

YOLANDA FORD
Mayor

VASHAUNDR A EDWARDS
Councilmember at Large Position No. 1

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



CHERYL STERLING
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, June 15, 2020, 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.

NOTICE REGARDING PUBLIC PARTICIPATION

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting.

The meeting will be available to members of the public and allow for two-way communications for those desiring to participate. Any person interested in speaking on any item on the agenda must notify the City by one of the following methods **before 4:00 p.m. on the day of the City Council meeting**:

1. Email or call the City Secretary at CSO@missouricitytx.gov or 281-403-8686; or,
2. Submit a "Public Comment Form" to the City Secretary from the following webpage: <https://bit.ly/39pw73Q>.

The request must include the speaker's name, address, email address, phone number and the agenda item number.

To livestream the meeting, the public may access the following link:
<https://www.missouricitytx.gov/780/MCTV>.

To access the meeting agenda packet in PDF format, the public may access the following link:
<https://www.missouricitytx.gov/407/City-Council>.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

- (a) Recognition of the One Life Fellowship first year anniversary celebration.
- (b) Recognition of June 14-20, 2020, as Waste & Recycling Workers Week, saluting the efforts of WCA Waste Corporation through the Missouri City, Texas, Municipal Solid Waste Program and honoring the Honey Brown Hope Foundation for its "No Trashing-Trash Workers" initiative that supports waste collectors for the essential service they provide to the community.

- (c) Presentation of the Golden Tree Award to HEB for several contributions towards the City's beautification.

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 review of the list of Capital Improvement Projects.
- (b) Presentation of Fiscal Year 2021 budget overview.

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 special and regular City Council meetings of June 1, 2020, and the special City Council meeting minutes of June 5, 2020, and June 8, 2020.
- (b) Consider approving the renewal of a Civic Plus software subscription and hardware maintenance for the life of the Civic Plus hosting solution.

7. PUBLIC HEARINGS AND RELATED ACTIONS

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

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

9. AUTHORIZATIONS

- (a) Consider authorizing the execution of an interlocal agreement with Fort Bend County to receive funds under the Coronavirus Aid, Relief, and Economic Security Act.
- (b) Consider authorizing the Mayor to sign a letter of approval for Robinhood EMS, Inc., to operate a non-emergency ambulance service in the City of Missouri City.
- (c) Consider authorizing the execution of an interlocal agreement with the City of Houston for the Missouri City Police Department's participation in the United States Department of Justice Human Trafficking Grant program.

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

11. RESOLUTIONS

- (a) Consider a resolution adopting rules governing the investment of funds of the City of Missouri City; and consider other provisions relating to the subject.

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

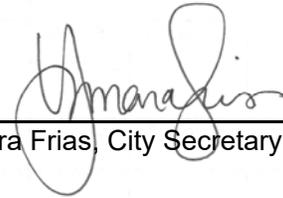
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

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 June 15, 2020, agenda of items to be considered by City Council was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on June 11, 2020, at 4:45 p.m.



Yomara Frias, City Secretary Department



**Council Agenda Item
June 15, 2020**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

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- (c) Presentation of the Golden Tree Award to HEB for several contributions towards the City's beautification.

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5. STAFF REPORTS

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 - (b) Presentation of Fiscal Year 2021 budget overview.
-

Capital Improvement Program (CIP)



CAPITAL IMPROVEMENT PROGRAM DEFINED

Limited to projects costing \$50,000 or greater with a useful lifespan of 20 years or longer.

The CIP: A 5-year plan identifying capital projects to be funded during the planning period. It identifies each proposed capital project to be undertaken, the year in which it will be started or acquired, the amount expected to be expended on the project each year, the proposed method of financing, and the estimated annual cost of operating and maintaining facilities to be constructed or acquired.

City Charter: Annual Budget requires a capital program be revised and extended each year to indicate capital improvements pending or in the process of construction or acquisition.

The capital improvement budget represents the first year of the capital improvement program.



THE CIP PROGRAMMING PROCESS

- **Capital Needs Assessment**
 - Recent Assessments: Parks, Facility Needs Assessments, Pavement and Sidewalk Evaluation
- **Identify Projects for Capital Program**
 - Department Directors submit projects in a form and timeframe annually established by the City Engineer.
- **Evaluate Funding Options**
- **Evaluate and Program Capital Projects**
 - Project scoring criteria established by the City Engineer with higher priority given to projects that are necessary for the public health and safety, desirable economic development and funding availability.
- **Submit preliminary CIP to City Council**
- **Revise CIP as necessary and send to City Council for Adoption**
- **Submit Capital Improvement Budget (first year of program) with annual budget to City Council for Adoption**



CAPITAL IMPROVEMENT PROGRAM FUNDING OPTIONS

- Pay As You Go Financing
- Debt Financing
 - General Obligation Bonds – Governmental
 - Certificate of Obligation – Self-supported (Utilities, PID)
- Lease-Purchase Agreements
- Grants
- Intergovernmental Revenues
- Impact Fees
- Developer Contributions



Authorized but Unissued Bonds

Purpose	Date Authorized	Bond Amount Authorized	FY2004-FY2017 Issued	FY2019 Issued	FY2020 Issued	Total Amount Previously Issued	Unissued Balance	FY2020 Proposed	Remaining Authorization
Drainage Improvements	9/13/2003	20,000,000	6,737,000		1,640,000	8,377,000	11,623,000		11,623,000
Public Safety	9/13/2003	8,200,000	6,910,000	1,262,000	28,000	8,200,000	-		-
Parks & Recreation	11/4/2008	17,500,000	17,160,000	340,000		17,500,000	-		-
Drainage Improvements	5/10/2014	6,500,000		2,550,000		2,550,000	3,950,000		3,950,000
Mobility & Transportation	5/10/2014	22,800,000	13,495,000	8,428,000	877,000	22,800,000	-		-
Fire Station 6 Facility Improvements	5/10/2014	5,000,000			4,072,000	4,072,000	928,000	928,000	-
	5/10/2014	5,700,000	692,000	405,000	784,000	1,881,000	3,819,000		3,819,000
Totals		132,500,000	91,794,000	12,985,000	7,401,000	113,105,000	20,320,000	928,000	19,392,000



DETERMINING DEBT CAPACITY

Financial Policy

- Sales of bonds to be scheduled so that the debt service fund would not be impacted by more than a \$0.04 property tax increase overall in the 2003, 2008 and 2014 bond elections.
 - Maximum rate \$0.19567
 - Debt service tax rate in 2003 was\$ 0.15567, the highest it has been is 0.19337 (2013)
 - In FY 2019, Council , during budget work session, limited the debt service rate to \$0.17

- Financing is provided by the cash flow approach, whereby bonds are sold as needed to generate enough cash flow for project commitments within the phased schedule.

Taxable Assessed Valuation / 100 * \$0.17 or maximum \$0.19567 = allowable annual debt service



PROPOSED PROJECTS



FY2021 Projects

<u>Project No.</u>	<u>Fund</u>	<u>Project Name</u>	<u>Planning FY 2021</u>
DRAINAGE			
10039	403	WILLOW WATERHOLE	1,750,000
10041	403	AMERICAN LEGION	280,000
10042	403	BUFFALO RUN	133,000
DRAINAGE Total			2,163,000
FACILITIES			
20018	404	EXPANSION OF PUBLIC SAFETY	500,000
20019	404	PARK MAINTENANCE FACILITY	3,000,000
FACILITIES Total			3,500,000



FY2021 Project Description

Drainage

- Willow Waterhole – \$1,750,000
 - Evaluate, design and construct drainage improvements at various locations throughout the Willow Waterhole watershed.
- American Legion – \$280,000
 - Construction for restoring the lake banks from further erosion
- Buffalo Run – \$133,000
 - Construction for repairing the bulkhead and slope protection



Facilities

- Expansion of Public Safety – \$500,000
 - Moving Fire Admin to new FS #6 & re-arrangement of PD
- Parks Maintenance Facility – \$3,000,000
 - Construction of a new Parks Maintenance facility



FY2021 Projects

<u>Project No.</u>	<u>Fund</u>	<u>Project Name</u>	<u>Planning FY 2021</u>
TRANSPORTATION			
50027	401	TRAFFIC STUDIES	60,000
50031	401	GIS-MAPPING, PLOTTER, FLYOVER	30,000
50034	401	SIGNAL UPGRADE/SEQUENCING	400,000
50054	401	SIDEWALK	411,261
50063	401	PAVEMENT MAINTENANCE & MGMT PROGRAM	1,500,000
1TRNEW1	401	HWY 6 @ TOWNSHIP SIGNAL UPGRADE	50,000
1TRNEW2	401	THOROUGHFARE AND ITS MASTER PLAN	500,000
1TRNEW3	401	CITY HALL DR. RECON & EXTENSION (FBC \$900K)*	900,000
50093	401	PARK8NINETY / REIMBURSEMENT (380 AGREEMENT)	3,000,000
1TRNEW4	403	LEXINGTON BLVD. & CARTWRIGHT RECONSTRUCTION (FBC \$2M)**	1,066,675
TRANSPORTATION Total			6,851,261

** FY20 rollover funds will be used; remaining is drainage funds

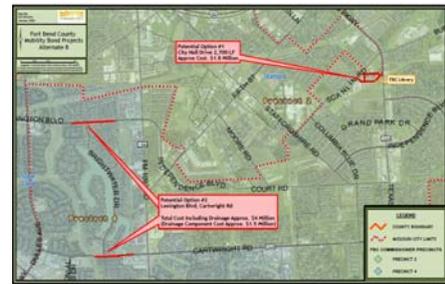
*FY20 rollover fund will be used



FY2021 Project Description

Transportation

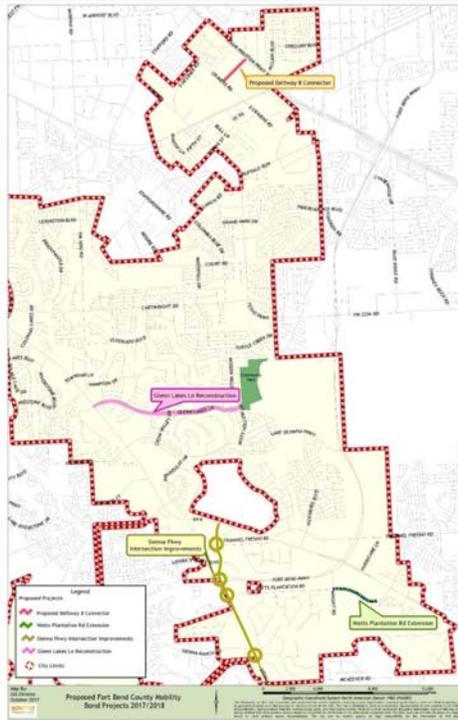
- Lexington Blvd. & Cartwright Reconstruction – \$2,000,000 (FBC; FY20 City Bond)
 - Design and Construction funds
- Highway 6 @ Township Signal Upgrade – \$50,000 (City Metro)
 - Design funds; construction is planned for FY2022
- Thoroughfare and ITS Master Plan – \$500,000 (City Metro)
 - Update to address traffic congestion and transportation infrastructure for the future
- City Hall Drive Reconstruction and Extension – \$1,800,000 (FBC; City Metro)
 - Design and construction funds
 - FBC Mobility Projects\Swap was authorized by Council in Jan. 2020



