

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, November 4, 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** – The Pledge of Allegiance will be led by the Thurgood Marshall High School Air Force Junior Reserve Officer Training Corps.

3. PRESENTATIONS AND RECOGNITIONS

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 October 21, 2019.

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

(1) Public hearing to receive comments for or against a request to zone an approximate 1.4197 acre tract of land, from CF community facilities district to I, industrial district; providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the related ordinance on the first of two readings. The subject site is located on the south side of East Hampton Circle, north of Highway 90A, west of Fondren Road, and east of McClain Boulevard.

(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 city manager to negotiate and execute calendar year 2020 medical insurance benefits contracts.
- (b) Consider authorizing the city manager to execute an amendment to the janitorial services agreement to include City park trash pickup.
- (c) Consider authorizing the City to dedicate an access easement in accordance with the Dry Creek Road and drainage agreement.
- (d) Consider authorizing the execution of a letter of approval to operate a non-emergency ambulance service.
- (e) Consider authorizing the city attorney, or her designee, to initiate civil proceedings for the enforcement of city ordinances at 12622 Grove Park Drive.

10. ORDINANCES – *There are no Ordinances on this agenda.*

11. RESOLUTIONS – *There are no Resolutions on this agenda.*

12. CITY COUNCIL ANNOUNCEMENTS

Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.

13. CLOSED EXECUTIVE SESSION

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

14. RECONVENE

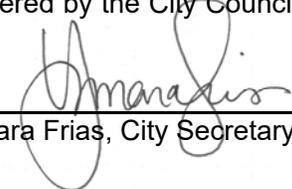
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

15. ADJOURN

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

CERTIFICATION

I certify that a copy of the November 4, 2019, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on October 31, 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
November 4, 2019**

1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Thurgood Marshall High School Air Force Junior Reserve Officer Training Corps.
 3. **PRESENTATIONS AND RECOGNITIONS**
 4. **PUBLIC COMMENTS**
An opportunity for the public to address City Council on agenda items or concerns not on the agenda- those wishing to speak must complete the orange comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a three-minute time limit.
 5. **STAFF REPORTS**
 - (a) City Manager announcements.
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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, October 21, 2019**, at the City Hall, 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 5:45 p.m.

Those also present: Councilmembers Pearson, Boney, and Maroulis; City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Martel, Director of Human Resources Russell, Director of Public Works Kumar, Utilities Manager McGraw, Senior Budget Analyst Aaron, and Media Specialist III Kalimkoottil. Mayor Pro Tem Preston arrived at 5:48 p.m. Councilmember Edwards arrived at 5:51 p.m. Councilmember Emery arrived at 6:03 p.m. Absent: City Manager Snipes. Also present: Jeff Peters from Ardurra.

2. DISCUSSION/POSSIBLE ACTION

(a) Discuss and consider board, committee, and commission member appointments.

City Secretary Jackson provided an overview of board, committee, and commission member appointments. City Council requested that the City reach out to the current members to determine if they would like to serve another term if reappointed. City Council agreed to provide the City Secretary with names of candidates they would like to recommend for each board before a certain deadline. Mayor Ford asked if Council would like to interview the board, committee, and commission members and City Council stated they would.

(b) Presentation regarding the use of Construction Manager at Risk (CMAR) for the construction\expansion of Mustang Bayou Wastewater Treatment Plant.

Director of Public Works Kumar provided an overview on the construction\expansion of Mustang Bayou Wastewater Treatment Plant. Jeff Peters, with Ardurra, presented on the use of Construction Manager at Risk (CMAR). Mayor Ford asked for the type of projects other cities used CMAR. Peters responded with multi-disciplinary complex projects involving multi trades. Ford asked where bids were being posted. Peters stated the RFP for the CMAR would follow the city procurement procedures and advertisement standards. Ford asked if Council could make suggestions. Peters stated they could. Director Kumar noted there would be a resolution on the regular agenda in which Council could approve this proposal.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:10 p.m.

Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: (i) Texas Open Meetings Act, (ii) Willow Waterhole and (iii) Trademark Infringement claims.

Texas Government Code, Section 551.074 – Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Presiding Judge.

4. RECONVENE

At 6:59 p.m., Council reconvened into open session. No action was taken.

Councilmember Pearson moved to close the special City Council meeting at 7:05 p.m. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

5. ADJOURN

The special City Council meeting adjourned at 7:05 p.m.

Minutes PASSED AND APPROVED this the _____ day of _____ 2019.

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, October 21, 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 7:05 p.m.

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

2. The **PLEDGE OF ALLEGIANCE** was led by Assistant City Manager Martel.

3. PRESENTATIONS AND RECOGNITIONS

Mayor Ford proclaimed October 21, 2019, as "Delta Sigma Theta Sorority Incorporated Day" in the City of Missouri City, Texas. Mayor Ford along with Health Inspectors II Abraham and Bryan presented the Clean Restaurant Award to local establishments.

4. PUBLIC COMMENTS

Tiffany Scales, 3806 Smithers Lane, spoke on a non-profit organization 'Toiletries for Families' and stated she believed there was a need not being met in the area. Scales added that she wished to contract with the City.

Hyo Tan Knebel, 2955 Creekway Circle, spoke about water coming down on her property from the City's green space.

5. STAFF REPORTS

Assistant City Manager Atkinson announced that early voting would be from October 21 through November 1. Atkinson invited everyone to the following events: Tots and Crafts on October 23; Leadership Luncheon on October 23; Senior Foodies on October 24; Ladies Tennis Double Strategy Clinic on October 25; Slam or Smash Pickleball Tournament on October 25; Book Talk on October 29; and, Tricks and Treats in the park on October 26.

Fire Chief Campbell presented the Missouri City Fire and Rescue Services Department annual report.

6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of October 7, 2019.
- (b) Consider approving the designation of an acting city manager pursuant to Section 4.01.E of the City Charter of the City of Missouri City, Texas.

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

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request for a specific use permit authorizing the use of a 14.984 acre tract of land zoned as LC-1 local retail restricted district and R-3 two-family residential district to allow for the development of a worship center; describing said 14.984 acre tract of land; providing limitations, restrictions, and conditions on such specific use; amending the zoning district map of the City of Missouri City; providing a penalty; containing other provisions relating to the subject; and consider the ordinance on the first of two readings. The subject site is located north of East Hampton Circle, south of the Fondren Park subdivision, east of Kathy Avenue, and west of Fondren Road.

Planner I White presented on an ordinance to consider a request by Jeremiah Asomugha for a Specific Use Permit on an approximate 14.984 acre tract of land zoned as LC-1 local retail restricted district and R-3 two-family residential district to allow for the development of a worship center and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom. White stated Mr. Asomugha proposed to locate an approximate 20,000 square foot worship center, a 16,000 square foot multi-purpose media building and recreational areas. The development was proposed in two phases as follows: **Phase 1:** Media/multi-purpose building with a maximum occupancy of 500 people to be completed/constructed in 18 months; and, **Phase 2:** Worship center with a maximum occupancy of 1,000 people to be constructed five years after Phase 1 was completed. Staff recommended approval of the SUP with conditions. The Planning and Zoning Commission forward their final report to include staff recommendations and provide for the building square feet as shown on the conceptual site plan, to relocate the trash enclosure area away from the residential areas, to landscape the area surrounding any proposed detention and to provide mitigation for buffering noises, with a positive recommendation (4-3 vote).

Councilmember Boney moved to open the public hearing at 7:44 p.m. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Joe Nixon, applicant's attorney, stated his client would like to be a good neighbor and encouraged Council to recognize first amendment.

Gerald McWilliams, 15350 E. Hutchinson Circle, spoke against the proposed request.

Sharron Stighich, 11802 S. Marcia Circle, spoke against the proposed request.

Michael Rowan, 11806 S. Marianne Circle, spoke against the proposed request.

Penelope Hazelwood, 11819 S. Marianne Circle, spoke against the proposed request.

Councilmember Edwards stepped away at 7:58 p.m. and returned at 8:01 p.m.

Jeremiah Asomugha, the applicant, thanked everyone for the efforts they made with the subdivision and addressed comments by the public.

Nkemdi Ohalete, the applicant's engineer, addressed questions from the public and stated they would abide by the City and county codes.

Jeanette Quimby, 11814 S. Willowdale Circle, spoke against the request and comments made by the applicants.

Assistant City Manager Atkinson stepped away at 8:06 p.m. and returned at 8:10.

Sheryl Orloff, 11802 S. Perry Ave, designated time to Ms. Quimby.

Ms. Quimby continue to speak against the proposed request.

Samuel Renaul, 11839 S. Evelyn Circle, spoke against the proposed request.

Alan Soffar, 11734 N. Nottingham Circle, spoke against the proposed request.

Howard Reynolds, 15342 E. Hutchinson Circle, spoke against the proposed request.

Bob Paisley, 11743 N. Marianne Circle, spoke against the proposed request.

Penelope Jank, 11731 N. Nottingham Circle, spoke against the proposed request.

Jeanne Noxon, 11806 S. Marcia Circle, spoke against the proposed request.

Bobbie DeGrate, 11735 N. Marcia Circle, spoke in favor of the proposed request.

Betsy Elenbaas, 11803 S. Kathy Ave, spoke against the proposed request.

Karl Guetzow, 1182 S. Willow Circle, spoke against the proposed request.

Carla Menard, 15422 Poolview Street, spoke against the proposed request.

Deb Freilich, 15210 E. Hampton Circle, spoke against the proposed request.

Vickie Bunch, 11847 S. Perry Ave, spoke in favor of the proposed request.

Bruce Zabrowski, 7915 Chancel, spoke against the proposed request.

Robin McClland, 11822 S. Perry Ave, spoke in favor of the proposed request.

Councilmember Boney moved to close the public hearing at 8:51 p.m. Councilmember Pearson seconded.
MOTION PASSED UNANIMOUSLY.

AGENDA ITME FAILED DUE TO LACK OF MOTION.

There were no **Public Hearings and related actions** and no **APPOINTMENTS**.

9. AUTHORIZATIONS

- (a) Consider authorizing the city manager to negotiate and execute a contract for the provision of services required for paving and drainage improvements for Independence Boulevard (Segment 2).

Councilmember Maroulis moved to authorize the city manager to execute a contract with Mar-Con Services, LLC for the paving and drainage improvements for Independence Blvd. (Segment 2) in the amount of \$1,614,169.8. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider authorizing the city manager to execute a contract for tennis programs, lessons, clinics, tournaments and services.

Councilmember Pearson moved to authorize the city manager to execute a contract for tennis programs, lessons, clinics, tournaments and services with King Daddy Sports. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider authorizing the purchase of equipment for a new fire apparatus.

Councilmember Maroulis moved to authorize the purchase of new tools and equipment for two new replacement fire trucks from Metro Fire Apparatus not to exceed \$258,387.00. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

- (d) Consider authorizing the city manager to execute professional services contracts for plan review and inspections services.

Director of Development Services Spriggs stated the request was to authorize the city manager to enter into a professional services contract with Mikaylah Architects, BBG Consulting, Waters Resources Management, LLC and Curt Services for the following: planning and zoning, building plan review, engineering plan review, fire code review, and inspection services. Spriggs noted that with this authorization, the City would comply with new state legislation and provide expedited services.

Councilmember Emery moved to authorize the city manager to execute professional services contracts for plan review and inspections services. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

10. ORDINANCES

- (a) Consider an ordinance amending the general budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019; authorizing the appropriate city officials to take steps necessary to accomplish such amendments; making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

Director of Financial Services Portis presented an overview on the budget amendments.

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

11. RESOLUTIONS

- (a) Consider a resolution determining that the construction Manager-At-Risk method of procurement provides the best value for the City of Missouri City, Texas; providing for repeal; providing for severability; and making certain findings relating there to.

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

12. CITY COUNCIL ANNOUNCEMENTS

Councilmember Emery stated the pathway from Township Boulevard to Mosley Park would open up officially and thanked the work of the Parks and Recreation and the Public Works departments. Councilmember Boney congratulated Delta Sigma Theta Sorority; attended the grand opening of Fleur De Licious Catering; attended the Houston Association of Realtors luncheon; and, represented the City at the TML Annual Conference. Councilmember Maroulis spoke about an accident on Highway 6 and Glen Lakes.

Councilmember Pearson also attended the grand opening of Fleur De Licious Catering. Mayor Ford invited everyone for the October 23 Leadership Luncheon celebrating National Women’s Small Business Month.

13. ADJOURN

The regular City Council meeting adjourned at 9:13 p.m.

Minutes PASSED AND APPROVED this the _____ day of _____ 2019.

Maria Jackson, City Secretary



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

November 4, 2019

To: Mayor and City Council
Agenda Item: 7(a)(1) Three Corners Business Park, Zoning Map Amendment
Submitted by: Thomas K. White Jr., Planner II

SYNOPSIS

This is the first of two readings of an ordinance to consider a request by Harrier Houston Group, LP, on behalf of Heron Houston Partners, LP to rezone an approximate 1.4197 acre, a portion of the total 23.278 acre tract, from “CF”, community facilities district to “I”, industrial district; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

The subject property is located on the south side of E. Hampton Circle, north of Hwy. 90A, west of Fondren Road, and east of McClain Blvd.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Grow business investments in Missouri City

BACKGROUND

Steve Adkisson on behalf of the property owner Heron Houston Partners LP is proposing to rezone 1.4197 acres from “CF” Community Facilities to “I” Industrial within the total tract of 23.278 acres.

