance of 566.27 feet to a 5/8-inch iron rod set;
- 3) 468.81 feet along the arc of a curve to the left, said curve having a radius of 2241.83 feet, a central angle of 11 degrees 58 minutes 54 seconds and a chord that bears South 87 degrees 07 minutes 43 seconds East, a distance of 467.96 feet to a 5/8-inch iron rod set;
- 4) North 86 degrees 52 minutes 50 seconds East, a distance of 173.05 feet to a 5/8-inch iron rod set on the westerly line of a call 4.778 acre tract recorded in the name of Sienna Plantation Levee Improvement District in File Number 2000003919 of the O.R.F.B.C.;

Thence, with the westerly and northerly lines of said 4.778 acre tract and a call 0.766 acre tract recorded in the name of Sienna Plantation Levee Improvement District in File Number 2001013462 of the O.R.F.B.C., the following five (5) courses:

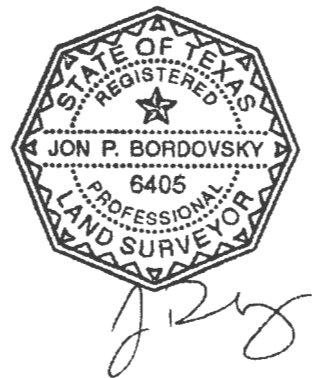
- 1) South 54 degrees 37 minutes 50 seconds East, a distance of 12.14 feet to a 5/8-inch iron rod found;
- 2) South 34 degrees 10 minutes 10 seconds East, a distance of 164.88 feet to a 5/8-inch iron rod set;
- 3) South 09 degrees 15 minutes 31 seconds West, a distance of 489.03 feet to a 5/8-inch iron rod found;
- 4) South 87 degrees 39 minutes 36 seconds West, a distance of 1496.81 feet to a 5/8-inch iron rod found;
- 5) South 02 degrees 20 minutes 24 seconds East, a distance of 110.00 feet to a PK nail set in the asphalt road known as Watts Plantation Drive and on the northerly line of a call 24.021 acre tract recorded in the name of Jewell K. Watts in File Number 1999110680 of the O.R.F.B.C.;

Thence, with said northerly line and crossing Sienna Parkway, South 87 degrees 39 minutes 36 seconds West, a distance of 927.56 feet to the westerly line of Sienna Parkway and the easterly line of aforesaid 212.202 acre tract;

Thence, with said easterly line, the following three (3) courses:

- 1) North 24 degrees 58 minutes 49 seconds West, a distance of 965.47 feet to a 5/8-inch iron rod found;
- 2) North 59 degrees 05 minutes 31 seconds West, a distance of 53.80 feet to a 5/8-inch iron rod found;
- 3) North 24 degrees 58 minutes 49 seconds West, a distance of 17.53 feet to the **Point of Beginning** and containing 48.974 acres of land.