Approved 2017 Mobility Projects

Project Name	Description	City's Cost	County's Cost	Total Project Cost
Sienna Parkway Intersections	Intersection improvements at Trammel Fresno Rd., Sienna Springs Blvd., Watts Plantation Rd. & Sienna Ranch Rd.	\$ 3,222,400	\$ 2,020,000	\$ 5,242,400
Watts Plantation Road	2-lane half boulevard, concrete curb and gutter with open ditches from Knight Rd. to 1,300 ft south of SH6	\$ 3,426,400	\$ 1,100,000	\$ 4,526,400
Beltway 8 Connector	3-lane road, concrete curb and gutter with storm sewer from Beltway 8 to Cravens Rd.	\$ 2,341,900	\$ 970,000	\$ 3,311,900
Glenn Lakes Ln.	Reconstruct existing concrete roadway with storm sewer from SH6 to Community Park	\$ 4,974,200	\$ 3,510,000	\$ 8,484,200
TOTAL:		\$ 13,964,900	\$ 7,600,000	\$ 21,564,900





FY2021 Projects

Project No.	Fund	Project Name	Planning FY 2021
UTILITIES			
MBNEW1	535	MUSTANG BAYOU WATER PLANT #1 IMPROVEMENTS	100,000
MBNEW2	535	MUSTANG BAYOU WATER PLANT #2 IMPROVEMENTS	140,000
MBNEW3	535	MUSTANG BAYOU LIFT STATION REPAIRS	100,000
MBNEW4	535	MUSTANG BAYOU ENGINEERING ASSESSMENT OF EST	75,000
MBNEW5	535	AWIA UTILITIY RISK & RESILIENCE ASSESSMENTS	150,000
SBNEW1	506	STEEP BANK FLATBANK WWTP OUTFALL REPAIRS	700,000
SBNEW2	506	STEEP BANK FLATBANK WWTP REPAIRS	250,000
SBNEW3	506	STEEP BANK FLATBANK LIFT STATION REPAIRS	200,000
SBNEW4	506	STEEP BANK FLATBANK REUSE FACILITY	50,000
SWNEW1	540	SWTP MEMBRANE & OTHER CRITICAL IMPROVEMENTS	450,000
SWNEW2	540	SWTP NEW GST (PRELIMINARY ENGINEERING)	50,000
SWNEW3	540	SWTP BYPASS PUMP PROJECT (PRELIMINARY PROJECT)	100,000
SWNEW4	540	SWTP NEW FOREBAY (PRELIMINARY PROJECT)	100,000
UTILITIES Total			2,465,000



FY2021 Project Description

Utilities

- Mustang Bayou Water Plant #1 Improvements – \$100,000
 - GST & hydro tank #2 repairs, chemical tank and fence replacements
- Mustang Bayou Water Plant #2 Improvements – \$140,000
 - Access road, control building, and hydro tank repairs
- Mustang Bayou Lift Station Repairs – \$100,000
 - Pump replacements at Lakeshore Harbor #1, #2, #3, Kroger, and Hurricane Ln.
- Mustang Bayou Engineering Assessment for GST – \$75,000
 - Evaluation for GST #1 & #2 replacement
- AWIA Risk & Resilience Assessment and Emergency Response Plan – \$150,000
 - EPA – America’s Water Infrastructure Act requirements
- Steepbank Flatbank WWTP Outfall Repairs – \$700,000
 - Slipline outfall pipe and access entry road repairs
- Steepbank Flatbank WWTP Repairs – \$250,000
 - Aeration clean, building repairs, and replace sludge pump and polymer system



FY2021 Project Description

Utilities

- Steepbank Flatbank Lift Station Repairs – \$200,000
 - Colonial Lakes transfer switch, Thompson Ferry pump and fence, control panels
- Steepbank Flatbank Reuse Facility – \$50,000
 - Evaluation for reuse facility
- SWTP Membrane & Other Critical Improvements – \$450,000
 - Membrane rack replace, chloramine analyzer, and critical equipment
- SWTP New GST (Preliminary Engineering) – \$50,000
 - Evaluation for new SWTP GST
- SWTP Bypass Pump Project (Preliminary Project) – \$100,000
 - Engineering assessment for bypass pump
- SWTP New Forebay (Preliminary Project) – \$100,000
 - Engineering assessment for additional SWTP forebay



5-Year Plan

Project No.	Fund	Project Name	Planning FY 2021	Planning FY 2022	Planning FY 2023	Planning FY 2024	Planning FY 2025	Five-Year Plan Total
DRAINAGE								
10018	403	LOWER OYSTER CREEK			1,750,000			1,750,000
10039	403	WILLOW WATERHOLE	1,750,000	2,300,000				4,050,000
10040	403	PRE-1987 IMPROVEMENTS				3,250,000		3,250,000
10041	403	AMERICAN LEGION	280,000					280,000
10042	403	BUFFALO RUN	133,000					133,000
DRAINAGE Total			2,163,000	2,300,000	1,750,000	3,250,000		9,463,000
FACILITIES								
20018	404	EXPANSION OF PUBLIC SAFETY	500,000					500,000
20019	404	PARK MAINTENANCE FACILITY	3,000,000					3,000,000
FACILITIES Total			3,500,000					3,500,000
TRANSPORTATION								
50027	401	TRAFFIC STUDIES	60,000	60,000	60,000	60,000	60,000	300,000
50031	401	GIS-MAPPING, PLOTTER, FLYOVER	30,000	30,000	30,000	30,000	30,000	150,000
50034	401	SIGNAL UPGRADE/SEQUENCING	400,000	400,000	900,000	1,200,000	1,200,000	4,100,000
50054	401	SIDEWALK	411,261	411,261	411,261	411,261	411,261	2,056,305
50063	401	PAVEMENT MAINTENANCE & MGMT PROGRAM	1,500,000	1,500,000	1,572,064	1,867,000	1,867,000	8,306,064
1TRNEW1	401	HWY 6 @ TOWNSHIP SIGNAL UPGRADE	50,000	500,000				550,000
1TRNEW2	401	THOROUGHFARE AND ITS MASTER PLAN	500,000		500,000			1,000,000
1TRNEW3	401	CITY HALL DR. RECON & EXTENSION (FBC \$900K)*	900,000					900,000
50093	401	PARKBNINETY / REIMBURSEMENT (380 AGREEMENT)	3,000,000	1,250,000	1,250,000			5,500,000
1TRNEW4	403	LEXINGTON BLVD. & CARTWRIGHT RECONSTRUCTION (FBC \$2M)**	1,066,675					1,066,675
TRANSPORTATION Total			6,851,261	4,151,261	4,723,325	3,568,261	3,568,261	22,862,369
GENERAL CIP Total			12,514,261	6,451,261	6,473,325	6,818,261	3,568,261	35,825,369

** FY20 rollover funds will be used; remaining is drainage funds
**FY20 rollover fund will be used

5-Year Plan continued...

Project No.	Fund	Project Name	Planning FY 2021	Planning FY 2022	Planning FY 2023	Planning FY 2024	Planning FY 2025	Five-Year Plan Total
UTILITIES								
MBNEW1	535	MUSTANG BAYOU WATER PLANT #1 IMPROVEMENTS	100,000	1,000,000				1,100,000
MBNEW2	535	MUSTANG BAYOU WATER PLANT #2 IMPROVEMENTS	140,000		1,000,000			1,140,000
MBNEW3	535	MUSTANG BAYOU LIFT STATION REPAIRS	100,000					100,000
MBNEW4	535	MUSTANG BAYOU ENGINEERING ASSESSMENT OF EST	75,000					75,000
MBNEWS5	535	AWIA UTILITIY RISK & RESILIENCE ASSESSMENTS	150,000					150,000
SBNEW1	506	STEEP BANK FLATBANK WWTP OUTFALL REPAIRS	700,000					700,000
SBNEW2	506	STEEP BANK FLATBANK WWTP REPAIRS	250,000					250,000
SBNEW3	506	STEEP BANK FLATBANK LIFT STATION REPAIRS	200,000					200,000
SBNEW4	506	STEEP BANK FLATBANK REUSE FACILITY	50,000	3,000,000				3,050,000
SWNEW1	540	SWTP MEMBRANE & OTHER CRITICAL IMPROVEMENTS	450,000					450,000
SWNEW2	540	SWTP NEW GST (PRELIMINARY ENGINEERING)	50,000	3,000,000				3,050,000
SWNEW3	540	SWTP BYPASS PUMP PROJECT (PRELIMINARY PROJECT)	100,000					100,000
SWNEW4	540	SWTP NEW FOREBAY (PRELIMINARY PROJECT)	100,000		6,000,000			6,100,000
UTILITIES Total			2,465,000	7,000,000	7,000,000			16,465,000
TOTAL EXPENDITURES			14,979,261	13,451,261	13,473,325	6,818,261	3,568,261	52,290,369
ESTIMATED RESOURCES								
		PROPOSED GENERAL OBLIGATION BONDS	5,663,000	2,300,000	1,750,000	3,250,000		12,963,000
		PROPOSED REVENUE BONDS / C.O. (UTILITIES)	2,465,000	7,000,000	7,000,000			16,465,000
		ESTIMATED METRO REVENUE FOR PROJECTS	4,343,261	4,343,261	4,343,261	4,343,261	4,343,261	21,716,305
		ESTIMATED METRO FUND BALANCE	1,875,000	1,250,000	1,250,000			4,375,000
TOTAL RESOURCES			14,346,261	14,893,261	14,343,261	7,593,261	4,343,261	55,519,305

QUESTIONS?