The Planning and Zoning Commission recommends approval of the request. The I, Industrial district is consistent with the goals and policies of the 2017 Comprehensive Plan and the Future Land Use Plan. The amendment will allow for an industrial business park and cause the overall subject tract to have consistent zoning.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY__ Funds Budgeted	FY__ Funds Available	Amount Requested
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
2. Draft Planning and Zoning Commission meeting minutes (October 9, 2019)
3. Planning and Zoning Commission final report
4. Application
5. Letter of owner authorization
6. Map & Notice of public hearing sent to adjoining property owners
7. Mailing labels for adjoining property owners
8. Letters of protest (1- Recieved)

STAFF'S RECOMMENDATION

Staff recommends that Council hold the public hearing and approval of the ordinance on the first reading.

Director Approval:

Otis T. Spriggs, AICP, Development Services Director

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

Glen Martel, Assistant City Manager

ORDINANCE NO. O-19-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, CHANGING THE ZONING CLASSIFICATION OF A 1.42-ACRE TRACT OF LAND FROM CF COMMUNITY FACILITIES DISTRICT TO I INDUSTRIAL DISTRICT; DESCRIBING SAID 1.42-ACRE TRACT OF LAND; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, Heron Houston Partners LP is the owner of a 1.42-acre tract of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, the Property presently has a zoning classification of CF community facilities district under Ordinance No. O-81-1, adopted on January 19, 1981; and

WHEREAS, the owner's agent Harrier Houston Group LP, by Steve Adkisson, has made an application to the City of Missouri City to change the zoning classification of the Property from CF community facilities district to I industrial district; and

WHEREAS, the City of Missouri City has determined it to be in the best interest of its citizens to change the zoning classification of said Property from CF community facilities district to I industrial district; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Missouri City have each conducted, in the time and manner and after the notice required by law and the City of Missouri City Zoning Ordinance, a public hearing on such proposed change in the zoning classification; and

WHEREAS, the Planning and Zoning Commission of the City of Missouri City has issued its final report and the City Council of the City of Missouri City now deems it appropriate to grant such change in zoning classification; now, therefore,

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

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

Section 2. As required by law, the City Council of the City of Missouri City conducted the public hearing on the request for zoning reclassification and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The zoning classification of the Property is hereby changed from CF community facilities district to I industrial district. The Property is more fully described in the legal description in Exhibit "A," attached hereto and made a part hereof for all purposes, and is depicted in Exhibit "A-1," attached hereto and made a part hereof for all purposes. Exhibit "A-1" shall be for reference purposes only. In the event that Exhibit "A-1" conflicts with Exhibit "A," Exhibit "A" shall prevail.

Section 4. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of the Property, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of this change.

Section 5. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the change in zoning classification described in Section 3 hereof and the imposition of the findings, regulations, restrictions, exceptions and conditions contained herein.

Section 6. *Comprehensive plan deviation.* To the extent this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 7. *Repeal.* Any ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 8. *Penalty.* Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

Section 9. *Severability.* In the event any section, paragraph, subdivision, 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 or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 4th day of November, 2019.

PASSED, APPROVED and ADOPTED on second and final reading this ___th day of _____, 2019.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

FIELD NOTES OF 1.4197 ACRES OF LAND

All that certain 1.4197 acres of land situated in the H. T. & B. Railroad Company Survey, Abstract No. 395, Harris County, Texas, being out of that certain called 23.279 acres of land conveyed to Heron Houston Partners, LP, as described in the deed recorded under Clerk's File No. RP-2018-366257 of the Harris County Official Public Records of Real Property (H.C.O.P.R.R.P.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap found at the common northwest corner of said 23.279 acres and the herein described tract of land, same being situated in the east line of a called 2.06 acres of land conveyed to Harris County Water Control and Improvement District – Fondren Road, as described in the deed recorded under Clerk's File No. B873053 of the H.C.O.P.R.R.P., and the south right-of-way line of East Hampton Circle (60 feet wide according to the instruments recorded under Clerk's File No. C694415 of the H.C.O.P.R.R.P.);

THENCE North 87 deg. 23 min. 44 sec. East, along and with said south right-of-way line of East Hampton Circle and the north line of the 23.279 acres, a distance of 150.00 feet to a point for the northeast corner of the herein described tract of land;

THENCE South 02 deg. 42 min. 25 sec. East, departing the south right-of-way line of East Hampton Circle, over and across the 23.279 acres, a distance of 412.16 feet to a 5/8 inch iron rod with cap found at the northeast corner of a called 0.52 acre of land conveyed to Southwest Harris County Municipal Utility District, as described in the deed recorded under Clerk's File No. J205800 of the H.C.O.P.R.R.P., said iron rod being a re-entrant corner in the 23.279 acres and the southeast corner of the herein described tract of land;

THENCE South 87 deg. 17 min. 35 sec. West, along and with the north line of said 0.52 acre of land and an upper south line of the 23.279 acres, a distance of 150.00 feet to a 5/8 inch iron rod with cap found at the northwest corner of the 0.52 acre of land and the southwest corner of the herein described tract of land, same being the upper southwest corner of the 23.279 acres and situated in the east line of a called 0.680 acre of land conveyed to Harris County Water Control And Improvement District – Fondren Road, as described in the deed recorded under Clerk's File No. C755212 of the H.C.O.P.R.R.P.;

THENCE North 02 deg. 42 min. 25 sec. West, along and with the upper west line of the 23.279 acres, same being the east line of said 0.680 acre of land and the east line of the aforementioned 2.06 acres of land, a distance of 412.43 feet to the POINT OF BEGINNING and containing within these metes and bounds 1.4197 acres (61,844 square feet) of land.

This tract of land has not been surveyed on the ground. This description is based on calculations performed in the office of The Pinnell Group, LLC; filed in job number 18-197. Bearings based on the Texas Coordinate System (NAD83), South Central Zone No. 4204.

Daniel N. Pinnell
Registered Professional Land Surveyor
Texas Registration No. 5349



09-16-2019

NOTES & LEGEND

GENERAL SITE NOTES

- EACH REQUIRED LOADING SPACE MUST BE 10 FEET WIDE AND 30 FEET IN LENGTH.
- ACCESS, MANEUVERING AREA, RAMPS AND TRUCK SPACES SHALL BE 20 FEET WIDE AND 30 FEET LONG.
- ACCESS, MANEUVERING AREA, RAMPS AND TRUCK SPACES SHALL BE 20 FEET WIDE AND 30 FEET LONG.
- NOT BE LOCATED AS TO MAKE USE OF THE DRIVEWAY.
- TRUCK SPACES MUST BE ENCLOSED BY A WOOD OR VINYL COVERED CHAIN LINK FENCE.
- EXTERIOR GROUND OR BUILDING-MOUNTED LIGHT FIXTURES SHALL BE USED TO ILLUMINATE THE DRIVEWAY.
- SCREENED FROM VIEW.
- CONTRACTOR SHALL PROVIDE PROTECTION FOR THIS PROJECT'S BUSINESS GROUP B AND BUSINESS GROUP C.
- THE BUILDING HEIGHT IS ONE STORY.
- REFER TO SP4 FOR PAVING NOTES AND DETAILS.

GENERAL NOTES

- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS AND FEES REQUIRED TO OBTAIN ALL NECESSARY PERMITS AND FEES AND OBTAINING OF CERTIFICATE OF OCCUPANCY.
- THE CONTRACTOR SHALL NOTIFY THE SITE DESIGNER PRIOR TO ISSUANCE OF BIDDING CONDITIONS PRIOR TO ISSUANCE OF BIDDING CONDITIONS PRIOR TO ISSUANCE OF BIDDING CONDITIONS PRIOR TO ISSUANCE OF BIDDING CONDITIONS.
- CONTRACTOR SHALL COORDINATE ALL WORK WITH ALL UTILITIES PROVIDERS, GAS, WATER, AND UTILITY PROVIDERS.
- REMAIN IF ANY DESIGNER EXISTING TREES TO BE REMOVED SHALL BE INDICATED BY YELLOW SYMBOLS.
- CONTRACTOR SHALL NOT REMOVE OR CONSTRUCT ANY STRUCTURE OR OBSTRUCTION TO BE NON-COMPLIANT WITH TYPICAL CODES OF THE DESIGNER, OWNER AND BANK OF AMERICA.
- SHALL PROVIDE AN UNRESTRICTED WALKWAY TO ENTER AND EXIT THE PROPERTY FROM PAVED DRIVEWAY.
- ALL HANDICAP SYMBOLS SHALL BE PAINTED IN YELLOW AND SHALL BE 18" HIGH WITH STRIPING AND CURB PAINT SHALL BE "SAFETY YELLOW".
- CONDUIT FOR TELEPHONE LINES AS REQUIRED.
- CONTRACTOR SHALL PROVIDE AND FINISH ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- REFER TO CIVIL DRAWINGS FOR PAVING, GRADING, AND DRAINAGE INFORMATION.
- CONTRACTOR SHALL PROVIDE ALL NECESSARY LANDSCAPE DEVELOPMENT WITH LANDSCAPE ARCHITECT'S PLAN.

ACKNOWLEDGMENTS

- 2-4" PVC IRRIGATION SLEEVES, T&B
- PROJECT SIGN WITH BUILDING ADDRESS, T&B
- CONTRACTOR SHALL PROVIDE AND FINISH ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- TELEPHONE LINE CONDUIT - AT LEAST FIBER CABLE
- CURB RAMP, RE: 01/SP4
- SEWALY EXPANSION JOINT, RE: 10/SP4
- SEWALY CONTROL JOINT, RE: 10/SP4
- CONTRACTOR SHALL PROVIDE AND FINISH ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ELECTRICAL SERVICE TO ENTER BUILDING, T&B
- ELECTRICAL CONDUIT FOR FUTURE SIGN, T&B
- CONCRETE TIRE STOP.
- ADA PARKING SPACE, RE: 01/SP3
- LANDSCAPE AREA, RE: SP2

ELECTRICAL LEGEND

ACTUAL ELECTRICAL DRAWINGS FOR ELECTRICAL, MECHANICAL, AND PLUMBING DESIGN OF ALL ELECTRICAL WORK.

MP - MEAS. POLE

PH - POWER

277V AC/120V AC/208V AC/240V AC/480V AC/600V AC/720V AC/1000V AC/1500V AC/2000V AC/3000V AC/3600V AC/4800V AC/5400V AC/7200V AC/8100V AC/10800V AC/12600V AC/14400V AC/16200V AC/18000V AC/21600V AC/25200V AC/28800V AC/32400V AC/36000V AC/40500V AC/45000V AC/50400V AC/54000V AC/59400V AC/64800V AC/70200V AC/75600V AC/81000V AC/86400V AC/91800V AC/97200V AC/102600V AC/108000V AC/113400V AC/118800V AC/124200V AC/129600V AC/135000V AC/140400V AC/145800V AC/151200V AC/156600V AC/162000V AC/167400V AC/172800V AC/178200V AC/183600V AC/189000V AC/194400V AC/199800V AC/205200V AC/210600V AC/216000V AC/221400V AC/226800V AC/232200V AC/237600V AC/243000V AC/248400V AC/253800V AC/259200V AC/264600V AC/270000V AC/275400V AC/280800V AC/286200V AC/291600V AC/297000V AC/302400V AC/307800V AC/313200V AC/318600V AC/324000V AC/329400V AC/334800V AC/340200V AC/345600V AC/351000V AC/356400V AC/361800V AC/367200V AC/372600V AC/378000V AC/383400V AC/388800V AC/394200V AC/399600V AC/405000V AC/410400V 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**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
October 9, 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 Chair Brown-Marshall, at 7:00 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
John O'Malley
Hugh Brightwell
James G. Norcom III
Gloria Lucas

Commissioners Absent: James R. Bailey, Courtney Johnson Rose, Tim Haney, Monica L. Rasmus

Councilmembers Present: Anthony G. Maroulis

Staff Present:

Otis T. Spriggs, Director of Development Services
Jennifer Gomez, Planning Manager
Cliff Brouhard, Assistant Public Works Director
James Santangelo, Assistant City Attorney
Thomas White, Planner II
Gretchen Pyle, Interim Planning Specialist
Jeremy Davis, Assistant City Engineer

Others Present: See sign-in sheet.

7. ZONING MAP AMENDMENTS

A. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT

- (1) To receive comments for or against a request by Harrier Houston Group, LP, on behalf of Heron Houston Partners, LP to rezone an approximate 1.4197 acre tract, from “CF”, community facilities district to “I”, industrial district; and to the extent such zoning deviates from the Future Land Use and Character Map of the Comprehensive Plan, to provide for an amendment therefrom.

Thomas White, Planner II, presented this item. Mr. White informed that the property is located north of Highway 90A, south of East Hampton Circle, East of McLain Boulevard, and west of Fondren Road. The subject property is a total of 23.279 acres.