GBI PARTNERS, L.P.
Ph: 281.499.4539
January 20, 2016



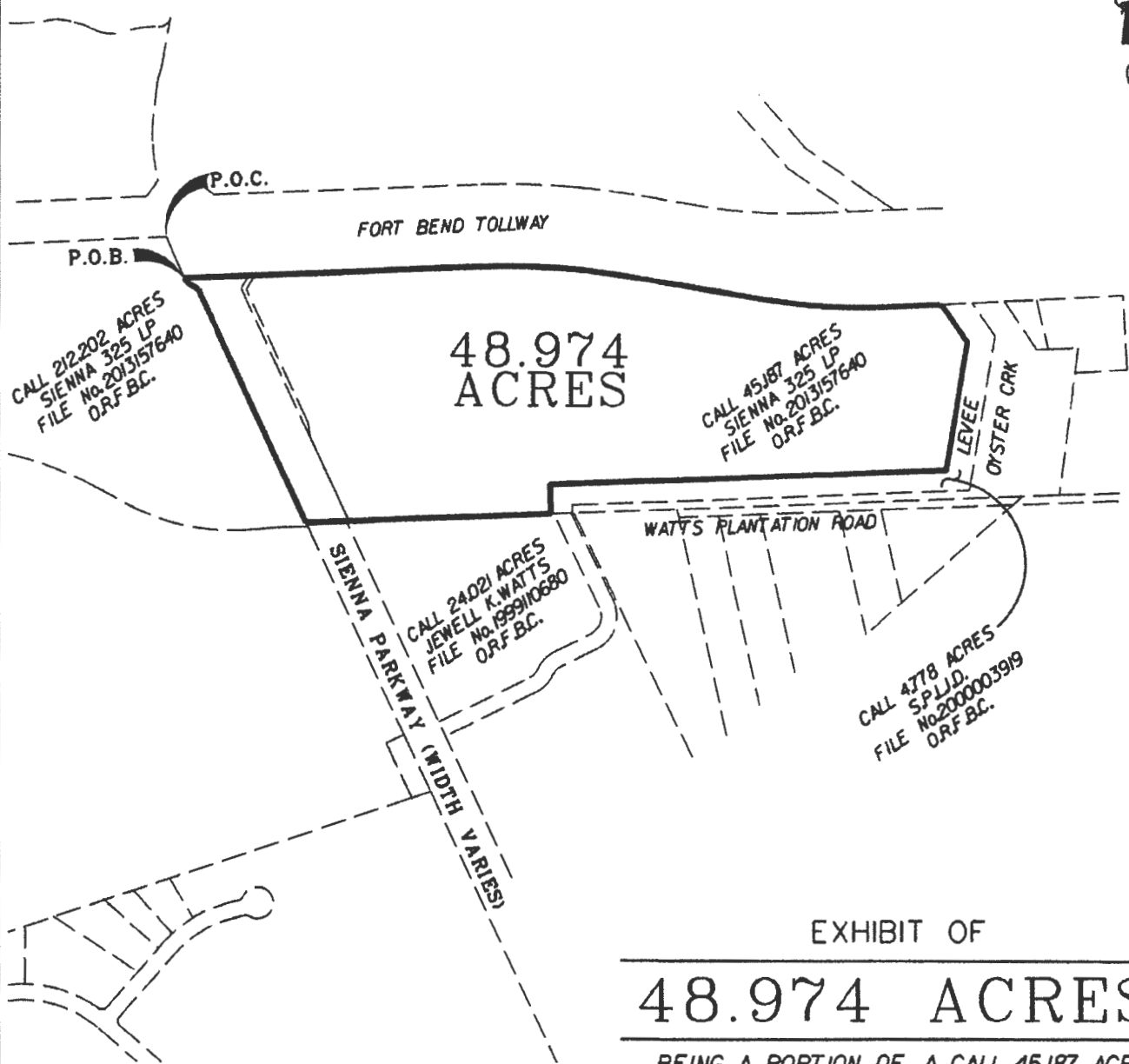


EXHIBIT OF

48.974 ACRES

BEING A PORTION OF A CALL 45,187 ACRE TRACT RECORDED IN THE NAME OF SIENNA 325 LP IN FILE NUMBER 2013157640 OF THE O.R.F.B.C., A PORTION OF A CALL 0.242 ACRE TRACT RECORDED IN THE NAME OF FORT BEND COUNTY TOLL ROAD AUTHORITY IN FILE NUMBER 2011121795 OF THE O.R.F.B.C. AND A PORTION OF SIENNA PARKWAY (WIDTH VARIES)

LOCATED IN THE

MOSES SHIPMAN LEAGUE, A-86 FORT BEND COUNTY, TEXAS

JANUARY 2016



GBI PARTNERS, L.P.
LAND SURVEYING CONSULTANTS
TBPLS FIRM No. 10130300
13340 S. Cessner Missouri City, TX 77489
Phone: 281-499-4539 • www.gbisurvey.com

JOB NO: 133325
SCALE: 1" = 600'
DATE: 01/20/2016
MBS No.: 16-013