CITY COUNCIL AGENDA ITEM COVER MEMO

June 15, 2020

To: Mayor and City Council
Agenda Item: 5(b) Presentation of the Fiscal Year 2021 Budget Overview
Submitted by: Bertha P. Alexander, Budget & Financial Reporting Manager

SYNOPSIS

The purpose of this presentation is to provide an overview of the FY 2021 budget process including a review of proposed revenue, expenditures and fund balance.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

The budget process is a mechanism to establish goals, program priorities, and service levels while identifying the funds needed to achieve them. The stage for the process was set at the City Council budget retreat held January 3 – 4, 2020, with an overview of the prior year highlights, a discussion on homestead exemptions, the impact of the 3.5% property tax cap, the introduction of the City's 5-Year Forecast and the City's preliminary FY 2021 budget requests/assumptions. This presentation provides a high-level overview of the FY 2021 proposed budget process.

BUDGET/FISCAL ANALYSIS

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

SUPPORTING MATERIALS

None

STAFF'S RECOMMENDATION

No action required.

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

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

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CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, June 1, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 p.m.** to consider the following.

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.

1. CALL TO ORDER

Mayor Ford called the meeting to order at 5:30 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Martel, Director of Financial Services Portis, Director of Communications Walker, Director of Information Technology Cole, Assistant City Attorney Santangelo, Purchasing/Risk Manager Pleasant, Media Specialist II Sanders, and MCTV Producer Penalba.

Mayor Ford asked for a moment of silence for former Missouri City Detective Caleb Rule and for the family of George Floyd and any victim of racism.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss public and private roadways in the City, including roadways in Meadowcreek, Section 4.

Assistant City Attorney Santangelo presented an overview on public and private streets in Missouri City. Councilmember Maroulis asked if the information had been shared with the Meadowcreek residents and interested parties. Santangelo stated it had been shared over the last several months, as staff had met with individuals from Meadowcreek Homeowners Association. He added that they had addressed open records requests, which provided records of what the City had for the subdivision.

Trina Powers, 2963 Creekway Circle, spoke for six minutes as Dawn Bailey yielded her public comments time to her. Powers believes the streets in the Meadowcreek subdivision were public.

Jim Fonteneaux, Sr., spoke for 42 minutes as Delbert Simperts, Willie Jones, Dorothy Jones, Vonda Washington, Henri M. Gadoury, Edna M. Gadoury, Shotzie Price, Jeanette Crummedyo, Lauren Lee, Denise Castleberry-Martinez, Alicia M. Hunter-Lynch, Beth Watson, and LaTonya Kelley yielded their public comments time to him. Fonteneaux addressed concerns regarding the public/private streets in the Meadowcreek subdivision. He noted Meadowcreek Section 1 and 4 were dedicated as public use streets and easements. Fonteneaux also yielded five of his minutes to Mr. Simperts.

Delbert Simperts, 2614 Creekway Circle, addressed concerns regarding the public/private streets in the Meadowcreek subdivision.

Dawn Bailey, 2222 Cottonwood Court, addressed concerns regarding the public/private streets in the Meadowcreek subdivision.

Councilmember Boney thanked the residents who participated and went over a timeline of communications with the Meadowcreek HOA and City staff in order to seek a resolution.

Councilmember Maroulis stated it was mentioned streets were not up to City standards and asked if they would get to a point where the City would take over the area and asked who would be responsible for bringing the streets up to par.

Mayor Ford stated City Council would take action on how to move forward. Sharon McFarland asked how long would the resolution take and where they stood. Mayor Ford stated she could not give an exact time, as it requires City Council action to know how they would move forward. McFarland asked if it would be resolved at another meeting and how. Ford stated City Council would meet and have a discussion over it and she suggested having a workshop.

City Attorney Iyamu stated state law was clear and stated if the plat dedicated property or improvements to public use the City would still have to accept it. Iyamu noted that in this case the City had not accepted Creekway Circle as a public street. Jim Fonteneaux, Sr. further addressed his concerns. Mayor Ford asked that he send her the video and pictures he referenced.

Councilmember Emery stated he was open to touring the area and added that the residents of Quail Valley paid waste management dues through their HOA. Emery requested staff check what activities the police could not administer or monitor because it was a private street. City Attorney Iyamu stated that according to documentation from 1973 from the Planning and Zoning Commission, which the developer of the area stated that the development would remove vehicles from the street. Councilmember Emery asked Iyamu to provide a copy of such document to Mr. Fonteneaux and have something from the Police Department that notes what they could and could not do.

Delbert Simperts spoke of an incident where police was not responsive. Interim City Manager Atkinson asked if they wanted to add an item in the future that took into consideration all private and public development. Mayor Ford stated there was a discrepancy on public and private streets. She asked if the issue was sent over to the AG's office. City Attorney Iyamu stated they had not asked the Attorney General's Office. Ford asked if City Council wanted a workshop in order to understand all the factors. City Council expressed support of a workshop. Mayor Ford stated they would move forward with a workshop and get an estimate on how long it would be to get this information together. Once they had the information, they would provide Meadowcreek with the meeting date.

At 7:30 p.m., without objection, City Council recessed the special City Council meeting.

At 8:12 p.m., City Council reconvened the special City Council meeting.

- (b) Discuss city contract processes and administration.

Interim City Manager Atkinson stated the agenda item was brought forth at the request of City Council regarding the BrandEra contract. Atkinson noted new processes and procedures for contracts were in place. Director of Financial Services Portis presented an overview of policies, procedures and processes. Mayor Ford asked if the amount of the contract was encumbered ahead of time. Portis stated for a contract they use a purchase order module but they were encumbering the funds.

- (c) Discuss and consider the procurement of legal services for potential civil service matters.

City Attorney Iyamu presented on the procurement of legal services for potential civil service matters. Iyamu asked if there was a desire to retain outside council for civil service matters on a consistent basis. Mayor Ford asked about the cost of the council. Iyamu stated outside council would be used on an as needed basis and that would determine the cost. She noted one of their least expensive contract costs was \$175 while some of the most expensive could be \$350 or higher.

Mayor Pro Tem Preston asked for examples of legal representation. Iyamu stated it may include a dispute with discipline, and an officer may elect to have arbitration to handle the disciplinary process. She recommended having someone on call if citizens elect to have civil service.

Mayor Ford recommend having an expert available. Without any objection, staff would move forward with procurement of legal services.

- (d) Consider and discuss the City's board, committee, and commission member appointments and reappointments.

City Secretary Jackson provided an update on the City's board, committee, and commission member appointments and reappointments. Councilmember Sterling suggested allowing other people to serve. Councilmember Maroulis noted they had performed interviews. Mayor Ford stated they could set a meeting to interview with new candidates and current candidates. Councilmember Edwards stated current members should be allowed to interview as well. Councilmember Boney stated he was in support of interviewing new candidates.

Councilmember Maroulis asked if there were applicants for the Parks Foundation. Jackson stated they had not received applications. Maroulis suggested recommending applicants not chosen for boards to consider serving on the Missouri City Parks Foundation.

3. ADJOURN

The special City Council meeting adjourned at 8:45 p.m.

Minutes PASSED AND APPROVED this the 15th day of June 2020.

Maria Jackson, City Secretary

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



CHERYL STERLING
Councilmember District A
JEFFREY L. BONEY
Councilmember District B
ANTHONY G. MAROULIS
Councilmember District C
FLOYD EMERY
Councilmember District D

CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, June 1, 2020**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.

1. **ROLL CALL**

Mayor Ford called the meeting to order at 7:31 p.m.

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

Mayor Ford asked for a moment of silence for former Missouri City Detective Caleb Rule and for the family of George Floyd and any victim of racism and police brutality.

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

3. **PRESENTATIONS AND RECOGNITIONS**

Fire Chief Campbell and Emergency Management Coordinator Jewett presented on Hurricane Preparedness.

There were no **PUBLIC COMMENTS** or **STAFF REPORTS**.

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the special City Council meetings of May 14, 2020, May 15, 2020, and May 26, 2020 and the special and regular City Council meetings of May 18, 2020.
- (b) Consider an ordinance amending the project and financing plan for Tax Increment Reinvestment Zone Number Three, City of Missouri City, Texas; and consider the ordinance on the second and final reading.
- (c) Consider an ordinance disannexing a 34.16-acre tract of land located north of the Sienna Steep Bank Village residential subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision; and consider the ordinance on the second and final reading. The proposed area of disannexation is currently being used as a temporary construction yard and is designated for suburban commercial uses on the Future Land Use Map of the Comprehensive Plan.
- (d) Consider an ordinance authorizing the mayor to execute and the city secretary to attest, respectively, the development agreement between the City of Missouri City and Sienna 325, L.P. for the development of property located north of the Sienna Steep Bank Village residential

subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision for residential uses; and consider the ordinance on the second and final reading.

- (e) Consider authorizing the renewal of infrastructure technology (IT) annual software subscriptions and hardware maintenance services for the life of the solution.

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

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Boney, Councilmember Maroulis and Councilmember Emery

Nays: None

There were no **Zoning Public Hearings and Ordinances, Public Hearings and related actions or Appointments** on this agenda.

9. AUTHORIZATIONS

- (a) Consider authorizing the City Manager to negotiate and execute an interlocal agreement between the City of Missouri City and the Harris County Flood Control District for the installation and maintenance of flood gauge stations.

Assistant City Manager Martel presented on the agreement with the Harris County Flood Control District for the installation and maintenance of flood gauge stations.

Councilmember Emery moved to authorize the City Manager to negotiate and execute an interlocal agreement between the City of Missouri City and the Harris County Flood Control District for the installation and maintenance of flood gauge stations. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Boney, Councilmember Maroulis and Councilmember Emery

Nays: None

- (b) Consider authorizing a parkland dedication proposal for Vrindavan Resorts.

Director of Parks and Recreation Mangum presented on the proposal received by the Parks Board at the May 7 board meeting. The proposal was for a development on Staffordshire Road and composed of 87 units. He noted the developer proposed to dedicate half as parkland and the other half as cash in lieu of. The Parks Board rejected the proposal citing City Code where parkland should not be left at less than an acre of unencumbered land. The board asked for the entire amount to be in cash in lieu of because of the provision and the Planning and Zoning Commission forwarded the same recommendation.

Joseph Manakalathil, President of Vrindavan Resorts, spoke about the proposal and stated they believe they have enough land for private parkland. Sowmya Balasubramani, Lead Architectural Designer of LEED AP, would like to know why their initial proposal of dedicating half as parkland and the other half as cash in lieu of was not approved. Planning Manager Thomas Gomez noted the Parks Board drove the recommendation and that the parkland would serve as dual purposes, which had drainage requirements for recreational opportunities onsite.

Councilmember Emery asked about the requirement for a half acre and if it was a recommendation. Director of Parks and Recreation Mangum stated that was correct, it was a recommendation and not a requirement. Emery asked if it could be less than half an acre. Mangum confirmed.