The applicant was requesting 1.4197 acres to be rezoned from “CF”, Community Facilities to “I”, Industrial. Nine buildings were being proposed. Mr. White informed that the surrounding land was undeveloped. The City of Houston is east to the property; west is Industrial Park, and the Water Control District of Fondren Road Facilities.

Mr. White informed that request conformed to the 2017 Comprehensive Plan. Staff recommended approval; to make the land consistent with the remaining acreage. The property was currently being platted.

Chair Brown-Marshall asked staff about how the carved out portion was detached from the rest of the property.

Mr. Spriggs informed that typically, per history, it was a holding pattern; probably for utility purposes after it was rezoned. Sometimes parcels do not align with the zoning.

Jeanette Quinby, 11814 South Willowdale Circle, informed that the notice for the rezoning was not provided to Fondren Park property owners because they were not within the 250 ft. of property owners to be notified. Traffic was a concern. Ms. Quinby asked for consideration by Planning and Zoning to make a one-way street in and out of the industrial complex.

Motion: To close the public hearing.

Made By: Commissioner O’Malley
Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner O’Malley, Commissioner Norcom III, Commissioner Lucas, Commissioner Brightwell

NAYES: None

ABSTENTIONS: None

The motion passed

Mr. Spriggs informed that staff sent a courtesy notice to the management company that works on behalf of the Home Owners Association; which staff provides when property owners are beyond the 250 ft. notice boundary.

Chair Brown-Marshall asked staff about signage being placed on land that were proposed to be rezoned.

Mr. Spriggs informed that signs were made. The process was being finalized due to certain liabilities that must be cleared when posting signs in the right-of-way because of the utilities. Some cities allow the developer to place the signs.

(2) Consideration of the approval of a final report to City Council on item 7A(1) above.

Motion: The Planning and Zoning Commission forwards a positive recommendation to Council.

Made By: Commissioner Brightwell
Second: Commissioner O'Malley

AYES: Commissioner Brown-Marshall, Commissioner O'Malley, Commissioner Norcom III, Commissioner Rasmus, Commissioner Brightwell

NAYES: Commissioner Lucas
ABSTENTIONS: None

The motion passed

8. ZONING TEXT AMENDMENTS

None.

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

None.

10. CLOSED EXECUTIVE SESSION

The Planning and Zoning Commission may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.

11. RECONVENE

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

12. ADJOURN

Motion: To adjourn

Made By: Commissioner Haney
Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Rasmus, Commissioner Norcom III, Commissioner Lucas

NAYES: None
ABSTENTIONS: None

The motion passed

Egima Edwards
Planning Technician



**PLANNING AND ZONING COMMISSION
FINAL REPORT**

AGENDA DATE: November 4, 2019

AGENDA ITEM SUBJECT: Three Corners Business Park – Zoning Map Amendment

AGENDA ITEM NUMBER: 7.A.

PROJECT PLANNER: Thomas K. White Jr., Planner II

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

Sonya Brown-Marshall, Planning and Zoning Commission Chair


Sonya Brown Marshall, Chair

LOCATION: The subject property is located north of Highway 90A, south of E. Hampton Circle, east of McClain Boulevard, and west of Fondren Road

RECOMMENDED ACTION:

The proposal complies with the provisions of the 2017 Comprehensive Plan and the policies contained in the 2017 Future Land Use Plan. Such policies recommend development of the tract as Business Park uses.

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

SCHEDULED FIRST READING BY THE CITY COUNCIL:

7:00 p.m., Monday, November 4, 2019

Revised submittals due prior to October 23, 2019. Any revised documents and exhibits required as a result of recommendations made by the Planning and Zoning Commission, must be submitted no later than 10:00 a.m. on October 23, 2019, which is

prior to the deadline for submittals to the City Council for their November 4, 2019 meeting.

SUMMARY:

To rezone approximately 1.4197 acres from CF, community facilities to "I", industrial district.

Requested Deviations: Not applicable as this application is a Zoning Map Amendment.

GENERAL SITE INFORMATION:

A. Legal Description:

The subject site can be described as being 1.4197 acres of land situated out of a called 23.279 acre tract conveyed to Heron Houston Partners, LP, as described in the deed recorded under Clerk's File No. RP-2018-366257 in the official Public Records, Harris County, Texas.

B. Size: 1.4197 acres

C. Existing Land Use and Zoning Designation: Unimproved; CF, community facilities

D. Surrounding Land Uses and Zoning Designations:

North: Undeveloped (CF, community facilities; LC-1, local retail restricted district and R-3, two-family residential district).

South: State Highway 90A; Southern Pacific & Union Pacific Railroad.

East: City of Houston city limits.

West: Harris County Water Control and Improvement District Fondren Road facility; Gateway SW Industrial Park (I, Industrial).

E. Zoning History:

11-24-1975: Subject site annexed by the City of Missouri City (Ordinance No. 217).

01-19-1981: Subject site zoned CF, community facilities district (Ordinance O-81-01)

ANALYSIS OF SUBJECT SITE:

A. Development Potential

The applicant is seeking to rezone the 1.4197 acres from CF, Community Facilities to I, Industrial District to allow for an industrial business park.

Conformance with the 2017 Comprehensive Plan: The proposed amendment is in conformance with the following portions of the 2017 Comprehensive Plan Overall Goal Statement:

- Land Use Goal #1 to have a city with new and expanded businesses.
- Recommendation 2.2. Focus on the recruitment of more significant office and light industrial development to expand local employment opportunities, bolster the non-residential tax base, and build out the areas zoned for such purposes in the northern part of the community.

Conformance with the 2017 Future Land Use Plan: The 2017 Future Land Use Map identifies the subject tract as Business Park.

Business Park character is described as follows:

This designation is for areas already developed as, or envisioned as a campus-like environment. In effect, a Suburban development character is intended, but the separate "BP" designation is used since such areas are specifically devoted to non-residential development and enhancement of the community's tax base.

Even with higher open space standards, a "BP" area typically allows for a significant building footprint since most such developments offer large sites. Such areas are almost always governed by private covenants as well. Both the public and private standards are intended to create a highly attractive business environment that will encourage investors to build quality structures, which sets the tone to attract additional businesses. Appropriate standards (intensity limits, building materials, higher landscape surface area, screening of outdoor storage and loading areas, etc.) can be applied to the "outer ring" uses that are visible from public rights-of-way and nearby character districts, with reduced standards for those within the interior.

Staff recommendation: Approve. The I, Industrial district is consistent with the goals and policies of the 2017 Comprehensive Plan and the Future Land Use Plan. The amendment will allow for an industrial business park and cause the overall subject tract to have consistent zoning.

If the property is zoned I, Industrial district, all of the regulations of the district would apply including use regulations; height and area regulations; building regulations; architectural standards; trash disposal regulations; outside placement, storage, sales and services regulations; landscaping regulations; parking regulations; sign regulations; and fence regulations.

- B. Ingress and egress.** All driveways and off-street parking areas, including locations, shall comply with the City's Infrastructure Design Manual.
- C. Utilities.** All utilities shall comply with the City's Infrastructure Design Manual. The subject property is located in the Southwest Harris County #1 municipal utility district.
- D. Drainage.** Stormwater design shall comply with the City's Infrastructure Design Manual and stormwater regulations.
- E. Public safety.** The subject site is located within close proximity to existing public facilities that will provide an adequate response time.
- F. Sidewalks.** Sidewalks shall be constructed in compliance with the City's Public Infrastructure Design Manual.
- G. Platting.** The site is currently being platted.

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



DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division
 1522 Texas Parkway
 Missouri City, Texas 77489
 281-403-8600 (Office) ■ 281-403-8962 (Fax)
 www.missouricitytx.gov

APPLICATION FOR ZONING MAP AMENDMENT (ZMA)

SEE EXHIBIT "B" (PAGE 8) FOR INFORMATION REQUIRED FOR COMPLETE APPLICATION SUBMITTAL

1. Project Name:	Three Corner Business Park
2. Address/Location of Property:	
3. Applicant's Name:	Harrier Houston Group LP
Mailing Address:	1130 Enclave Pkwy. Houston, TX 77077
Phone No. :(832)	413 - 4475
Email:	steve@adkissondevelopment.com <i>GL 10-30-19</i>
4. Status of Applicant:	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Agent Attorney Trustee Corporation Relative <small>(If other than Owner, submit written authorization from Owner with application.)</small>
5. Property Owner:	Heron Houston Partners LP
Mailing Address:	1130 Enclave Pkwy. Houston, TX 77077
Phone No.:(832)	413 - 4475
Email:	steve@adkissondevelopment.com
6. Existing Zoning District:	CF
7. Total Acreage:	1.4197
8. Proposed Zoning District and Reasons for Application:	We propose to change the Zoning District to "I" Industrial for the 1.4197 acre tract of the total 23.278 acres plot.
9. Legal Description of the Property <small>(If the legal description is a portion of a lot, then a metes and bound description of the tract must be submitted with application.):</small>	See attached Metes & Bounds
10. Central Appraisal District tax identification numbers of property <small>(Attach Paid Tax Receipts):</small>	0395-00-001-1200-920 (Missouri City) 430610000090 (Harris County)
11. Do deed restrictions or restrictive covenants exist for the property? <small>(Circle One):</small>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
FILING FEE:	\$450 Base Fee + \$25 Per Acre <small>(Partial acre calculated as 1 acre)</small>

Hand deliver completed application form with the filing fee and required information to:

Development Services Department
1522 Texas Parkway (FM 2234)
Missouri City, TX 77489

By submitting this application you are permitting City staff to enter the site in order to post and remove public notice signs.

Steve Adkisson

 Print Name of Applicant

 Signature of Applicant

Arturo Creixell

 Print Name of Property Owner

 Signature of Property Owner, Agent or Attorney

FILED
In the Office of the
Secretary of State of Texas

APR 17 2018

Corporations Section

CERTIFICATE OF FORMATION

OF

HERON HOUSTON PARTNERS, LP

This Certificate of Formation has been executed and is filed pursuant to the Texas Business Organizations Code (the "Code") to form a limited partnership under the Code.

ARTICLE 1

ENTITY NAME AND TYPE

The filing entity being formed is a limited partnership. The name of the entity is:

HERON HOUSTON PARTNERS, LP

ARTICLE 2

REGISTERED AGENT AND REGISTERED OFFICE

The business address of the registered office of the limited partnership and the name of the registered agent of the limited partnership at such address are:

STEVE ADKISSON
12651 Briar Forest, Suite 250
Houston, TX 77077

ARTICLE 3

GOVERNING AUTHORITY

The name and mailing or street address of the sole general partner of the Limited Partnership are:

HERON HOUSTON PARTNERS GP, LLC
12651 Briar Forest, Suite 250
Houston, TX 77077

ARTICLE 4

PRINCIPAL OFFICE

The address of the principal office of the limited partnership in the United States where records are to be kept or made available under the Code is:

12651 Briar Forest, Suite 250
Houston, TX 77077

ARTICLE 5

EFFECTIVENESS OF FILING

This document becomes effective when filed by the Secretary of State of Texas.

ARTICLE 6

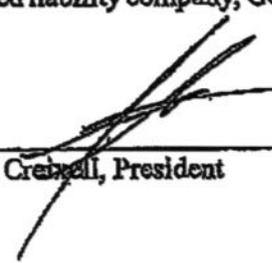
EXECUTION

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: April 17, 2018.

HERON HOUSTON PARTNERS, LP, a Texas
limited partnership

By: HERON HOUSTON PARTNERS GP, LLC, a
Texas limited liability company, General Partner

By: 

Arturo Creball, President

NOTICE OF PUBLIC HEARING

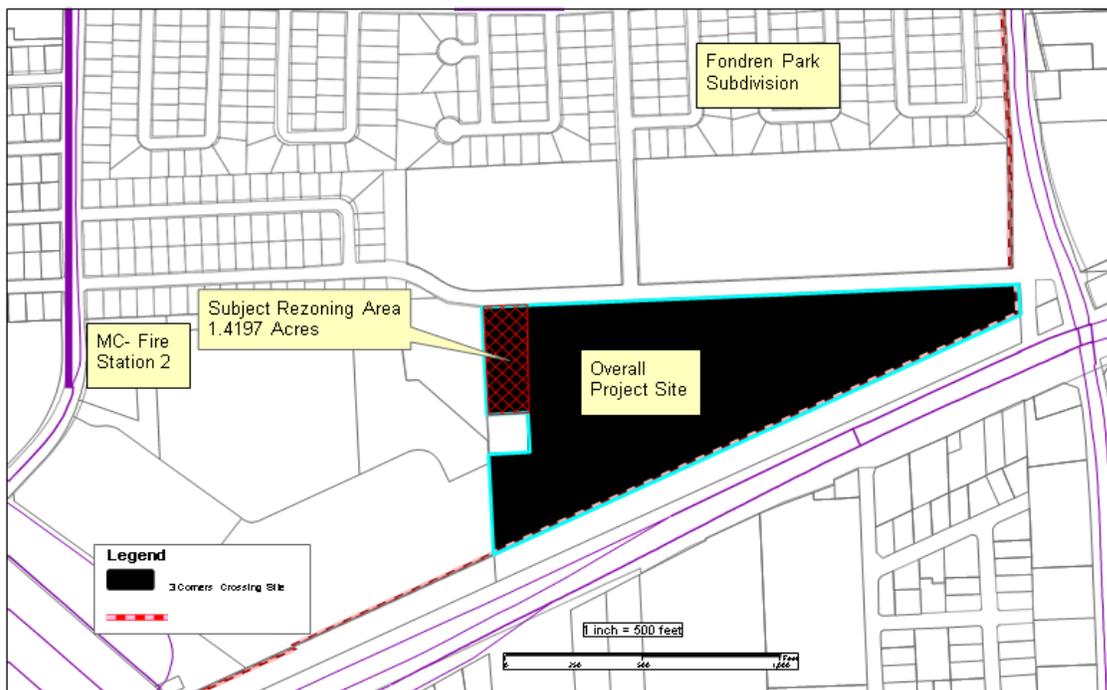
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Monday, November 4, 2019, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request submitted by Harrier Houston Group, LP, on behalf of Heron Houston Partners, LP to rezone an approximate 1.4197 acre, part of the total 23.278 acre tract, from “CF”, community facilities district to “I”, industrial district; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject property is located on the south side of E. Hampton Circle, north of Hwy. 90A, west of Fondren Road, and east of McClain Blvd.