Councilmember Maroulis moved to approve a parkland dedication proposal for Vrindavan Resorts dedicating half as parkland and the other half as cash in lieu of. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Boney, Councilmember Maroulis and Councilmember Emery

Nays: None

(c) Consider authorizing a parkland dedication proposal for Parkway Crossing Phase 1.

Director Mangum stated the proposal was presented at the Parks Board on May 7 and because of the lack of parkland in Park Zone 10, the board requested the dedication be a public parkland. The developer updated the proposal and it moved through Planning and Zoning Commission with a positive recommendation.

Councilmember Maroulis moved to authorize a parkland dedication proposal for Parkway Crossing Phase 1. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Boney, Councilmember Maroulis and Councilmember Emery

Nays: None

There were no **ORDINANCES** or **RESOLUTIONS**.

12. CITY COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Preston thanked City staff for their work and dedication to the citizens; he send his prayers to the family of former Missouri City Police Detective Caleb Rule; and, shared his thoughts on the George Floyd situation. Councilmember Edwards asked to keep former Detective Caleb Rule's family in their prayers as well as George Floyd's family; and, she thanked Mayor Ford, Commissioner Prestage and staff for the food drive held on Saturday. Councilmember Sterling asked to keep the George Floyd family in prayers; she noted she had the privilege to pass out lunches to senior citizens along with Constable Smith; and, she wished the Muslim community a Happy Eid Mubarak. Councilmember Boney sent his condolences to the family of former Missouri City Police Detective Caleb Rule; and, he encouraged all residents to remain calm and express love amongst each other during these times. Councilmember Maroulis echoed what the Councilmembers stated earlier; and, he sends prayers to George Floyd's family. Councilmember Emery recognized fallen Missouri City Police Detective Caleb Rule and sent a prayer to George Floyd's family. Mayor Ford sent prayers to the Rule and Floyd family; and, she thanked the Communications, Fire, and Police Departments for helping her distribute Personal Protective Equipment (PPE) items.

13. ADJOURN

The regular City Council meeting adjourned at 8:12 p.m.

Minutes PASSED AND APPROVED this the 15th day of June 2020.

Maria Jackson, City Secretary

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



CHERYL STERLING
Councilmember District A
JEFFREY L. BONEY
Councilmember District B
ANTHONY G. MAROULIS
Councilmember District C
FLOYD EMERY
Councilmember District D

CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Friday, June 5, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **6:00 p.m.** to consider the following.

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.

1. CALL TO ORDER

Mayor Ford called the meeting to order at 6:00 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, City Secretary Jackson, Director of Communications Walker, and MCTV Producer Penalba.

2. DISCUSSION/POSSIBLE ACTION

- (a) Interview, discuss, and consider candidates to serve on various city boards, committees, and commissions.

City Council interviewed William McMullen for the Parks Board; Sharon Jurica for the Zoning Board of Adjustment & Appeals; Buddy Snyder for the Parks Board; Don Johnson for the Parks Board; Gloria Lucas for the Planning and Zoning Commission; Eunice Reiter for the Community Development Advisory Committee and the Charter Review Commission; Debbie Poncik for the Parks Board; Shaizad (Sam) Chatriwala for the TIRZ #3 Board and the Charter Review Commission; Denice Pringle for the Zoning Board of Adjustments and Appeals; William Cronin for the Construction Board of Adjustments and Appeals; Susan Dierker for the Parks Board; and, Cindy Proctor for the Community Development Advisory Committee.

3. ADJOURN

The special City Council meeting adjourned at 7:55 p.m.

Minutes PASSED AND APPROVED this the 15th day of June 2020.

Maria Jackson, City Secretary

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



CHERYL STERLING
Councilmember District A
JEFFREY L. BONEY
Councilmember District B
ANTHONY G. MAROULIS
Councilmember District C
FLOYD EMERY
Councilmember District D

CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, June 8, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **6:00 p.m.** to consider the following.

Due to the COVID 19 Disaster and the Center for Disease Control's recommendation regarding social distancing measures, the Mayor, City Council, City Staff members, and members of the public were not physically present during this meeting. The meeting was made possible through the cloud-based video conferencing platform Zoom.

1. CALL TO ORDER

Mayor Ford called the meeting to order at 6:00 p.m.

Those also present: Councilmembers Edwards, Sterling, Boney, and Maroulis; Interim City Manager Atkinson, City Attorney Iyamu, City Secretary Jackson, Director of Communications Walker, and MCTV Producer Penalba. Councilmember Emery arrived at 6:18 p.m. Mayor Pro Tem Preston arrived at 6:34 p.m. Councilmember Boney departed the meeting at 6:01 p.m.

2. DISCUSSION/POSSIBLE ACTION

- (a) Interview, discuss, and consider candidates to serve on various city boards, committees, and commissions.

City Council interviewed Bill Odle for the Missouri City Parks Foundation; Courtney Johnson-Rose for the Planning & Zoning Commission; Reggie Abraham for the Parks Board and the Zoning Board of Adjustments and Appeals; Angie Young for the Charter Review Commission; JaPaula C. Kemp for the Charter Review Commission; James Davidson for the Community Development Advisory Committee and/or the Charter Review Commission; John Conlon for the Planning & Zoning Commission; Wil Willis for the Planning & Zoning Commission; Sonya Brown-Marshall for the Planning & Zoning Commission; Mary Ross for the Parks Board and the Charter Review Commission; Rodney Griffin for the Planning & Zoning Commission; Alice Aanstoos for the Missouri City Parks Foundation; Joe Workman for the Charter Review Commission; Karen Overton for the Planning & Zoning Commission and the TIRZ #3 Board; Anthony Snipes for the Missouri City Parks Foundation; Shirley Paul for the Charter Review Commission; Rosalind Thomas for the Community Development Advisory Committee; Tom Nichols for the Missouri City Parks Foundation; Jeanette Quimby for the Charter Review Commission; Thomasine Johnson for the Parks Board and the Charter Review Commission; and, Nettie Glaze for the Community Development Advisory Committee and the Parks Board.

Councilmember Maroulis approved to reappoint the members who are currently serving each respective board. Councilmember Emery seconded. **MOTION FAILED.**

Ayes: Councilmember Maroulis and Councilmember Emery

Nays: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling

Councilmember Edwards moved to appoint Angie Young to Position 6 on the Community Development Advisory Committee. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling

Nays: Councilmember Maroulis and Councilmember Emery

Councilmember Emery moved to reappoint Zelia Brown to Position 7 on the Community Development Advisory Committee. Councilmember Maroulis seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: Mayor Pro Tem Preston

Councilmember Emery moved to reappoint George E. Johnson III to Position 1 on the Construction Board of Adjustments and Appeals. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Councilmember Emery moved to appoint William Cronin to Position 2 on the Construction Board of Adjustments and Appeals. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Councilmember Emery moved to appoint Max J. Montegut III to the alternate position on the Construction Board of Adjustments and Appeals. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Councilmember Emery moved to reappoint Charles Jarvis to Position 2 on the Electrical Board. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Mayor Pro Tem Preston moved to reappoint Thomasine Johnson to Position 2 on the Parks Board. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery

Nays: None

Councilmember Sterling moved to reappoint Mary Ross to Position 4 on the Parks Board. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Edwards moved to appoint Susan Dierker to Position 6 on the Parks Board. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Edwards moved to reappoint Brian Merchant to Position 8 on the Parks Board. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Emery moved to reappoint Don Johnson to Position 10 on the Parks Board. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Emery moved to reappoint Buddy Snyder to Position 12 on the Parks Board. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: Mayor Pro Tem Preston

Councilmember Sterling moved to reappoint Gloria Lucas to Position 1 on the Planning and Zoning Commission. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to appoint Rodney Griffin to Position 2 on the Planning and Zoning Commission. **MOTION FAILED DUE TO LACK OF SECOND.**

Councilmember Emery moved to reappoint Courtney Johnson-Rose to Position 2 on the Planning and Zoning Commission. Councilmember Maroulis seconded. **MOTION FAILED.**

Ayes: Councilmember Maroulis and Councilmember Emery
Nays: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling

Councilmember Maroulis moved to appoint Karen Overton to Position 2 on the Planning and Zoning Commission. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: Councilmember Edwards

Councilmember Maroulis moved to reappoint Sonya Brown-Marshall to Position 3 on the Planning and Zoning Commission. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to appoint Daniel Silva to Position 4 on the Planning and Zoning Commission. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Maroulis moved to appoint Reggie Abraham to Position 4 on the Zoning Board of Adjustments and Appeals. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to reappoint Denice Pringle to Position 5 on the Zoning Board of Adjustments and Appeals. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Mayor Pro Tem Preston moved to reappoint Cleotha Aldridge as an alternate to the Zoning Board of Adjustments and Appeals. Councilmember Edwards seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling and Councilmember Emery
Nays: Councilmember Maroulis

Councilmember Maroulis moved to reappoint Sharon Jurica as an alternate to the Zoning Board of Adjustments and Appeals. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to appoint Shaizad A Chatriwala to Position 3 on the Tax Increment Reinvestment Zone No. 3 Board. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to reappoint Anthony Snipes to Position 2, E. Joyce Iyamu to Position 3, Tom Nichols to Position 4, Lisa Glenn to Position 5, Bill Odle to Position 7, and Alice Aanstoos to Position 10 on the Missouri City Parks Foundation. Councilmember Maroulis seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: Mayor Pro Tem Preston and Councilmember Edwards

Councilmember Emery requested that the City Secretary reach out to Debbie Poncik and James Davidson to determine if they would be interested in serving the Missouri City Parks Foundation. If so, then an item will be placed on the next City Council meeting agenda for their appointment.

Councilmember Maroulis moved to appoint Jeanette Quimby, Joe Workman, James Davidson, Eunice Reiter and Thomasine Johnson to the Charter Review Commission. Councilmember Emery seconded. **MOTION FAILED.**

Ayes: Councilmember Maroulis and Councilmember Emery
Nays: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling

Councilmember Sterling moved to appoint Jeanette Quimby to the Charter Review Commission. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Sterling moved to appoint Sonja Giddings to the Charter Review Commission. Mayor Pro Tem Preston seconded. **MOTION FAILED DUE TO TIE VOTE.**

Ayes: Mayor Ford, Councilmember Sterling and Mayor Pro Tem Preston
Nays: Councilmember Edwards, Councilmember Maroulis and Councilmember Emery

Mayor Pro Tem Preston moved to appoint JaPaula Kemp to the Charter Review Commission. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling
Nays: Councilmember Maroulis and Councilmember Emery

Councilmember Edwards moved to appoint Shirley Paul to the Charter Review Commission. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: None

Councilmember Emery moved to appoint Joe Workman to the Charter Review Commission. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Sterling, Councilmember Maroulis and Councilmember Emery
Nays: Councilmember Edwards

Councilmember Edwards moved to appoint Mary Ross to the Charter Review Commission. Councilmember Sterling seconded. **MOTION PASSED.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards and Councilmember Sterling
Nays: Councilmember Maroulis and Councilmember Emery

3. ADJOURN

The special City Council meeting adjourned at 10:06 p.m.

Minutes PASSED AND APPROVED this the 15th day of June 2020.

Maria Jackson, City Secretary



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

Monday, June 15, 2020

To: Mayor and City Council
Agenda Item: 6(b) Consider approving the continuing annual payments for website hosting services with CivicPlus for the City's main web presence: www.missouricitytx.gov.
Submitted by: Stacie Walker, Director of Communications

SYNOPSIS

City Council approval is needed to remit payment to CivicPlus for website hosting services. The 2020 invoice amount reflects the increased annual fee for:

- The hosting and support for 11 website department headers, which allow for departments to have a customized homepage for programs, services, partnerships and special events/projects. This was added as part of the 2016 redesign;
- The fee renewal for the CivicPlus module which is critical for citizen engagement and outreach projects; and
- The hosting and support for the main web presence: www.missouricitytx.gov.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

CivicPlus provides hosting services for the City website, including the addition and cost of department headers at the request of the Leadership Team & Assistants and reviewed and discussed with City Council. This is an annual amount paid and to continue to renew and extend the current annual software hosting services for the life of the solution. They have been hosting the City's website since 2011. The amount for 2020 through 2021 is \$16,385.25.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY__ Funds Budgeted	FY__ Funds Available	Amount Requested
Budget	101-53504-10-108-	City Website Hosting Services	\$68,000	\$38,071	\$16,385.25

Purchasing Review: Shannon Pleasant, Procurement and 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



Invoice

#200164

**NEW REMITTANCE ADDRESS
 (FOR PAYMENTS ONLY)**
 CivicPlus
 PO Box 1572
 Manhattan KS 66505

7/1/2020

PO #

Bill To
 Accounts Payable
 Missouri City TX
 1522 Texas Parkway
 Missouri City TX 77489

TOTAL DUE

\$16,385.25

Due Date: 7/31/2020

Terms	Due Date	PO #	Approving Authority
Net 30	7/31/2020		

Qty	Item	Start Date	End Date
11	Website Department Header Annual Fee for Hosting and Support	7/1/2020	6/30/2021
1	CivicSend Annual Fee Renewal	7/1/2020	6/30/2021
1	Annual Fee for Hosting and Support	7/1/2020	6/30/2021

	Total	\$16,385.25
	Due	\$16,385.25

STAFF'S RECOMMENDATION

Staff recommends payment be remitted to CivicPlus for website hosting services.

Director Approval: Stacie Walker

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



**Council Agenda Item
June 15, 2020**

7. **PUBLIC HEARINGS AND RELATED ACTIONS**
 - (a) **Zoning Public Hearings and Ordinances** – *There are no Zoning Public Hearings and Ordinances on this agenda.*
 - (b) **Public Hearings and related actions** - *There are no Public Hearings and related actions on this agenda.*
 8. **APPOINTMENTS** – *There are no Appointments on this agenda.*
-



CITY COUNCIL AGENDA ITEM COVER MEMO

June 15, 2020

To: Mayor and City Council
Agenda Item: 9(a) CARES Act Agreement
Submitted by: Eugene Campbell, Fire Chief

SYNOPSIS

This is being brought to the City Council of the City of Missouri City, Texas (the "City") for consideration and authorization. This item relates to an agreement between Fort Bend County and the City of for federal funding to address the impact of the Coronavirus Disease 2019 (COVID-19) on City operations.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

This agreement provides for funding from Fort Bend County pursuant to section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"). The CARES Act established the Coronavirus Relief Fund (the "Fund") and appropriated \$150 billion to the Fund. Fort Bend County received \$134,262,393.00 from the State of Texas from the Fund. Missouri City is eligible to receive up to \$3,763,760.00 in reimbursements from Fort Bend County. The City would be required to make expenditures up front before receiving reimbursements.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the COVID-19;
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The agreement further provides that the City must reimburse any funds that are received from Fort Bend County for COVID-19 expenses, but that are not used for COVID-19.

BUDGET ANALYSIS

COVID-19 related costs are recorded in Fund 800, which is the Emergency Operations Fund. Revenue and expenditures related to the CARES Act will continue to be recorded in this fund. Due to the anticipated amount of funding, the City will be required to have a Single Audit conducted due to federal funds exceeding the \$750,000 threshold. It is anticipated that the CARES Act funding, if spent in its entirety, will be a major program for single audit purposes.

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

SUPPORTING MATERIALS

- 1. CARES Act Interlocal Agreement

STAFF'S RECOMMENDATION

Action required: Staff recommends that Council authorize the execution of the contract.

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

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF FORT BEND §

**CARES ACT FUNDING ALLOCATION DISTRIBUTION AGREEMENT
FORT BEND COUNTY AND
MISSOURI CITY, TEXAS**

This Agreement is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the TEXAS GOVERNMENT CODE, by and between the City of Missouri City, Texas, a municipal corporation and home-rule city of the State of Texas, principally situated in Fort Bend County, acting by and through its City Council, (“City”), and Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting by and through its Commissioners Court, (“County”). The City and the County may be referred to collectively as the “Parties”.

RECITALS

WHEREAS, the County received federal funding under Section 601(a) of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) to address and respond to the effects of the COVID-19 emergency; and

WHEREAS, the CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund, of which the County received \$134,262,393 from the State of Texas to cover necessary expenditures related to COVID-19 that were not accounted for in the County’s budget and incurred between March 1 and December 30, 2020 (“Local Allocation”); and

WHEREAS, the Commissioners Court of Fort Bend County approved a budget to distribute the Local Allocation, attached hereto as Exhibit “A” and incorporated herein for all purposes, (the “Detailed Budget”), which includes direct payments to municipalities to reimburse expenditures that are eligible for recovery under the CARES ACT and the U.S. Department of the Treasury’s Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments as it applies to municipalities; and

WHEREAS, the Commissioners Court of Fort Bend County finds that assisting municipalities within the County in recovering their costs directly incurred in responding to the COVID-19 emergency serves a County purpose, and is a legitimate and lawful use of the Fund; and

WHEREAS, the governing bodies of the City and County have authorized this Agreement;

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements and benefits to both Parties, it is agreed as follows:

AGREEMENT

Section 1. Incorporation of Recitals

The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are incorporated into this Agreement.

Section 2. Purpose

The purpose of this Agreement is to outline the obligations related to the distribution of the Local Allocation issued to the County for distribution to the City.

Section 3. Eligible Expenditures

A. Costs that are necessary expenditures incurred due to public health emergency with respect to the Coronavirus Disease (COVID-19);

B. Costs that were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or local government; and

C. Costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Section 4. City's Rights and Obligations.

A. The City agrees to only use its portion of the Local Allocation in compliance with this Agreement and for Eligible Expenditures related to the COVID-19 emergency made between March 1, 2020 and 11:59 p.m., December 30, 2020;

B. The City may submit to the County a request for reimbursement for Eligible Expenditures at Auditor.Covid@fortbendcountytexas.gov as follows:

1. Reimbursement for Eligible Expenditures related to Personnel and Equipment must be submitted in the form of the document attached hereto as Exhibit "B" and incorporated herein for all purposes;

2. All other submissions for reimbursement shall include an invoice reflecting payments made with reference to the payment date and check-ACH number;

3. Each submission shall include a description of the emergency purpose served for each invoice submitted for reimbursement as an Eligible Expenditure in a free-form document from an authorized representative of the City representing and warranting that the amount requested for reimbursement meets the requirements of the CARES Act on the City's letterhead and contact information for the preparer; and

4. All submissions for reimbursement shall be delivered to the County no later than January 15, 2021.

C. The City agrees and acknowledges that, as a sub-recipient of the Local Allocation granted to the County, the City is subject to the same terms and conditions binding the County regarding the use of the Local Allocation. The City agrees, if supported by evidence, to reimburse and return to the County any portion of the Local Allocation received that the County, the U.S. Department of Treasury, or their designee, deems were not used for COVID-19 purposes, or not used pursuant to the terms of this Agreement within thirty (30) days of City's receipt of notification by the County of such determination. The County agrees that the reimbursement and return of the requested portions of the Local Allocations settles the claim between the County and the City;

D. The City shall allow inspection of all documentation and records related to its expenditure of its portion of the Local Allocation by the County or the U.S. Department of Treasury upon reasonable request, and retain such for a minimum of four (4) years from the date of City's final receipt of its portion of the Local Allocation; and

E. As a condition of receiving its portion of the Local Allocation, the City represents and warrants that it is and will remain in compliance with all applicable federal provisions, including those attached as Exhibit "C" attached hereto and incorporated herein for all purposes.

Section 5. County's Rights and Obligations

A. The County's sole obligation under this Agreement is to reimburse the City for Eligible Expenditures from the Local Allocation up to an amount not to exceed \$3,763,760.00 in accordance with the CARES Act. This is the total maximum funding the County shall have available specifically allocated to fully discharge any and all liabilities that may be incurred by the County under this Agreement;

B. Upon receipt of the City's request for reimbursement submitted pursuant to Section 4. B. above, the County Auditor will review such submission to make a good faith determination whether the expenditures, are eligible for recovery under the CARES ACT and the U.S. Department of the Treasury's Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments as it applies to municipalities:

1. If deemed as an Eligible Expenditure, the County will forward the requested reimbursement amount to the City within ten (10) business days.

2. If the County Auditor does not find the expenses submitted meet the requirements for determination as an Eligible Expense or requires additional information, the County Auditor will notify the City within five (5) business days of such determination of denial or request for additional information. The City shall have five (5) business days to provide additional information for consideration or the request for reimbursement shall be permanently denied.

C. The County is not obligated to reimburse the City any further funds above \$3,763,760.00 for expenses submitted as Eligible Expenditures for the Local Allocation or any other sources of funding;

Section 6. Liability

The City and County are entitled to the immunities and defenses of the Texas Tort Claims Act. Nothing in the Agreement shall be construed to waive either party's sovereign immunity.

Section 7. Limit of Appropriation

A. Prior to the execution of this Agreement, the City has been advised by the County, and the City clearly understands and agrees, such understanding and agreement being of the absolute essence to this Agreement, that the County shall have available the total maximum amount of \$3,763,760.00 or any available amount under other applicable categories of allotments reflected in the Detailed Budget as determined by the County Auditor, specifically allocated to fully discharge any and all liabilities that may be incurred by the County under this Agreement.