SITE LEGAL DESCRIPTION: The subject is described as being 1.4197 acres of land situated out of a called 23.279 acre tract conveyed to Heron Houston Partners, LP, as described in the deed recorded under Clerk’s File No. RP-2018-366257 in the Official Public Records, Harris County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review at City Hall, Missouri City, Texas on Monday through Friday from 8:00 a.m. to 4:00 p.m. You may call 281-403-8600 or email the Development Services Department-Planning Division at planning@missouricitytx.gov for further information.



SOUTHWEST HARRIS COUNTY MUD NO 1
11111 KATY FWY STE 725
HOUSTON TX 77079-2175

HARRIS COUNTY WCID FONDREN RD.
11111 KATY FWY STE 725
HOUSTON TX 77079-2175

HERON HOUSTON PARTNERS LP
1130 ENCLAVE PKWY
HOUSTON TX 77077-1606

RELP GATEWAY LLC
9830 COLONNADE BLVD STE 600
SAN ANTONIO TX 78230-2209

IMANI SCHOOL
12401 S. POST OAK RD
HOUSTON TX 77045-2020

GATEWAY SW INDUSTRIAL PARK PO ASC
9830 COLONNADE BLVD SUITE 600
SAN ANTONIO TX 778230

HOUSTON ISD
4400 W 18TH ST
HOUSTON TX 77092-8501

CITY OF HOUSTON, PARCEL A86-73
PO BOX 1562
HOUSTON TX 77251-1562

SOUTHWEST HARRIS COUNTY MUD NO 1
11111 KATY FWY STE 725
HOUSTON TX 77079-2175

HARRIS COUNTY WCID FONDREN RD.
11111 KATY FWY STE 725
HOUSTON TX 77079-2175

SOUTHERN PACIFIC RAILROAD CO.
UNION PACIFIC RAILROAD CO.
1400 DOUGLAS ST STOP 1640
OMAHA NE 68179-1001

~~SOUTHERN PACIFIC RAILROAD CO.
UNION PACIFIC RAILROAD CO.
1400 DOUGLAS ST STOP 1640
OMAHA NE 68179-1001~~

UNION PACIFIC RAILROAD CO.
1400 DOUGLAS ST STOP 1640
OMAHA NE 68179-1001

HAMID ABDULLAH AL ATTAS TRSTE
12014 LEGEND MANOR DR
HOUSTON TX 77082-3092

HERON HOUSTON PARTNERS LP
1130 ENCLAVE PKWY.
HOUSTON TX 77077-1606

GALAMMA INC.
9231 KAPRI LN.
HOUSTON TX 77025-4203

RELP GATEWAY LLC
9830 COLONNADE BLVD STE 600
SAN ANTONIO TX 78230-2209

IMANI SCHOOL
12401 S POST OAK RD
HOUSTON TX 77045-2020

GATEWAY SW INDUSTRIAL PARK PO ASC
9830 COLONNADE BLVD SUITE 600
SAN ANTONIO TX 778230

From: Rubins Enterprises Inc [REDACTED]
Sent: Monday, October 7, 2019 8:18 AM
To: [REDACTED]
Subject: Fw: Traffic issue consideration

[REDACTED]

On Sun, Oct 6, 2019 at 5:33 PM, Rubins Enterprises Inc

[REDACTED] wrote:

Please submit this request Monday , October 7th, 2019,prior to the 5:35 pm meeting, to the Council Members and to the Planning and Zoning Commission to please consider the traffic effect on the Fondren Park Community. It will be turning residential streets, which are not boulevards, into major thorough fares.....not to mention the back up on Fondren Road. The grid lock will affect Main Street as well. The extra abundance of traffic will put a hardship on our residents and fear of possible hindrances on EMS vehicles placing resident's homes and health at risk.

We also request an environmental impact be performed prior to any consideration, not after, as this would be too late. A prior council person acknowledged this should always be done prior.

Would so appreciate your sending this on to the requested people as they are are at your finger tips. Thanking you in advance, Raquel Henderson



**Council Agenda Item
November 4, 2019**

7. **PUBLIC HEARINGS AND RELATED ACTIONS**
 - (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

November 4, 2019

To: Mayor and City Council
Agenda Item: 9(a) 2020 Medical Insurance Benefits Contract
Submitted by: Martin Russell PHR, SHRM-CP Director Human Resources & Org. Dev

SYNOPSIS

This is a request to authorize the City Manager (CM) to enter into an agreement with Blue Cross Blue Shield of Texas (BCBSTX) to provide dual option medical insurance services. This request also includes an authorization to enter into contractual agreement with MetLife to provide a dual option dental insurance policy for one (1) year.

All other benefits agreements for insurance services essential to the City's Total Rewards package, including Vision, Basic Life, Accidental Death & Dismemberment, and Long-Term Disability for Active & Retired employees are under multi-year contracts and will not require additional authorization from Council for the 2020 benefits calendar year.

STRATEGIC PLAN 2020 GOALS ADDRESSED

- Maintain a financially sound City
- Develop a high performing City team

BACKGROUND

Consistent with its strategy of maintaining a financially sound and high performing organization, the City of Missouri City offers its employees a comprehensive Total Rewards package that includes market competitive salaries, health, dental, vision, life, accidental death, dismemberment, long-term disability, retirement contributions, optional individual retirement accounts, employee development and tuition reimbursement.

BCBS – Health

During the 2019 insurance year (January – December) the City experienced a 69% loss ratio (total claims divided by premium). This is much more favorable compared to plan year 2018 when the City experienced a 104.1% loss ratio. At Mid-Year, staff projected a conservative increase of 12% to medical premiums for the 2020 plan year. BCBS underwriting presented an initial proposed increase of 4.2%, which was decreased to -1% with no plan changes.

2019 Total projected <u>medical</u> insurance charges:	\$4,647,995
2020 Proposed <u>medical</u> insurance premium:	\$4,569,198 (annual amount)
2020 rate <u>medical</u> insurance rate decrease:	-1% or \$46,485

MetLife – Dental

MetLife presented a +5% increase to Dental Preferred Provider Option (DPPO) rates for the 2020 plan year, assuming no plan design changes, and 0% increase for the Dental Health Maintenance Organization (DHMO). After negotiations, the City secured what was a best and final offer of +3%, or \$6,176 over current rates for 2020.

The Human Resources Department continues to partner with internal and external partners/vendors to maintain focus on our Wellness initiatives for employees and their dependents.

According to the Center for Disease Control, “chronic diseases – such as heart disease, stroke, cancer, diabetes and arthritis – are among the most common, costly and preventable of all health problems in the United States. The City of Missouri City intends to continue providing the opportunities to its employees and championing overall wellness (Wellness Committee) via our programs and initiatives to improve the likelihood of controlling, as much as we can, our overall wellness and thus, subsequent cost of insurance.

Staff recommends making no plan design changes for 2020. Additionally, staff recommends that the City absorb the -2% decreased to the medical premium cost. Active employees would not see a decrease in the cost of their benefits for 2020.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Fund	101-51403-Various*	N/A	\$4,503,803	\$4,366,107	\$4,366,107**

*The City budgets benefits at the position level within each department/division. The funds budgeted reflect projected costs from October 1, 2019 through September 30, 2020.

**Amount requested includes the remaining costs at the current rates and 9 months of premiums at the new rates paid from FY 20 budget; the remaining 3 months will be budgeted in FY 21 budget.

Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager
Financial/Budget Review: Bertha P. Alexander, Budget & Financial Reporting Manager

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

SUPPORTING MATERIALS

1. 2020 H.S.A. Medical Data Sheet;
2. 2020 PPO Medical Data Sheet;
3. Proposed 2020 Rates for Active, Retired <65, Retired >65 and COBRA

STAFF'S RECOMMENDATION

Staff recommends approving as presented

Director Approval: Martin Russell PHR, SHRM-CP
Director of Human Resources & Org. Development

City Manager Approval: Anthony J. Snipes, City Manager



The City of Missouri City Insurance Trust Fund

Prospective Premium Projection
for the period
January 1, 2020 - December 31, 2020

Fully Insured Renewal

Presented by:

Stacy Lair



The City of Missouri City Insurance Trust Fund

Prospective Premium Projection
January 1, 2020 - December 31, 2020
Fully Insured Renewal

Affordable Care Act (ACA) Disclaimer

If your existing group health plan or group health insurance coverage (each "plan") was in effect on March 23, 2010, it may be a "grandfathered health plan" as that term is " defined in the Affordable Care Act and related regulations (currently 75 Fed. Reg. 34538). "

Federal regulations have been published regarding the maintenance and loss of grandfathered health plan status. We encourage you to confer with your own legal counsel to determine what benefit changes or other events may cause the loss of grandfathered health plan status and to evaluate the benefit options that are most suitable for you.

The following proposed benefit programs are not considered "grandfathered health plans".



The City of Missouri City Insurance Trust Fund

Prospective Premium Projection
for the period
January 1, 2020 - December 31, 2020
Fully Insured Renewal

TOTAL PROJECTED COST BY OPPORTUNITY

Please refer to the ACA Disclaimer regarding benefits and final pricing.

RENEWAL

Projected Enrollment	377
Total Projected Net Claims	\$4,078,160
Pooling (\$175,000 Level)	\$399,243
Risk	(\$45,453)
Total Benefit Charges	\$4,431,950
Desired Loss Ratio (DLR)	96.00%
Required Premium	\$4,478,116
Allocated Taxes/Fees *	\$91,082
Total Required Premium	\$4,569,198
Premium at Current Rates	\$4,615,363
Total Required Premium/Premium at Current Rates	-1.00%

**Total premium due includes the effects of Health Insurer Fees and Reinsurance Fees (including but not limited to successor or alternate programs), if any, plus any federal and state taxes applicable to the fees for (BCBSTX) products/services.*



The City of Missouri City Insurance Trust Fund

Prospective Premium Projection
for the period
January 1, 2020 - December 31, 2020
Fully Insured Renewal

RATE DEVELOPMENT

Please refer to the ACA Disclaimer regarding benefits and final pricing.

	Active PPO			Active HSA			Ret. PPO <65			Ret. HSA <65		
Premium at Current Rates	\$2,905,554			\$1,565,972			\$134,416			\$9,421		
Rate Action	-1.0 %			-1.0 %			-1.0 %			-1.0 %		
Requested Premium at Renewal Rates *	\$2,876,492			\$1,550,314			\$133,071			\$9,327		
Allocated Taxes and Fees	\$57,341			\$30,903			\$2,652			\$186		
	Lives	Current	Renewal *	Lives	Current	Renewal *	Lives	Current	Renewal *	Lives	Current	Renewal *
HCSC Primary												
Single	68	\$626.52	\$620.25	82	\$524.07	\$518.83	0	\$469.91	\$465.21	0	\$392.56	\$388.63
Single + Spouse	26	\$1,348.46	\$1,334.98	16	\$1,128.00	\$1,116.72	0	\$830.53	\$822.22	0	\$997.00	\$987.03
Single + Child(ren)	34	\$1,103.53	\$1,092.49	31	\$923.09	\$913.86	0	\$1,157.50	\$1,145.93	0	\$786.09	\$778.23
Family	69	\$1,830.72	\$1,812.41	26	\$1,531.23	\$1,515.92	0	\$1,616.77	\$1,600.60	0	\$1,400.37	\$1,386.37
Total	198			157			20			2		

*Total premium due includes the effects of Health Insurer Fees and Reinsurance Fees (including but not limited to successor or alternate programs), if any, plus any federal and state taxes applicable to the fees for (BCBSTX) products/services.

This renewal is NET of Commissions.



The City of Missouri City Insurance Trust Fund

Prospective Premium Projection
January 1, 2020 - December 31, 2020
Fully Insured Renewal

CONDITIONS AND CAVEATS

Please refer to the ACA Disclaimer regarding benefits and final pricing.