B. The City does further understand and agree, said understanding and agreement also being of the absolute essence of this Agreement, that the total maximum funding that the City may become entitled to hereunder and the total maximum amount that the County will reimburse the City hereunder will not under any condition, circumstance or interpretation hereof exceed \$3,763,760.00 or any available amount under other applicable categories of allotments reflected in the Detailed Budget as determined by the County Auditor.

C. Each party paying for the performance of its obligations under this Agreement shall make those payments from current revenues available to that party.

Section 8. Assignment

No party hereto shall make, in whole or in part, any assignment of this Agreement or any obligation hereunder without the prior written consent of the other party.

Section 9. No Third Party Beneficiaries

The Parties do not intend that any specific third party obtain a right by virtue of the execution or performance of this Agreement.

Section 10. Notices

All notices and communications under this Agreement shall be mailed by certified mail, return receipt requested, or delivered to the following addresses:

County:	Fort Bend County
	Attention: County Judge
	401 Jackson Street, 1 st Floor
	Richmond, Texas 77469

With a copy to: Fort Bend County
Attention: County Auditor
301 Jackson Street, Suite 701
Richmond, Texas 77469

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

Section 11. Entire Agreement

This Agreement contains the entire agreement between the Parties relating to the rights granted and the obligations assumed. Any modifications concerning this instrument shall be of no force or effect, unless a subsequent modification in writing is signed by all Parties hereto. If a court finds or rules that any part of this Agreement is invalid or unlawful, the remainder of the Agreement continues to be binding on the Parties.

Section 12. Execution

This Agreement has been executed by the City and the County upon and by the authority of their respective governing bodies. This Agreement shall become effective on the date executed by the final party, and remain in effect until the obligations under Sections 4 and 5 of this Agreement are fulfilled.

IN WITNESS WHEREOF, the Parties have executed this Agreement in multiple counterparts, each of which shall be deemed to be an original.

FORT BEND COUNTY, TEXAS

KP George, County Judge

Date _____

ATTEST:

Laura Richard, County Clerk

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to accomplish and pay the obligation of Fort Bend County under the terms of this Agreement.

Robert Ed Sturdivant, Fort Bend County Auditor

CITY OF MISSOURI CITY, TEXAS

Yolanda Ford, Mayor

Date: _____

ATTEST:

Maria Jackson, City Secretary

EXHIBIT A

CARES Act Funds Distribution

FUNDS	
CARES Funds	\$134,262,393
TOTAL FUNDS	\$134,262,393
PROPOSED DETAIL BUDGET	
Budget Contingency	\$13,426,239
City Budget Allotment (\$55 per capita of 2019 Census)	
Arcola	\$137,060
Beasley	\$36,465
Fairchilds Village	\$67,320
Fulshear	\$659,450
Katy	\$118,745
Kendleton	\$21,835
Meadows Place	\$253,935
Missouri City	\$3,763,760
Needville	\$169,235
Orchard	\$22,385
Pearland	\$56,155
Pleak	\$88,605
Richmond	\$661,815
Rosenberg	\$2,093,355
Simonton	\$48,345
Stafford	\$990,165
Sugar Land	\$6,523,000
Thompsons	\$18,535
Weston Lakes	\$210,100
Reimbursement to Fort Bend County for eligible COVID-19 expenses to date	\$7,000,000
FBC Health & Human Services Testing, Tracking, Treatment, Communications, Personnel	\$20,395,889
Office of Emergency Management	\$3,000,000
Fort Bend County Facility Renovation and Sanitization	\$5,000,000
Rental assistance for persons affected by COVID-19:	
(Phase 1) June-July	\$6,500,000
(Phase 2) August-September	\$6,500,000
(Phase 3) October-November	\$6,500,000
PPE Distribution to County Residents	\$5,000,000
Reimbursement to Local Hospitals and Clinics for uncompensated care due to COVID-19	\$15,000,000
Health Services provided by Political Subdivisions	\$1,000,000
Small Business COVID-19 Mitigation Grant Program	\$22,000,000
Food/Nutrition Distribution Program	\$5,000,000
Utility Assistance Program	\$2,000,000
TOTAL PROPOSED DETAIL BUDGET	\$134,262,393

EXHIBIT B

FORT BEND COUNTY LOCAL GOVERNMENTS

Personnel and Equipment Log Event: 2019 nCoV Public Health Event

LAST NAME, FIRST _____

LOCAL GOVERNMENT _____

DEPT. NAME _____

Supervisor Name _____

START TIME _____

DATE _____

END TIME _____

TOTAL HOURS WORKED _____

Circle type of work

EMERGENCY WORK

NORMAL OPERATIONS

LOCATION:

Work Description

1	_____
2	_____
3	_____
4	_____
5	_____

	EQUIPMENT DESCRIPTION / TYPE	FEMA Code	TAG # or ID	Begin Mileage/Hours	End Mileage/Hours	Total Miles/Hours
1						-
2						-
3						-
4						-
5						

	MATERIALS DESCRIPTION	UNITS / QTY	STOCK	Unit Cost	Rental

Employee Signature _____

Date _____

Supervisor Signature _____

Date _____

EXHIBIT C

Code of Federal Regulations

Title 2 - Grants and Agreements

Volume: 1

Date: 2014-01-01

Original Date: 2014-01-01

Title: Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards
Context: Title 2 - Grants and Agreements. Subtitle A - Office of Management and Budget Guidance for Grants and Agreements. CHAPTER II - OFFICE OF MANAGEMENT AND BUDGET GUIDANCE. - Reserved. PART 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS.

Pt. 200, App. II

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in

the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).

(I) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(K) See § 200.322 Procurement of recovered materials.



CITY COUNCIL AGENDA ITEM COVER MEMO

June 15, 2020

To: Mayor and City Council
Agenda Item: 9(b) Ambulance - Authorize the Mayor to sign a letter of approval for Robinhood EMS Inc. to operate a non-emergency ambulance service within the city limits of Missouri City.
Submitted by: Eugene Campbell Jr., Fire Chief

SYNOPSIS

Staff received a request from Robinhood EMS Inc., 7218 Shadyside Circle, Missouri City, Texas 77459 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. After the moratorium new licensing of emergency service providers was reinstated.

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

Ahmad Elsaadi, Founder & CEO, Robinhood EMS Inc., contacted Fire Chief Eugene Campbell Jr., seeking approval to operate a non-emergency EMS service in Missouri City.

According to the Texas Department of State Health Services (TDSHS), Missouri City, Sugar Land, Pearland, Stafford and Fort Bend County currently have licensed non-emergency emergency services providers operating in their Cities.

SUPPORTING MATERIALS

1. Request approval letter from the City of Missouri City
2. Letter of approval from Missouri City
3. Private Ambulance requests to operate in the City of Missouri City

STAFF'S RECOMMENDATION

Authorize the Mayor to sign a letter approving Robinhood EMS Inc. to operate within the City of Missouri City with the following determinations and stipulations:

- (1) the addition of another licensed non-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 non-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 non-emergency medical services provider will not cause an oversupply of licensed non-emergency medical services providers in the City of Missouri City.

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

Director Approval: Eugene Campbell, Jr, Fire Chief

Interim City Manager Approval: Bill Atkinson

Robinhood EMS Inc.

May 26, 2020

Robinhood EMS Inc.
7218 Shadyside Cir
Missouri City, TX 77459

Eugene Campbell Jr., Fire Chief
1522 Texas Pkwy.
Missouri City, TX 77489

Dear Fire Chief Eugene Campbell Jr.,

I am writing this letter with a request for an EMS letter of approval (LOA) from Missouri City's municipality for my company Robinhood EMS Inc. This is in effort to establish a private EMS company that would mainly target non-emergency calls and create EMT jobs in our city. I have been a certified EMT-B myself for many years and I am ready to start & operate my own.

Due to the regulations and discussing the process with HHSC's office (Judy) for provider licensing and credentialing, we are unable to move forward with state licensure & CMS certification without the attempt in obtaining such letter.

If you have any questions, further requests, or concerns please feel free to contact me at anytime. My email is ahmedelsaadi@hotmail.com and phone number (713) 922-9046.

Thank you for your time and your service to our great city.

Sincerely,
Ahmad Elsaadi, B.Sc., EMT-B, LNFA, MBA
Founder & CEO
Robinhood EMS Inc.

A handwritten signature in black ink, appearing to be the initials 'AES' followed by a stylized flourish.



MAYOR YOLANDA FORD

1522 Texas Parkway
Missouri City, Texas 77489

Phone: 281.403.8500
www.missouricitytx.gov

June 15, 2020

Robinhood EMS Inc.
Attention: Ahmad Elsaadi, Founder & CEO

Dear Mr. Elsaadi:

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 June 15, 2020, a regular meeting of the City Council, at which the City Council determined the following:

- (1) the addition of another licensed non-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 non-emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services provider operating in the City of Missouri City; and
- (3) the addition of another licensed non-emergency medical services provider will not cause an oversupply of licensed non-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 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

Missouri City Fire & Rescue Services

To: Bill Atkinson, Interim City Manager
From: Eugene Campbell, Jr., Fire Chief
CC: E. Joyce Iyamu, City Attorney, Mario Partida, Assistant Fire Chief
Date: June 10, 2020
Subject: Private Ambulance requests to operate in the City of Missouri City



Introduction

The department continues to receive requests from private ambulance start-up companies to operate within the city limits to provide non-emergency ambulance services. Private ambulance companies are regulated by the Texas Department of State Health Services (DSHS) and apply for licensing through DSHS. As part of the licensing process and the Texas Health and Safety Code Sec. 773.0573, they must obtain a letter of approval to operate within the municipality.

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 specific federal programs. The Centers for 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. After the moratorium lifted, new licensing of emergency service providers was reinstated. Pursuant to Texas Health and Safety Code Section 773.0573, City Councils may issue a letter of approval to an emergency medical services provider applicant who is applying to provide emergency medical services in the city.

Department of Health and Human Services (DSHS)

DSHS is the state's regulatory and oversight department that regulates licensing of private ambulances. The requirement to obtain approval to operate in a city is outlined in their application under "Supplemental Documentation 2.0 Letter of Approval" and outlines approval requirements for companies residing in the city and those that do not.