Notwithstanding anything in the renewal or proposal to the contrary, BCBSTX reserves the right to revise or withdraw our offer or to change our charge for the cost of coverage (premium or other amounts) at any time before or during the contract period if any local, state or federal legislation, regulation, rule or guidance (or amendment or clarification thereto) is enacted or becomes effective/implemented, which would require BCBSTX to pay, submit or forward, on its own behalf or on the Employer Group's behalf, any additional tax, surcharge, fee, or other amount (all of which may be estimated, allocated or pro-rated amounts).

NOTICE: AFFORDABLE CARE ACT (ACA) FEES

ACA established a number of taxes and fees that will affect our customers and their benefit plans. Two of those fees are: (1) the Annual Fee on Health Insurers or "Health Insurer Fee"; and (2) the Transitional Reinsurance Program Contribution Fee or "Reinsurance Fee." Both the Reinsurance Fee and Health Insurer Fee began in 2014.

Section 9010(a) of ACA requires that "covered entities" providing health insurance ("health insurers") pay an annual fee to the federal government, commonly referred to as the Health Insurer Fee. The amount of this fee for a given calendar year is determined by the federal government and involves a formula based in part on a health insurer's net premiums written with respect to health insurance on certain health risk during the preceding calendar year. This fee helps fund premium tax credits and cost-sharing subsidies offered to certain individuals who purchase coverage on health insurance exchanges.

In addition, ACA Section 1341 provides for the establishment of a temporary reinsurance program(s) (for a three (3) year period (2014-2016)) which is funded by Reinsurance Fees collected from health insurance issuers and self-funded group health plans. Federal and state governments provide information as to how these fees are calculated. Federal regulations establish a flat, per member, per month fee. The temporary reinsurance programs, funded by these Reinsurance Fees, help to stabilize premiums in the individual market.

Your premium, which already accounts for current applicable federal and state taxes, includes the effects of the Health Insurer and Reinsurance Fees. These rates may be adjusted on an annual basis for any incremental changes in Health Insurer Fees and Reinsurance Fees.

The Affordable Care Act establishes a minimum value standard of benefits of a health plan. The minimum value standard is 60% (actuarial value). This health coverage does meet the minimum value standard for the benefits it provides.

After the initial benefit plan design(s) is quoted, HCSC will not be providing a Minimum Value determination for any requested alternative benefit plan design(s). After you have notified HCSC of your final benefit plan design selection(s) for the upcoming policy year or renewal period, a statement indicating whether each selected benefit plan design meets/does not meet Minimum Value standards will be included in the corresponding Summary of Benefits and Coverage document(s) provided by HCSC.

Rates are projected to be effective for the 12-month period beginning on the effective date indicated.
Final rates may vary based on actual enrollment results.

This renewal offer assumes BCBSTX will remain the exclusive carrier.

The total annual premiums are based upon the total current enrollment and contract distribution as indicated.

If the enrollment or contract distribution varies by more than 10% in total or in each coverage independently, we reserve the right to re-rate.

The minimum participation requirement is 75% without waivers and 65% with valid waivers in order for coverages to be issued.

The employer maintaining the current contribution schedule.

Annual open enrollment.

Upon inquiry from employer groups, BCBSTX will provide information to the employer group regarding commissions and other compensation paid to the employer's agent by BCBSTX in connection with the employer's policy or contract with BCBSTX.

Wellbeing Management (Health Management & Advocacy program) is included in the quoted administration fee.

Offer is contingent upon proposed Wellbeing Management package design. Any modifications to the proposed package will impact the Wellbeing Management fee and Administrative Fee.

This renewal is NET of Commissions.

	HSA	PPO
	Current/Renewal	Current/Renewal
Deductible		
In-Network	\$2,000 Ind./\$4,000 Fam.	\$1,000 Ind./\$2,000 Fam.
Non-Network	\$4,000 Ind./\$8,000 Fam.	\$2,000 Ind./\$4,000 Fam.
Out Of Pocket Max	Non-Embedded	Includes Deductible
In-Network	\$4,000 Ind./\$6,850 Fam.	\$3,000 Ind./\$6,000 Fam.
Non-Network	\$8,000 Ind./\$16,000 Fam.	\$6,000 Ind./\$12,000 Fam.
Coinsurance		
In-Network	90%	80%
Non-Network	70%	60%
Lifetime Max	Unlimited	Unlimited
Emergency Room		
In-Network	Ded./10%	\$100 Copay/20%
Non-Network	Ded./30%	\$100 Copay/20%
Maternity	Included	Included
Physician Office Visit		
In-Network	Ded./10%	\$30 Copay
Non-Network	Ded./30%	Ded./40%
Specialist Office Visit		
In-Network	Ded./10%	\$50 Copay
Non-Network	Ded./30%	Ded./40%
Preventive Care		
In-Network	Covered at 100%	Covered at 100%
Non-Network	Ded./30%	Ded./40%
Urgent Care		
In-Network	Ded./10%	\$50 Copay
Non-Network	Ded./30%	Ded./40%
Diagnostic Lab & X-Ray	(CT, PET, MRI, MRA)	(CT, PET, MRI, MRA)
In-Network	Ded./10%	Ded./20%
Non-Network	Ded./30%	Ded./40%
In-Patient Hospital	Per Admission	Per Admission
In-Network	Ded./10%	Ded./20%
Non-Network	Ded./30%	Ded./40%
Out-Patient	Per Admission	Per Admission
In-Network	Ded./10%	Ded./20%
Non-Network	Ded./30%	Ded./40%
Prescriptions		
Network Retail Pharmacy		\$10 / \$45 / \$80
Mail Order	Ded./10%	\$20 / \$90 / \$160
Specialty Drugs		\$100

Note: This is a brief summary and not intended to be a contract.

**CITY OF MISSOURI CITY
EMPLOYEE HEALTH, DENTAL, VISION PREMIUMS
JANUARY 1, 2020 - DECEMBER 31, 2020**

ACTIVE EMPLOYEE RATE

				TOTAL MONTHLY PREMIUM	TOTAL PREMIUM	EMPLOYEE PAYS MONTHLY
MEDICAL-HSA/DENTAL HMO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH	DENTAL	VISION			
Employee Only	\$518.83	\$13.14	\$6.55	\$538.52	\$538.52	\$0.00
Emp/Spouse	\$1,116.72	\$24.99	\$11.04	\$1,152.75	\$1,152.75	\$173.60
Emp/Child(ren)	\$913.86	\$26.29	\$11.55	\$951.70	\$951.70	\$115.44
Emp/Family	\$1,515.92	\$42.70	\$15.97	\$1,574.59	\$1,574.59	\$291.93
MEDICAL-HSA/DENTAL PPO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH	DENTAL	VISION			
Employee Only	\$518.83	\$24.99	\$6.55	\$550.37	\$550.37	\$16.65
Emp/Spouse	\$1,116.72	\$49.23	\$11.04	\$1,176.99	\$1,176.99	\$209.79
Emp/Child(ren)	\$913.86	\$67.87	\$11.55	\$993.28	\$993.28	\$172.05
Emp/Family	\$1,515.92	\$90.77	\$15.97	\$1,622.66	\$1,622.66	\$357.42
MEDICAL-PPO/DENTAL HMO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH	DENTAL	VISION			
Employee Only	\$620.25	\$13.14	\$6.55	\$639.94	\$639.94	\$37.74
Emp/Spouse	\$1,334.98	\$24.99	\$11.04	\$1,371.01	\$1,371.01	\$241.98
Emp/Child(ren)	\$1,092.49	\$26.29	\$11.55	\$1,130.33	\$1,130.33	\$166.50
Emp/Family	\$1,812.41	\$42.70	\$15.97	\$1,871.08	\$1,871.08	\$381.84
MEDICAL-PPO/DENTAL PPO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH	DENTAL	VISION			
Employee Only	\$620.25	\$24.99	\$6.55	\$651.79	\$651.79	\$54.39
Emp/Spouse	\$1,334.98	\$49.23	\$11.04	\$1,395.25	\$1,395.25	\$278.61
Emp/Child(ren)	\$1,092.49	\$67.87	\$11.55	\$1,171.91	\$1,171.91	\$223.11
Emp/Family	\$1,812.41	\$90.77	\$15.97	\$1,919.15	\$1,919.15	\$447.33

**CITY OF MISSOURI CITY
EMPLOYEE HEALTH, DENTAL, VISION PREMIUMS
JANUARY 1, 2020 - DECEMBER 31, 2020**

RETIRED - UNDER AGE 65

	TOTAL MONTHLY PREMIUM	CITY PAYS MONTHLY	RETIREE PAYS MONTHLY
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MEDICAL-HSA/DENTAL HMO/VISION

In Network Providers: See Benefits Highlight

Out of Network Providers: See Benefits Highlight

	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>			
Retiree Only	\$518.83	\$13.14	\$6.55	\$538.52	\$0.00	\$538.52
Retiree & Spouse	\$1,116.72	\$24.99	\$11.04	\$1,152.75	\$0.00	\$1,152.75
Retiree & Child(ren)	\$913.86	\$26.29	\$11.55	\$951.70	\$0.00	\$951.70
Retiree & Family	\$1,515.92	\$42.70	\$15.97	\$1,574.59	\$0.00	\$1,574.59

MEDICAL-HSA/DENTAL PPO/VISION

In Network Providers: See Benefits Highlight

Out of Network Providers: See Benefits Highlight

	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>			
Retiree Only	\$518.83	\$24.99	\$6.55	\$550.37	\$0.00	\$550.37
Retiree & Spouse	\$1,116.72	\$49.23	\$11.04	\$1,176.99	\$0.00	\$1,176.99
Retiree & Child(ren)	\$913.86	\$67.87	\$11.55	\$993.28	\$0.00	\$993.28
Retiree & Family	\$1,515.92	\$90.77	\$15.97	\$1,622.66	\$0.00	\$1,622.66

MEDICAL-PPO/DENTAL HMO/VISION

In Network Providers: See Benefits Highlight

Out of Network Providers: See Benefits Highlight

	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>			
Retiree Only	\$620.25	\$13.14	\$6.55	\$639.94	\$0.00	\$639.94
Retiree & Spouse	\$1,334.98	\$24.99	\$11.04	\$1,371.01	\$0.00	\$1,371.01
Retiree & Child(ren)	\$1,092.49	\$26.29	\$11.55	\$1,130.33	\$0.00	\$1,130.33
Retiree & Family	\$1,812.41	\$42.70	\$15.97	\$1,871.08	\$0.00	\$1,871.08

MEDICAL-PPO/DENTAL PPO/VISION

In Network Providers: See Benefits Highlight

Out of Network Providers: See Benefits Highlight

	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>			
Retiree Only	\$620.25	\$24.99	\$6.55	\$651.79	\$0.00	\$651.79
Retiree & Spouse	\$1,334.98	\$49.23	\$11.04	\$1,395.25	\$0.00	\$1,395.25
Retiree & Child(ren)	\$1,092.49	\$67.87	\$11.55	\$1,171.91	\$0.00	\$1,171.91
Retiree & Family	\$1,812.41	\$90.77	\$15.97	\$1,919.15	\$0.00	\$1,919.15

**CITY OF MISSOURI CITY
EMPLOYEE HEALTH, DENTAL, VISION PREMIUMS
JANUARY 1, 2020 - DECEMBER 31, 2020**

RETIRED OVER AGE 65

				TOTAL MONTHLY PREMIUM	CITY PAYS	RETIRED OVER 65 MONTHLY
MEDICAL-HSA(Carve-Out)/DENTAL HMO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH DENTAL VISION					
Retiree Only > 65	\$388.63	\$13.14	\$6.55	\$408.32	\$408.32	\$0.00
Retiree > 65 / Spouse	\$987.03	\$24.99	\$11.04	\$1,023.06	\$408.32	\$614.74
Retiree > 65 / Spouse	\$778.23	\$26.29	\$11.55	\$816.07	\$408.32	\$407.75
Retiree > 65 / Depend	\$1,386.37	\$42.70	\$15.97	\$1,445.04	\$408.32	\$1,036.72
MEDICAL-HSA(Carve-Out)/DENTAL PPO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH DENTAL VISION					
Retiree Only > 65	\$388.63	\$24.99	\$6.55	\$420.17	\$408.32	\$11.85
Retiree > 65 / Spouse	\$987.03	\$49.23	\$11.04	\$1,047.30	\$408.32	\$638.98
Retiree > 65 / Spouse	\$778.23	\$67.87	\$11.55	\$857.65	\$408.32	\$449.33
Retiree > 65 / Depend	\$1,386.37	\$90.77	\$15.97	\$1,493.11	\$408.32	\$1,084.79
MEDICAL-PPO (Carve-Out)/DENTAL HMO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH DENTAL VISION					
Retiree Only > 65	\$465.21	\$13.14	\$6.55	\$484.90	\$436.75	\$48.15
Retiree > 65 / Spouse	\$822.22	\$24.99	\$11.04	\$858.25	\$436.75	\$421.50
Retiree > 65 / Spouse	\$1,145.93	\$26.29	\$11.55	\$1,183.77	\$436.75	\$747.02
Retiree > 65 / Depend	\$1,600.60	\$42.70	\$15.97	\$1,659.27	\$436.75	\$1,222.52
MEDICAL-PPO(Carve-Out)/DENTAL PPO/VISION						
<i>In Network Providers: See Benefits Highlight</i>						
<i>Out of Network Providers: See Benefits Highlight</i>						
	HEALTH DENTAL VISION					
Retiree Only > 65	\$465.21	\$24.99	\$6.55	\$496.75	\$436.75	\$60.00
Retiree > 65 / Spouse	\$822.22	\$49.23	\$11.04	\$882.49	\$436.75	\$445.74
Retiree > 65 / Spouse	\$1,145.93	\$67.87	\$11.55	\$1,225.35	\$436.75	\$788.60
Retiree > 65 & Family	\$1,600.60	\$90.77	\$15.97	\$1,707.34	\$436.75	\$1,270.59