"2. SUPPLEMENTAL DOCUMENTATION

2.0. Letter of Approval: Each Applicant/EMS provider shall submit a Letter of Approval from the governing body of the municipality, if applicable, in which the applicant is located and is applying to provide emergency medical services; or if the applicant is not located in a municipality, the commissioners court of the county in which the applicant is located and is applying to provide emergency medical services. For specific information about the Letter of Approval refer to Section 5 of this document."

Missouri City Fire & Rescue Services

Operation of Private Ambulances

Private ambulances services are mostly privately owned and provide non-emergency care and services to citizens from within and outside the city limits. Their primary responsibilities is to provide non-urgent care to patients that require transport by ambulance to and from medical facilities and hospitals. They operate independently from the 911-based emergency service system, which is managed by Fort Bend County EMS and Missouri City Fire & Rescue Services to provide emergency care for the citizens in Missouri City and Extra-Territorial Jurisdiction (ETJ).

Partner Cities

Departments in and around Fort Bend County have also seen a recent increase of requests for approvals but seem to be consistent with the issuance of new operator licenses by DSHS. While private operators are required to submit for approval to operate in a city, there are several that do not seek approval. Regulatory oversight of this requirement falls mostly back on DSHS and is not routinely managed by departments in their jurisdictional areas.

Local Departments Management

Department	Ambulances Operating in Jurisdiction	Ordinance or Resolution in place	Fee Schedules	Currently approving new requests
Pearland	175	Yes	Application \$250 Unit Permit \$75 Re-inspection Fee \$75	Suspended in March 2020
Sugar Land	No accurate number	Resolution	None	No
Stafford	Unknown	No	None	No request
Rosenberg	Unknown	No	None	Unknown
Richmond	None approved through city	No	No	No
Missouri City	Unknown (8 Approved)	No	No	Yes

Program Options

The city has several options for approving and providing oversight of private ambulances. The following options would need further analysis of management and oversight cost vs. benefit impact:

- Option 1 – Discontinue approvals to limit over saturation of private ambulances operating in the city along with others that are not approved.
- Option 2 – Continue to accept applications and approving requests to operate in the city.

Missouri City Fire & Rescue Services

Summary

The department is receiving approximately one request for approval to operate every other month and submits them for approval to Council. Staff does not currently see a business need to deny applications to private ambulance companies to provide non-emergency EMS services in the city. They operate independently from the emergency 911 system, provide a non-emergency service to citizens in the community, and do not interfere with Emergency Operations of the 911 system. Staff will continue to monitor the approval request rate and remain in contact with our local 911 business partners to ensure the best emergency and non-emergency service is provided to our citizens.



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

June 15, 2020

To: Mayor and City Council
Agenda Item: 9(c) Interlocal agreement with the City of Houston to receive overtime costs for an investigator under the Human Trafficking Grant program
Submitted by: Dwayne Williams, Police Captain

SYNOPSIS

This item will authorize the City to negotiate and execute an agreement with the City of Houston in which the City of Houston will agree to fund the overtime costs of one investigator from the Missouri City Police Department that will work with Houston and other law enforcement officials to provide a link to the current cases of human trafficking and to assist in investigations connected with the Human Trafficking Grant program enforcement.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Develop a high performing City team.

BACKGROUND

The City of Houston, through the Houston Police Department has received funds in the amount of \$900,000 from the U.S. Department of Justice to combat human trafficking as a participant in the Human Trafficking Grant program. The target geographic area covered by activities associated with the grant is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Harris, Galveston, Liberty, Montgomery, Fort Bend, and Waller Counties.

Under this agreement, the City will receive Human Trafficking Grant funds from the City of Houston to fund the overtime activities of one investigator in the Missouri City Police Department. The Missouri City Investigator will work with the recipients and Grantors of the Human Trafficking Grant and serve as a liaison between the City of Houston, the City of Missouri City, and other local, state and federal law enforcement agencies. The Investigator will actively participate in investigations conducted under the grant program that overlap local law enforcement's jurisdictional lines in the State of Texas and assist local law enforcement officers in investigating all forms of human trafficking. Under the agreement, the City is expected to receive up to \$10,000 a year for up to three years for its participation in the program, as such term may be extended or amended.

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. Interlocal Agreement

STAFF'S RECOMMENDATION

Staff recommends that the City Council authorize City staff to negotiate and execute the interlocal agreement.

Director Approval:

Mike Berezin, Chief of Police

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

Bill Atkinson, Interim City Manager

INTERLOCAL AGREEMENT

Human Trafficking Rescue Alliance Task Force

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Interlocal Agreement, hereinafter referred to as the “**Agreement**”, is entered into by and between the City of Houston, a Texas Home Rule City of the State of Texas, principally situated in Harris County, Texas, acting by and through its governing body, the City Council, hereinafter referred to as the “**City**”, and the City of Missouri City, a body corporate and politic, hereinafter referred to as “**Missouri City**”, and acting for the City of Missouri City Police Department, hereinafter referred to as “**MPD**”, pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791.

RECITALS

1. The **City**, through the Houston Police Department, hereinafter referred to as “**HPD**”, has received a grant from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime, and Bureau of Justice Assistance, hereinafter referred to as “**OJP**”, in the amount of **\$900,000.00** and entitled, “**ENHANCED COLLABORATIVE MODEL TO COMBAT HUMAN TRAFFICKING: ENHANCEMENT OF ESTABLISHED HUMAN TRAFFICKING TASK FORCES**”, hereinafter referred to as the “**HUMAN TRAFFICKING GRANT**”.
2. The target geographic area of the **Human Trafficking Grant** program is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Harris, Galveston, Liberty, Montgomery, Fort Bend, and Waller Counties.
3. The **Human Trafficking Grant** funds, in part, will be expended to pay the overtime costs of a **Missouri City Police Department Investigator**, hereinafter referred to as “**Investigator**”, to work with the City and other law enforcement officials to provide a

link to the current cases of human trafficking and to assist in investigations connected with the **Human Trafficking Grant** program enforcement with jurisdictional issues.

4. The **City** and **Missouri City** believe it is in their best interests to enter into this **Agreement**, to carry out the **Human Trafficking Grant** program.
5. The **City** and **Missouri City** agree to abide by all pertinent federal, state and local laws and regulations.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

ARTICLE I
PURPOSE

- 1.01 The purpose of this **Agreement** is to provide for the service of an **Investigator** to work with the **City** and other law enforcement officials to assist in the identification of human trafficking victims, investigation and prosecution of human trafficking cases at the local, state, and federal levels, as well as serve as a liaison between same and other Investigators and law enforcement agencies that become involved in ongoing investigations as a result of the **Human Trafficking Grant** program enforcement efforts.

ARTICLE II
TERM

- 2.01 The term of this **Agreement** is to commence on the Countersignature Date, provided grant funds are available and terminate on the **Grant** expiration date, or on the termination date of any extension thereof granted by the Department of Justice, Office of Justice Programs, hereinafter referred to as the “**OJP**”, or **October 31, 2022**, whichever is later. In the event **OJP** Grant funding is available for this **Agreement** after the expiration date the **HPD** Police Chief (“**Chief**”) is authorized to extend this **Agreement** upon receiving mutual written agreement with **Missouri City** for one year at a time for up to four additional years.
- 2.02 The **City** and **Missouri City** acknowledge that the **City** must apply each year for a continuation of the **Human Trafficking Grant**, and the **Human Trafficking Grant** can be discontinued at any time by **OJP**. Should the grant be terminated or not renewed by the **OJP** for any reason, the **City** and **Missouri City** agree to terminate this **Agreement**, on the date the grant is terminated by the **OJP**.

- 2.03** Either party may terminate this Agreement by giving 30 days' prior written notice of termination to the other party in accordance with Article XIII.

ARTICLE III
CONSIDERATION

- 3.02** **Missouri City** will be paid based on itemized monthly invoices submitted by **Missouri City** and approved by the **City** showing the actual services performed and the attendant fee. The **City** shall make payment to **Missouri City** within thirty (30) days of the receipt by the **City** of such invoices. If any items in any invoices submitted by **Missouri City** are disputed by the **City** for any reason, including lack of supporting documentation, the **City** shall temporarily delete the disputed item and pay the remaining amount of the invoice. The **City** shall promptly notify **Missouri City** of the dispute and request clarification and/or remedial action. After any dispute shall have been settled, **Missouri City** shall include the disputed amount on a subsequent regularly scheduled invoice or on a special invoice for the disputed item only. The decision of the **City** regarding all disputes involving **Missouri City** invoices shall be final.
- 3.03** The **City** and **Missouri City** acknowledge that during the term of this **Agreement** the amounts provided in **Exhibit "A"** may change as the **City's** application for renewal of **Grant** funding in future years is reviewed by the **OJP**. It is further understood and agreed that any application for additional **Grant** funds over and above those amounts shown in **Exhibit "A"**, shall first be approved by the **City** and will be in accordance with the effective GRANT APPLICATION AND ADMINISTRATION GUIDELINES of **OJP**. In the event this Agreement is extended the HPD Chief is authorized to approve changes to Exhibit "A" provided the changes do not exceed the grant funds.
- 3.04** The **City's** obligation for payment under this **Agreement**, if any, is limited to funds received from the **HUMAN TRAFFICKING GRANT**; unless adequate funds are received, the **City** shall have no obligation to pay **Missouri City**. **Missouri City** must look to these designated funds only and to no other funds for the City's payment under this **Agreement**.

ARTICLE IV
SCOPE OF SERVICES

- 4.01 Missouri City** authorizes and **MPD** agrees to provide an **Investigator** to perform those services described in **Exhibit “B”**, attached hereto and incorporated herein for all intents and purposes.
- 4.02 Missouri City** warrants that:
- (a) Services performed by the **Investigator** assigned by the **MPD** to the **Human Trafficking Grant** program and any property acquired from the **City** for the **Investigator’s** use under this or any prior agreement between the **City** and **Missouri City** pertaining to the **Grant**, hereinafter referred to as the “**Property**” are directly and exclusively devoted to the **Grant** program and that the amounts paid for personnel expenses are not more than **Missouri City’s** actual cost of same.
 - (b) The **Investigator** will not receive dual compensation from **Missouri City** and the **City** for the same services performed under the terms of this **Agreement**.
 - (c) It will cooperate with **OJP**, its agents, representatives, and employees, and any other State of Texas agency in regards to any audit, investigation or inquiry concerning the **Human Trafficking Grant**.
 - (d) The **Investigator** assigned to work with **HPD** and other law enforcement officers shall at all times, remain **Missouri City** and **MPD** employees. Such **Investigator** shall be subject to all applicable **Missouri City** and **MPD** rules, regulations, procedures, orders, and training.
 - (e) Nothing in this **Agreement** shall constitute an exception from, waiver of or other basis upon which the **Investigator** is permitted to fail to, fully and promptly comply with all **Missouri City** and **MPD** rules, regulations, procedures and other operating policies.
- 4.03 Missouri City** agrees to comply with **OJP’s** rules, regulations, policies, guidelines and requirements and **OJP’s** Grants Management System (GMS), provided in “**Exhibit C**”, as they relate to the **Agreement** and use of Federal Funds.