**CITY OF MISSOURI CITY
EMPLOYEE HEALTH, DENTAL, VISION PREMIUMS
JANUARY 1, 2020 - DECEMBER 31, 2020**

COBRA

				TOTAL MONTHLY PREMIUM	CITY PAYS MONTH	2% VENDOR ADMIN FEE	SEPARATED EMPLOYEE PAYS
MEDICAL-HSA/DENTAL HMO/VISION							
<i>In Network Providers: See Benefits Highlight</i>							
<i>Out of Network Providers: See Benefits Highlight</i>							
	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>				
Separated ee ONLY	\$518.83	\$13.14	\$6.55	\$538.52	\$0.00	\$10.77	\$549.29
Separated ee & Spouse	\$1,116.72	\$24.99	\$11.04	\$1,152.75	\$0.00	\$23.06	\$1,175.81
Separated ee & Child(ren)	\$913.86	\$26.29	\$11.55	\$951.70	\$0.00	\$19.03	\$970.73
Separated ee & Family	\$1,515.92	\$42.70	\$15.97	\$1,574.59	\$0.00	\$31.49	\$1,606.08
MEDICAL-HSA/DENTAL PPO/VISION							
<i>In Network Providers: See Benefits Highlight</i>							
<i>Out of Network Providers: See Benefits Highlight</i>							
	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>				
Separated ee ONLY	\$518.83	\$24.99	\$6.55	\$550.37	\$0.00	\$11.01	\$561.38
Separated ee & Spouse	\$1,116.72	\$49.23	\$11.04	\$1,176.99	\$0.00	\$23.54	\$1,200.53
Separated ee & Child(ren)	\$913.86	\$67.87	\$11.55	\$993.28	\$0.00	\$19.87	\$1,013.15
Separated ee & Family	\$1,515.92	\$90.77	\$15.97	\$1,622.66	\$0.00	\$32.45	\$1,655.11
MEDICAL-PPO/DENTAL HMO/VISION							
<i>In Network Providers: See Benefits Highlight</i>							
<i>Out of Network Providers: See Benefits Highlight</i>							
	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>				
Separated ee ONLY	\$620.25	\$13.14	\$6.55	\$639.94	\$0.00	\$12.80	\$652.74
Separated ee & Spouse	\$1,334.98	\$24.99	\$11.04	\$1,371.01	\$0.00	\$27.42	\$1,398.43
Separated ee & Child(ren)	\$1,092.49	\$26.29	\$11.55	\$1,130.33	\$0.00	\$22.61	\$1,152.94
Separated ee & Family	\$1,812.41	\$42.70	\$15.97	\$1,871.08	\$0.00	\$37.42	\$1,908.50
MEDICAL-PPO/DENTAL PPO/VISION							
<i>In Network Providers: See Benefits Highlight</i>							
<i>Out of Network Providers: See Benefits Highlight</i>							
	<u>HEALTH</u>	<u>DENTAL</u>	<u>VISION</u>				
Separated ee ONLY	\$620.25	\$24.99	\$6.55	\$651.79	\$0.00	\$13.04	\$664.83
Separated ee & Spouse	\$1,334.98	\$49.23	\$11.04	\$1,395.25	\$0.00	\$27.91	\$1,423.16
Separated ee & Child(ren)	\$1,092.49	\$67.87	\$11.55	\$1,171.91	\$0.00	\$23.44	\$1,195.35
Separated ee & Family	\$1,812.41	\$90.77	\$15.97	\$1,919.15	\$0.00	\$38.38	\$1,957.53

**Includes 2% COBRA Admin fee*



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

November 4, 2019

To: Mayor and City Council
Agenda Item: 9(b) Authorize the City Manager to modify and amend the current City contract # 18-044 with Metroclean Commercial Building Services to include additional services.
Submitted by: Jason Mangum, Director of Parks and Recreation

SYNOPSIS

Staff requests authorization for the City Manager to modify and amend the current City contract # 18-044 with Metroclean Commercial Building Services to include additional services

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

Currently, the City has a contract (#18-044) for the routine janitorial services for most facilities in the City with Metroclean Commercial Building Services. The Parks and Recreation Department would like to amend this contract to add routine and bi-weekly trash pick-up at some of our major parks. This amendment would free our employees to complete other, equally significant tasks in our parks.

The parks that will receive this service are:

- American Legion Park
- Buffalo Run Park
- Community Park
- Hunters Glen Park
- Independence Park
- MacNaughton Park
- Ridgeview Park
- Roane Park
- StaMo Sports Complex

At a monthly cost of \$ 6,133.92. This service will commence immediately upon execution of an amended agreement, so the City anticipates this agreement for the balance of the fiscal year (approximately 10 months).

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project / Account Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Fund	101-53504-16-150-	Contractual Services	\$325,083	\$ 325,083	\$ 61,340

Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager
Financial/Budget Review: Bertha P. Alexander, Budget & Financial Reporting Manager

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

SUPPORTING MATERIALS

1. Quote from Metroclean

STAFF'S RECOMMENDATION

Authorize the City Manager to modify and amend the current City contract # 18-044 with Metroclean Commercial Building Services to include additional services.

Director Approval: Jason Mangum, Director of Parks and Recreation

**Assistant City Manager/
City Manager Approval: Glen A. Martel, ACM**



Alan Phillips
CIP Procurement Specialist
City of Missouri City

October 16, 2019

Dear Alan,

It's a pleasure to present Metroclean's capabilities to you. We are excited to provide our pricing based on a customized program that meets your specific needs.

You're choosing the right company when you select Metroclean as your preferred janitorial company. We take pride in keeping your facility clean and attractive; thus making you look good! Metroclean offers something different — the experience and planning to help save you money while still providing uncompromising, exceptional service.

The following price is for City park location cleaning commencing upon approval and agreed upon start date.

SPECIAL SERVICES	Cost Per Month
<ul style="list-style-type: none"> • Priority 1 Locations • Monday/Friday Servicing 	\$6,133.92
Total	\$6,133.92

X _____
Approved

Thank you for considering our bid. We look forward to hearing from you soon.
Sincerely,

Jose Perez
President
Metroclean
713-255-0109



CITY COUNCIL AGENDA ITEM COVER MEMO

November 4, 2019

To: Mayor and City Council
Agenda Item: 9(c) Consider authorizing the City to dedicate an access easement to the developer consistent with the Dry Creek road and drainage agreement.
Submitted by: Jeremy D. Davis, P.E., Assistant City Engineer

SYNOPSIS

The developer for the Dry Creek Village (FLC Parkway, LP), requires additional road access for ingress and egress to serve the needs of the development from Trammel Fresno Rd, via the City owned land in fee. Through this authorization, the City is providing the access easement shown in Exhibit A to the developer, which is consistent with the already executed Dry Creek road and drainage agreement between the City and the developer (Exhibit B).

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

On January 7th, 2019, the City of Missouri City entered into an agreement with FLP Parkway, LP (the developers for Dry Creek Village) to construct additional drainage detention in and around the development to serve the needs of the public, including the needs of the development. In addition, the spoil from the excavation of detention pond would be made available for City's use, which is being used in the Mustang Bayou wastewater expansion project.

In return, the City of Missouri City would allow the developer to construct a secondary access easement utilizing City property located at the north-west corner of Trammel Fresno Rd. and Fort Bend Parkway to serve the needs of the development. This access easement is being dedicated to the developer for the construction of secondary access, primarily for facilitating access to emergency response vehicles consistent with the already executed Dry Creek road and drainage agreement.

BUDGET/FISCAL ANALYSIS

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

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

Exhibit "A"

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	95.00'	89°47'26"	148.88'	N 44°53'43" E	134.10'
C2	630.00'	8°34'00"	94.20'	S 85°55'34" E	94.11'
C3	480.00'	0°47'56"	6.69'	N 82°02'32" W	6.69'
C4	570.00'	8°34'00"	85.22'	N 85°55'34" W	85.14'
C5	35.00'	89°47'26"	54.85'	S 44°53'43" W	49.41'

LINE	BEARING	DISTANCE
L1	N 82°28'16" E	67.92'
L2	N 00°00'00" W	93.32'
L3	S 81°38'34" E	86.50'
L4	S 02°54'03" E	61.13'
L5	N 81°38'34" W	91.74'
L6	S 00°00'00" E	85.39'
L7	S 82°28'16" W	60.52'
L8	S 02°54'03" E	70.99'

CALLED 7.5148 ACRES
TO CITY OF MISSOURI CITY, TX
BY SPECIAL WARRANTY DEED
CF No. 2008122112
FBCOPR

60' ACCESS EASEMENT
0.5143 ACRE

CALLLED 63.369 ACRES
TO VICKSBURG ESTATES, LTD.
BY SPECIAL WARRANTY DEED
CF No. 1999082609
FBCOPRRP

CALLLED 88.1380 ACRES
TO FLC PARKWAY, LP
BY CORRECTION
GENERAL WARRANTY DEED
CF No. 2014050617
FBCOPR

CALLLED 0.6274 ACRE
TO FORT BEND TOLL ROAD AUTHORITY
BY AGREED FINAL JUDGEMENT
CF No. 2003114427
FBCOPR

CALLLED 0.2569 ACRE
TO FORT BEND COUNTY
TOLL ROAD AUTHORITY
BY SPECIAL WARRANTY DEED
CF No. 2002143314
FBCOPR

POB
POC
FND "CSC"

PFC FROM WHICH
A FND "CSC"
BRS S 09°18'08" W, 0.46'



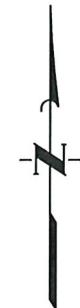
EXHIBIT
OF AN
ACCESS EASEMENT
BEING
0.5143 OF AN ACRE
OUT OF THE
ELIJAH ROARK LEAGUE, A-77
FORT BEND COUNTY, TEXAS
JULY 2019

LEGEND

- BRS BEARS
- CF CLERK'S FILE
- "CSC" 3/4-INCH IRON ROD (WITH CAP STAMPED "COTTON SURVEYING")
- FND FOUND
- FBCOPR FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
- FBCPR FORT BEND COUNTY PLAT RECORDS
- IR IRON ROD
- No. NUMBER
- PFC POINT FOR CORNER
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- ROW RIGHT-OF-WAY

General Notes:

- Bearings shown hereon are based on the Texas Coordinate System of 1983, South Central Zone.
- A Metes and Bounds description of this tract is available in the offices of Jones|Carter in Bellaire, Texas.
- Improvements and Easements are not shown hereon.



NORTH
SCALE: 1" = 100'



COTTON SURVEYING DIVISION
Texas Board of Professional Land Surveying Registration No. 10046100
6330 West Loop South, Suite 150 • Bellaire, TX 77401 • 713.777.5337

C:\00226\00226-0088-01 Dry Creek Village Section 2 Paving & Pla\1 Surveying Phase\CAD Files\Final Dwg\13420 - 0.5143 Ac Access Esmt.dwg Jul 24, 2019

DRY CREEK ROAD AND DRAINAGE AGREEMENT

This Road and Drainage Agreement ("Agreement") is entered into between the City of Missouri City, Texas ("City"), a home-rule municipality organized under the laws of the State of Texas, and FLC Parkway, LP, and its successors or assigns ("Developer").

RECITALS

WHEREAS, the Developer is constructing a residential subdivision in the City to be known as Dry Creek Village (the "Development"); and

WHEREAS, the Developer requires additional road access for ingress and egress to serve the needs of the Development; and

WHEREAS, the City owns land in fee that can accommodate such road access for ingress and egress to serve the needs of the Development; and

WHEREAS, the construction of the road is consistent with the City's Major Thoroughfare Plan; and

WHEREAS, the City requires additional drainage detention in and around the Development to serve the needs of the public, including the needs of the Development; and

WHEREAS, the Developer owns land in fee that can accommodate the City's drainage detention needs; and

WHEREAS, the Developer desires to make available its land to accommodate the City's drainage detention needs;

NOW THEREFORE, THE CITY AND DEVELOPER AGREE AS FOLLOWS:

Section 1. Incorporation of Preamble

The facts and recitations contained in the preamble to this Agreement are true and correct and incorporated herein for all purposes.

Section 2. Consideration

For mutual consideration agreed and acknowledged by both the City and the Developer, the City and the Developer enter into this Agreement freely and voluntarily.

Section 3. Road Improvement Construction

- a. The City shall allow the Developer to construct a road and related improvements, including, but not limited to, a roadway, drainage, signage, fencing and landscaping, to serve the general public, including the Development, on City property described and depicted in Exhibit "A,"

Exhibit "B"

incorporated herein, made a part hereof for all purposes (hereinafter referred to as "City Property"). The general location, width, and length ("road alignment") of the road are depicted on Exhibit "B," which is attached hereto and incorporated herein for all purposes (hereinafter referred to collectively as the "Road Improvement"). Both parties acknowledge that the exact road alignment is unknown at this time, but shall generally follow the alignment as depicted on Exhibit "B." If the road alignment materially deviates from that depicted on Exhibit "B," Developer shall provide to the City Manager or his designee the new proposed road alignment for approval, which the City shall approve if such alignment meets the conditions of this Agreement and is in the best interest of the City. A temporary roadway may be constructed, provided that such roadway shall be constructed in conformance with the standards of a temporary pavement facilitating access to emergency response vehicles and, further provided, that such temporary roadway shall be dedicated as a temporary easement to the City. The temporary roadway may be designed with temporary roadside ditches instead of underground storm sewer. The temporary roadway and access easement shall be maintained until the earlier of: (1) the construction of the permanent roadway infrastructure as part of Dry Creek Village Section 3, or (2) five (5) years after the construction and acceptance of roadway infrastructure for Dry Creek Village Section 2. During this interim period, the developer or designee shall maintain the temporary pavement and the dedicated access easement.

- b. The Developer agrees to comply with all federal, state, and local rules and regulations, City ordinances, including City building codes, City infrastructure design standards manuals, and specifications, and City platting and subdivision requirements in construction, placement, and alignment of the Road Improvement as part of Dry Creek Village Section 3 development. Until dedication of this roadway section thru final plat and the final acceptance of the roadway infrastructure by the City, the City shall not assume the maintenance responsibility.
- c. The Developer and City agree that the temporary roadway (secondary access) is required as part of Dry Creek Village Section 2 development and will be constructed contemporaneously with the construction of Dry Creek Village Section 2 infrastructure within a 60-foot wide easement. If the Road Improvement is not constructed within the timeframe as set forth in this subsection or as otherwise agreed to in writing by the City and the Developer, the Developer may request, in writing to the City Manager or his designee, an extension of time, up to six (6) months. At his sole discretion, the City Manager or his designee may grant such extension if an unusual or compelling circumstance warrants an extension.

Exhibit "B"

- d. The Developer agrees to secure and pay for all required permits, whether from the City, the Texas Department of Transportation, Fort Bend County, or any other permitting agency, prior to any road construction.
- e. The Developer agrees to allow the City to inspect the road construction at any time the City deems necessary. The Developer further agrees that, from the effective date of this Agreement, this Agreement serves as a right of entry without any further notice, approval, or authorization from the Developer to the City for the City to come onto or into any of Developer's property, real or personal, for the construction of the Road Improvement. From the effective date of this Agreement, this Agreement shall serve as a right of entry, without any further notice, approval, or authorization from the City to the Developer for the Developer to enter the City's Property for the sole purpose of constructing the Road Improvement. Such right of entry shall terminate on the earlier of the date on which the City accepts the Road Improvement or five (5) years from the date of this Agreement if the Road Improvements are not constructed by then.
- f. If the Developer fails, refuses, or is unable to construct the Road Improvement for any reason, the Developer shall still provide the City with the drainage detention easement described in Section 4 below. Developer acknowledges and agrees that the City's action of entering into this Agreement is sufficient consideration to grant to the City a drainage detention easement regardless of whether the Developer can or does construct the Road Improvement.
- g. The Developer agrees to dedicate the Road Improvement to the City for public use in accordance with the City's subdivision and platting process as part of the platting of Dry Creek Village Section 3 and further agrees that no part of the Road Improvement shall be private, gated, or otherwise obstruct the free movement of travel. If Dry Creek Village Section 3 is not constructed within five (5) years after the construction and acceptance of the roadway infrastructure for Dry Creek Village Section 2, Developer agrees to plat the Road Improvement easement as public right-of-way in accordance with the City's subdivision and platting process. Developer acknowledges and agrees that the requirement and dedication of the Road Improvement are directly related to and for the benefit of the Development and are proportionate to the impact of Development on the City's traffic system.
- h. Upon acceptance of the Road Improvement, the City shall maintain the Road Improvement.

Section 4. Drainage Detention Easement

- a. The Developer shall grant to the City a non-exclusive, permanent drainage detention easement to serve the City's drainage detention needs. Developer agrees to design the drainage detention easement in specific conformance with anticipated drainage design standard amendments proposed by the Fort Bend County Drainage District based on "Atlas 14" in 2019. Developer acknowledges and agrees that the granting of the permanent drainage easement to the City is directly related to, and for the benefit of, the Development, and is proportionate to the impact of Development on the City's drainage system. The general size and location of the drainage detention easement are described and depicted on Exhibit "C," which is attached hereto and incorporated herein for all purposes. Both parties acknowledge that the exact drainage detention size and location are unknown at this time, but shall generally follow the size and location as depicted on Exhibit "C." If the drainage detention size or location deviates from that depicted on Exhibit "C," the City shall provide to the Developer the new proposed drainage detention size or location. The Developer's approval shall not be unreasonably withheld.
- b. Upon construction of the drainage detention area, the Developer shall maintain the drainage detention area or convey the drainage detention area to a public entity so they can maintain such area.
- c. The Developer will excavate 55,000 cubic yards of the detention pond located within the Drainage Detention Easement, and place the excavation material immediately east and adjacent to the pond in the area identified as the "stockpile area" on Exhibit "D". The excavation material will be stockpiled in this location for the City's use. The City will have one (1) year after the completion of the detention pond to remove and relocate the stockpile material for the City's use. If the City removes and relocates material from the stockpile area, ownership of such material shall transfer to the City. If the material is not removed within one (1) year, the Developer shall maintain its ownership interest in the material to be used by the Developer, as needed.
- d. The Developer and the City agree that the two parties will enter into a Drainage Detention Easement agreement. The parties agree that the Drainage Detention Easement agreement shall be executed as part of the final plat approval of Dry Creek Village Section 2.
- e. The Developer shall complete the construction of the drainage detention within two (2) years of the recordation of the plat for Dry Creek Village Section 2, or as otherwise agreed to in writing by the City and the Developer. If the drainage detention is not constructed within the timeframe as set forth in this subsection

Exhibit "B"

or, or as otherwise agreed to in writing by the City and the Developer, the Developer may request, in writing, a six (6) month extension. At his sole discretion, the City Manager or his designee may grant such extension if an unusual or compelling circumstance warrants an extension.

- f. The Developer agrees to allow the City to inspect the drainage detention area at any time the City deems necessary. The Developer further agrees that, from the effective date of this Agreement, this Agreement serves as a right of entry, without any further notice, approval, or authorization from the Developer to the City, for the City to come onto or into any of Developer's property, as described in Exhibit "C."

Section 5. Sale

This Agreement shall run with the land described and depicted in Exhibit "C." Developer shall record a copy of this Agreement in the real property records of Fort Bend County and shall submit a file-stamped copy to the City promptly after such filing.

Section 6. Miscellaneous Provisions

- a. No waiver of immunity. Nothing contained in this Agreement shall waive the City's governmental or sovereign immunity from suit or liability.
- b. No Joint Enterprise. This Agreement is not intended to, and shall not be construed to create any joint enterprise between the City and the Developer. Developer understands and agrees that Developer will not be entitled to any benefits generally available to City employees or contractors. Developer agrees that Developer is responsible for all expenses necessary to carry out Developer's obligations, as set forth in this Agreement, and shall not be reimbursed by the City for such expenses.
- c. No Third Party Beneficiaries. This Agreement shall inure to the benefit of, and be binding upon, the City and the Developer. This Agreement is made for the benefit of the City and the Developer only and is not made for the benefit of, nor may it be enforced by, any person firm, corporation, or other entity not a party to this Agreement.
- d. Public Purpose. The City finds that this Agreement serves a public purpose.
- e. Assignment and Delegation. Developer shall not assign any rights or delegate any duties under this Agreement without the written permission of the City.
- f. Notices. The City and Developer agree that informal communication such as in-person meetings, telephone calls, web-based communications, and emails regarding this Agreement are acceptable; however, any notice

Exhibit "B"

regarding a breach or material change to this Agreement shall be in writing and sent to the following representative via first class mail, certified, with return receipt requested. Either party may change the recipient of notice with 10 days' notice by providing such notice in writing to the other party.

If to the City:

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

Copy to:

City of Missouri City Public Works Department
1522 Texas Parkway
Missouri City, Texas 77489
Attention: Director of Public Works

If to the Developer:

Rocky Lai & Associates, Inc.
3217 Montrose Blvd., Suite 222
Houston, TX 77006

- g. Authority. By executing this Agreement, both parties acknowledge that they have authority to enter into this Agreement.
- h. No waiver. Any failure by either party to enforce any provision or condition of this Agreement shall not be construed or deemed to be a waiver of any such provision or condition of this Agreement, nor a waiver of a subsequent breach of the same provision or condition or any other provision or condition.
- i. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Texas, without regard to conflict of law principles, and venue shall be in Fort Bend County, Texas.
- j. Term and Termination. This Agreement shall be in effect from the date of execution by the City or the Developer, whichever date is later, and may be terminated with the written consent of both parties.
- k. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Agreement 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 Agreement as a whole or any part of

provision hereof, other than the part declared to be invalid or unconstitutional; and the parties declare that it would have adopted each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.



CITY OF MISSOURI CITY, TEXAS

By: [Signature]
Yolanda Ford, Mayor

Date: January 7, 2019

ATTEST:

[Signature]
Maria Jackson, City Secretary

[Signature], president

By: Rocky Lai & Associates, Inc. its general partner

By: [Signature], president
Rocky Lai & Associates, Inc.

ATTEST:

[Signature]
Printed Name: Subrina Strang

Date: January 10, 2019

Exhibit "B"



SCALE: N.T.S

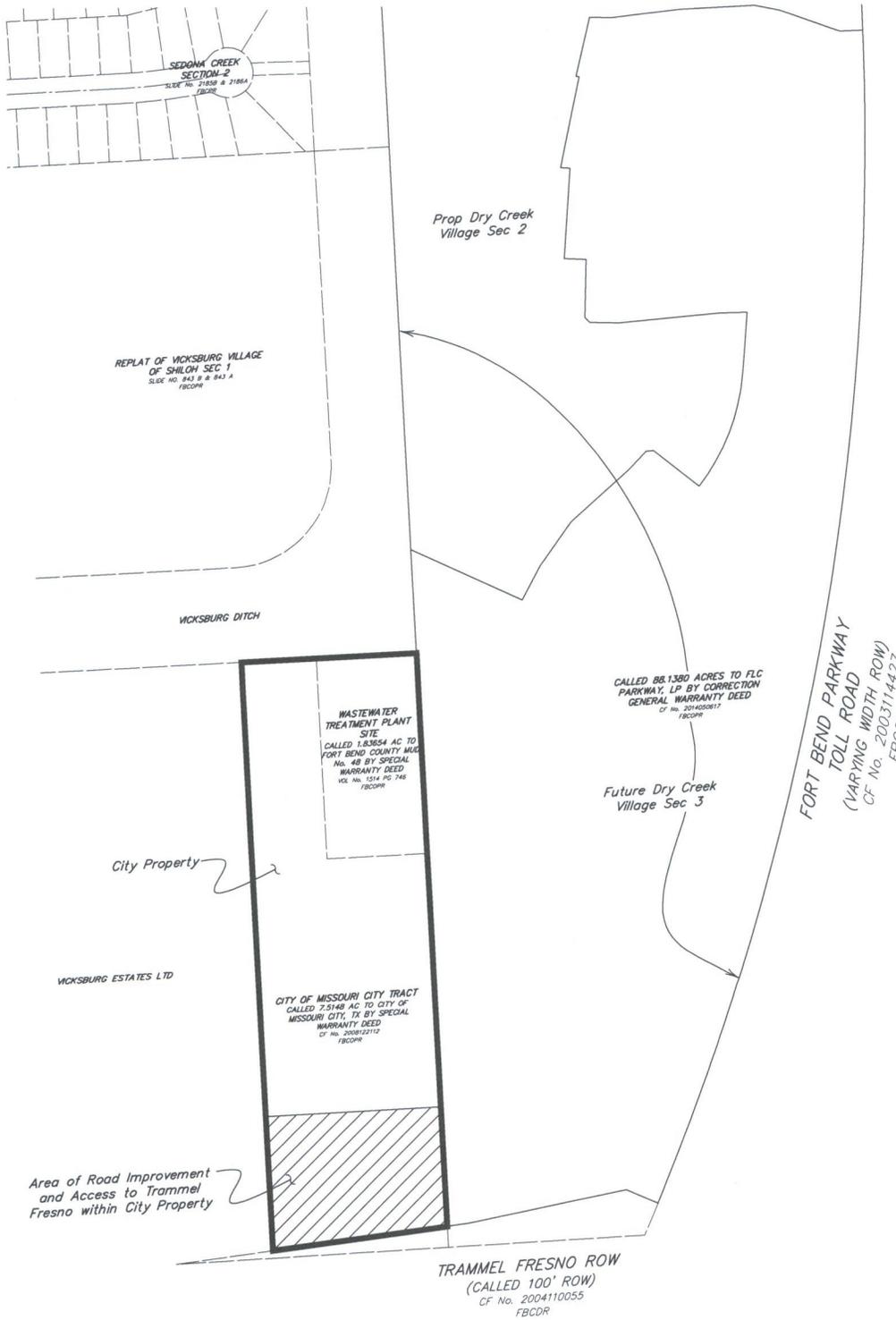


EXHIBIT "A"
CITY OF MISSOURI CITY
TRACT

NOVEMBER 2018



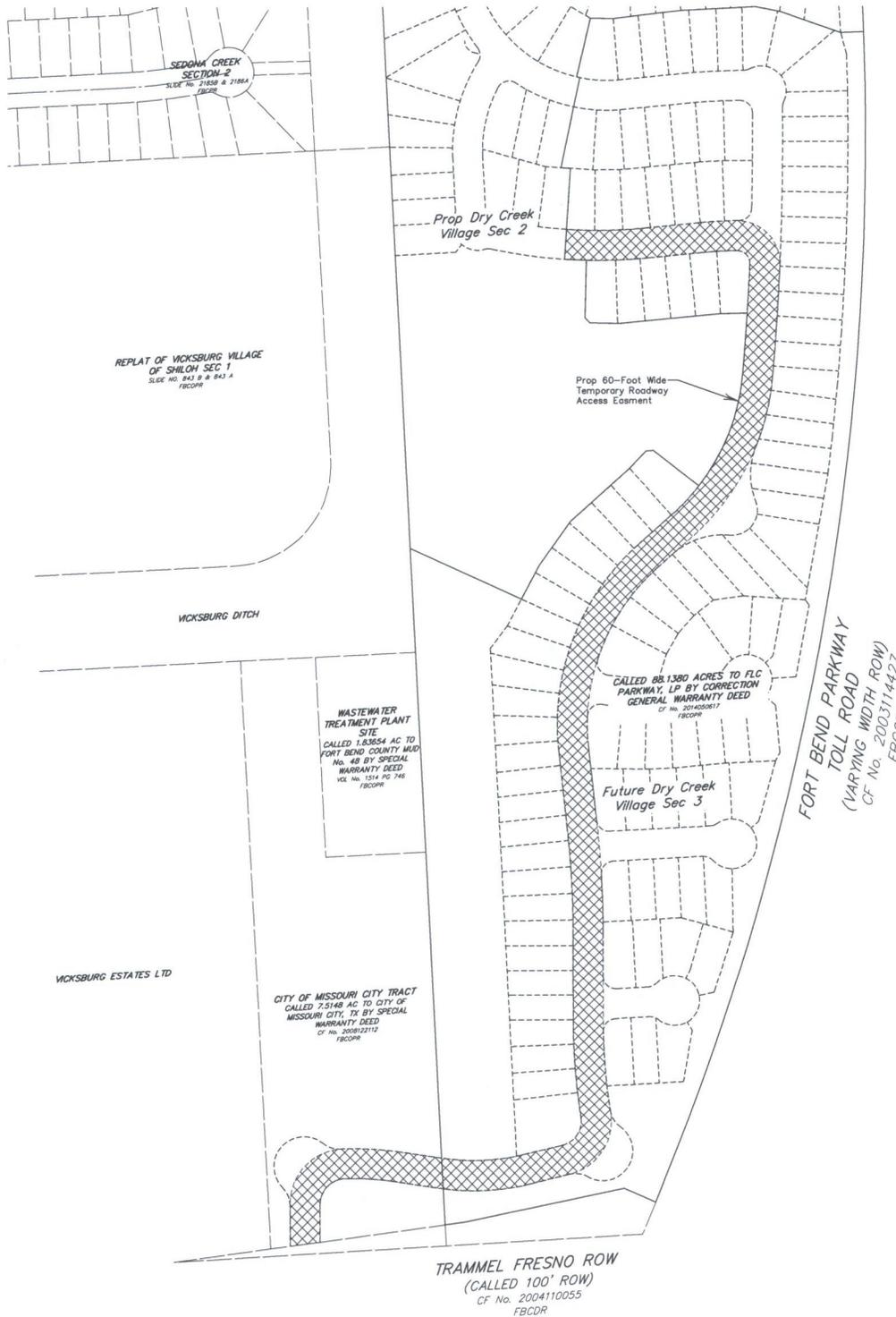
JONES CARTER

Texas Board of Professional Engineers Registration No. F-439
6330 West Loop South, Suite 150 • Bellaire, TX 77401 • 713.777.5337

Exhibit "B"



SCALE: N.T.S



 Prop 60-Foot Wide Temporary Roadway Access Easement

EXHIBIT "B"
PROPOSED 60-FT EASEMENT FOR ROADWAY IMPROVEMENT

NOVEMBER 2018

JC JONES CARTER
 Texas Board of Professional Engineers Registration No. F-439
 6330 West Loop South, Suite 150 • Bellaire, TX 77401 • 713.777.5337

Exhibit "B"



SCALE: N.T.S

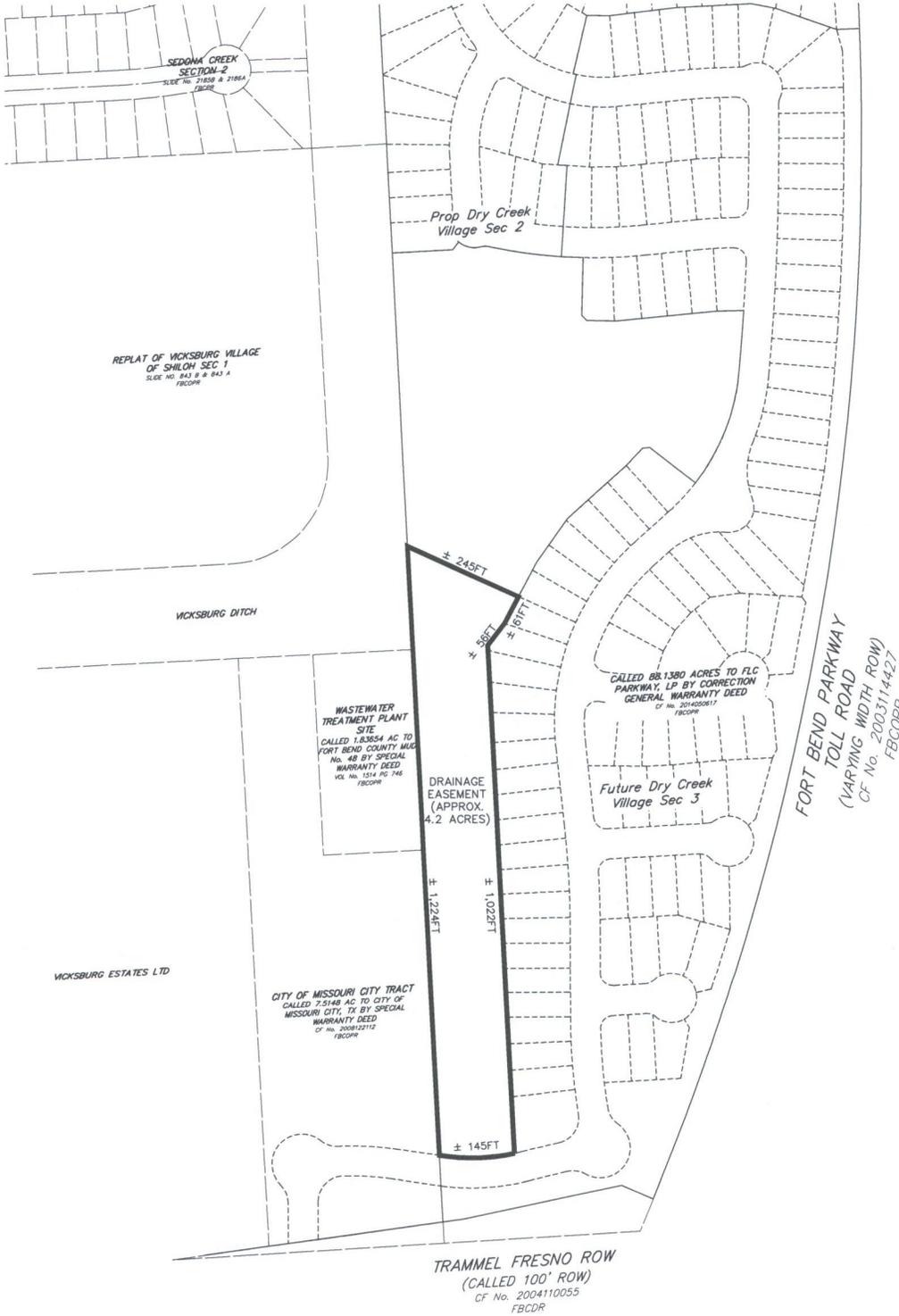


EXHIBIT "C"
DRAINAGE EASEMENT

NOVEMBER 2018



CITY COUNCIL AGENDA ITEM COVER MEMO

November 4th, 2019

To: Mayor and City Council
Agenda Item: 9(d) Authorize the Mayor to sign a letter of approval for Hou-Tex Med-Care Inc. to operate a non-emergency ambulance service.
Submitted by: Eugene Campbell, Jr, Fire Chief

SYNOPSIS

Staff received a request from Hou-Tex Med-Care Inc. 8600 Westpark Dr. Suite 107-185, Houston Texas 77063, 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.



MAYOR YOLANDA FORD

1522 Texas Parkway
Missouri City, Texas 77489

Phone: 281.403.8500
www.missouricitytx.gov

November ____, 2019

Hou-Tex Med-Care
Attention: Imad Moustafa Makdah, Owner and Administrator
8600 Westpark Drive, Suite 107-185 Houston, TX 77063

Dear Imad Moustafa Makdah:

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 November 4, 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

HOU-TEX MED-CARE INC
8600 WESTPARK DR, SUITE 107-185
HOUSTON, TX 77063
OFFICE: 346-714-8833



To: Mr. Eugene Campbell, Fire Chief, Missouri City
Missouri City City Council

From: Imad Moustafa Makdah , Owner and Administrator, Hou-Tex MED-CARE Inc

Date: 10/18/2019

Re: Letter of Approval for Missouri City

This letter is seek the approval of the governing body, the Missouri City City Council, in order for our EMS Provider company to become licensed through the Texas Department of State Health Services to be able to provide and render our services to the community and patients of Missouri City and Fort Bend county area.

We are asking City Council to please grant permission and rights to operate within Missouri City and its city limits. This letter is being submitted prior to the actual TDSHS EMS Provider License application, since we are trying to make sure we will be able to operate within the City before beginning the application process. We have formed a partnership along with IDF EMS INC, as part of the State's required Mutual Aid Agreement. We have come to an agreement, that if for whatever reason, due to a shortage, high volume, or in case of a disaster, we are unable to take some of our own calls, they will be forwarded to IDF EMS INC to ensure that all are responded to and taken care of.

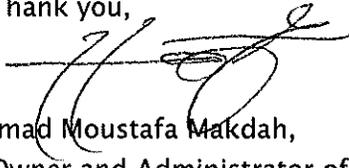
Hou-Tex MED-CARE Inc strives to follow all rules, regulations, and guidelines set in place by the Texas Department of State Health Services, CMS, Medicare, TMHP, and by the Missouri City EMS Program. Hou-Tex EMS Inc conducts internal inspections and monitors the company's office, vehicles and documentation to ensure that we remain in compliance at all times. We hold each and every one of our employees accountable and make them responsible for their assigned roles in our day to day operations. We are also in close touch with our Medical Director and make our office, vehicles, and documentation readily available to him for inspections, evaluations, and input for corrections and concerns.

HOU-TEX MED-CARE INC
8600 WESTPARK DR, SUITE 107-185
HOUSTON, TX 77063
OFFICE: 346-714-8833

Hou-Tex MED-CARE Inc can also attest that with the addition of our EMS Provider License, our company will not interfere or adversely affect any other existing EMS Providers and would be able to coexist within the same city in a professional manner. Also, since we believe our EMS company would not cause an oversupply for the City of EMS Providers. With Missouri City being a city that is continuously expanding, there are many patients that require EMS Providers to meet their needs. Hou-Tex MED-CARE Inc would ensure that any patients served by our company would be receiving the highest quality of care that can be given.

Please take our request for a Letter of Approval into consideration, if there are any questions or concerns, please contact me at the phone # and email listed above.

Thank you,



Imad Moustafa Makdah,
Owner and Administrator of Record
Hou-Tex MED-CARE Inc



**Council Agenda Item
November 4, 2019**

9. AUTHORIZATIONS

- (e) Consider authorizing the city attorney, or her designee, to initiate civil proceedings for the enforcement of city ordinances at 12622 Grove Park Drive.
-

Cover memo – *Forthcoming*



**Council Agenda Item
November 4, 2019**

10. **ORDINANCES** – *There are no Ordinances on this agenda.*
 11. **RESOLUTIONS** – *There are no Resolutions on this agenda.*
 12. **CITY COUNCIL ANNOUNCEMENTS**
Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.
 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**
-