ARTICLE V
OWNERSHIP OF PROPERTY

5.01 Upon termination of this **Agreement**, ownership of Property or other non-expendable items received from the City of Houston will revert to the City of Houston Police Department, subject to the approval of the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime, and Bureau of Justice Assistance.

ARTICLE VI **INFORMATION/DATA**

6.01 **Missouri City** and the **MPD** shall keep all materials to be prepared hereunder and all **City** data it receives in strictest confidence excluding those documents and records filed in the Courts. **Missouri City** and the **MPD** shall not divulge such information except as approved in writing by the **City** or as otherwise required by law.

6.02 **Missouri City** and the **MPD**, except as otherwise required by law, shall make no announcement or release of information concerning this **Agreement** until such release has been submitted to and approved in writing by the **City** and the **OJP**. When issuing statements, press releases, producing printed materials, audio visuals and other documents describing or related to the **Human Trafficking Grant** program, such material shall clearly state that funding was provided by the City of Houston Police Department through a grant from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime, and Bureau of Justice Assistance. Any such publicity shall be in a form approved by the **OJP**, the **City** and in accordance with State law.

6.03 The **City** shall have the right to perform, or cause to be performed, (1) audits of the books and records of **Missouri City** pertaining to **Missouri City's** performance under this **Agreement**, and (2) inspections of all places where work is undertaken in connection with this **Agreement**. **Missouri City** shall be required to keep such books and records available for such purpose for at least four (4) years after the ceasing of its performance under this **Agreement** and to insure the availability, usability and safety of such records. The location of such records shall be disclosed to the **City** upon request. The location of such records shall not affect the time for bringing a cause of action, nor the applicable statute of limitations.

6.04 **Missouri City** agrees to make all data, reports, records, books, paper, documents and all other information in any form, electronically produced or otherwise, that are prepared,

collected or assembled for and during performance of this **Agreement**, concerning, derived from or because of the **Human Trafficking Grant**, available to the **City** and the **City Controller**, through any authorized representative, within a reasonable time upon request.

ARTICLE VII
INSURANCE AND LIABILITY

- 7.01** The **City** and **Missouri City** are both governed by the Texas Tort Claims Act, §101.001 *et seq.*, as amended, Texas Civil Practice and Remedies Code Ann. (Vernon 2011 & Supp. 2017) which sets forth certain limitations and restrictions on the types of liability and the types of insurance coverage that can be required of the **City** and **Missouri City**. Each party to this **Agreement** warrants and represents that it is insured under a commercial insurance policy or self-insured for all claims falling within the Texas Tort Claims Act.
- 7.02** Each party to this **Agreement** agrees that it shall have no liability whatsoever for the actions or omissions of an individual employed by another party, regardless of where the individual's actions occurred. Each party is solely responsible for the actions and/or omissions of its employees and officers, to the extent required by Texas Law.

ARTICLE VIII
COMPLIANCE WITH EQUAL OPPORTUNITY LAWS

- 8.01** **Missouri City** shall comply with all applicable laws, standards, orders and regulations regarding equal employment which are applicable to **Missouri City's** performance of this **Agreement**, including Rules of Practice for Administrative Proceeding to Enforce Equal Opportunity under Executive Order No. 11246, title 41, subtitle B, Chapter 60, part 60-30, which are incorporated herein by reference.

ARTICLE IX
AMENDMENTS

- 9.01** Unless otherwise specified this **Agreement** may be amended only by written instrument executed on behalf of the **City** and **Missouri City** (by authority of ordinances or orders adopted by the respective governing bodies).

ARTICLE X
LEGAL CONSTRUCTIONS

10.01 In case any one or more of the provisions contained in this **Agreement** shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this **Agreement** shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE XI
ENTIRE AGREEMENT

11.01 This **Agreement** supersedes all other agreements, either oral or in writing between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this **Agreement**, which is not contained herein, shall be valid or binding.

ARTICLE XII
LIABILITY

12.01 Each party to this agreement shall be responsible for its own acts of negligence. Where any injury or property damage results from the joint or concurring negligence of the parties, liability, if any, shall be shared by each party based on comparative responsibility in accordance with the applicable laws of the State of Texas, subject to all defenses, including governmental immunity. These provisions are solely for the benefit of the parties hereto and not for the benefit of any person or entity not a party to this agreement; nor shall any provisions in this agreement be deemed a waiver of any defenses available by law.

ARTICLE XIII
NOTICES

13.01 Each party giving any notice or making any request, demand, or other communication (each, a “Notice”) pursuant to this Agreement shall do so in writing and shall use one of the following methods of delivery, each of which, for purposes of this Agreement, is a writing: personal delivery, registered or certified mail (in each case, return receipt

requested and postage prepaid), or nationally recognized overnight courier (with all fees prepaid).

13.02 Each party giving a Notice shall address the Notice to the receiving party at the address listed below or to another address designated by a party in a Notice pursuant to this Section:

Missouri City:

City: Houston Police Department
Human Trafficking Division
Attention: Lieutenant in Charge
7277 Regency Square Blvd.
Houston, Texas 77036

13.03 A Notice is effective only if the party giving or making the Notice has complied with subsections 13.01 and 13.02 and if the addressee has received the Notice. A Notice is deemed received as follows:

13.03.01 If the Notice is delivered in person or sent by registered or certified mail or a nationally recognized overnight courier, upon receipt as indicated by the date on the signed receipt.

13.03.02 If the addressee rejects or otherwise refuses to accept the Notice, or if the Notice cannot be delivered because of a change in address for which no Notice was given, then upon the rejection, refusal, or inability to deliver.

ARTICLE XIV
ASSURANCES

14.01 By signing below, **Missouri City** makes the certifications and assurances as required in **Exhibit “C” Assurances**.

ARTICLE XV
SIGNATURES

15.01 The Parties have executed this Agreement in multiple copies, each of which is an original. Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other that the execution and delivery of this Agreement and the performance of such Party's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on such Party and enforceable in accordance with its terms. The Parties hereby agree that each Party may sign and deliver this Agreement electronically or by electronic means and that an electronic transmittal of a signature, including but not limited to, a scanned signature page, will be as good, binding, and effective as an original signature.

CITY OF HOUSTON, TEXAS

ATTEST/SEAL:

APPROVED:

City Secretary

Sylvester Turner, Mayor

APPROVED:

COUNTERSIGNED BY:

Art Acevedo, Houston Police Chief

Chris Brown, City Controller

APPROVED AS TO FORM:

DATE COUNTERSIGNED:

Senior Assistant City Attorney
L.D. File No.

MISSOURI CITY

ATTEST/SEAL:

APPROVED:

Mayor, Missouri City

APPROVED AS TO FORM:

City Attorney, Missouri City

APPROVED:

Missouri City Police Chief

EXHIBIT "A"

MISSOURI CITY

Investigator (1)

Overtime (not to exceed) *

*Estimated cost for per diem expenses incurred away from duty station for the Investigator assigned to grant position, to be paid in accordance with the Missouri City policy and procedure.

	Year1	Year2	Year3
Overtime (up to but not to exceed)	\$10,000	\$10,000	\$10,000
Total HPD/Grant Contractual Expenses per year (Overtime + Investigative Technology)	\$10,000	\$10,000	\$10,000
Total over 3-year grant period			\$30,000

EXHIBIT “B”

Scope of Services

MISSOURI CITY INVESTIGATOR (1)

The Missouri City Investigator will work with the recipients and Grantors of the Human Trafficking Grant and serve as a liaison between the City, Missouri City, and other local, state and federal law enforcement agencies. The Investigator will actively participate in investigations conducted under this grant program that overlap local law enforcement’s jurisdictional lines in the State of Texas and assist local law enforcement officers in investigating all forms of human trafficking.

EXHIBIT “C”

ASSURANCES

The Grantee and Subgrantee hereby certify that they will comply with the following conditions:

- 1. A grantee and subgrantee must comply with DOJ/OJP grant rules.**
- 2. A grantee and subgrantee must comply with Texas Government Code, Chapter 573, by ensuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any persons related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person, who shall have been continuously employed for a period of two years, or such period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.**
- 3. A grantee and subgrantee must insure that all information collected, assemble or maintained by the applicant relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, unless otherwise expressly prohibited by law.**
- 4. A grantee and subgrantee must comply with Texas Government Code, Chapter 551, which requires all regular, special or called meeting of governmental bodies be open to the public, except as otherwise provided by law.**
- 5. A grantee and subgrantee must comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.**
- 6. No health and human services agency or public safety or law enforcement agency may contract with or issue a license, certificate or permit to the owner, operator or administrator of a facility if the license, permit or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.**
- 7. A grantee and subgrantee that is a law enforcement agency regulated by Texas Government Code, Chapter 415, must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 415, Texas Government Code or must provide the grantor agency with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in process of achieving compliance with such rules.**
- 8. When incorporated into a grant award or contract, these standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and local subrecipients shall maintain an appropriate**

contact administration system to insure that all terms, conditions, and specifications are met.

9. A grantee and subgrantee must comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Grantees and subgrantees shall also ensure that all program personnel are properly trained and aware of this requirement.
10. Grantees and subgrantees will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VII of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (I) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
11. Grantees and subgrantees will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §§ 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction sub-agreements.
12. Grantees and subgrantees will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
13. Grantees and subgrantees will comply with the provisions of the Hatch Political Activity Act (5 U.S.C. § 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

14. **Grantees and subgrantees will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.**
15. **Grantees and subgrantees will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA. (EO11738)**
16. **Grantees and subgrantees will comply with Article IX, Section 5 of the state appropriations act which prohibits the use of state funds to influence the outcome of any election or the passage or defeat of any legislative measure.**

HUMAN TRAFFICKING RESCUE ALLIANCE TASK FORCE

SPECIAL CONDITION

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Enhanced Collaborative Model to Combat Human Trafficking: Enhancement of Established Human Trafficking Task Forces program, that all the information presented is correct, and that the applicant will comply with the rules of the Human Trafficking Rescue Alliance and all other applicable federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the foregoing assurances above apply to all recipients of assistance.

MISSOURI CITY AUTHORIZED OFFICIAL

Date

HUMAN TRAFFICKING RESCUE ALLIANCE TASK FORCE

SPECIAL CONDITION

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Enhanced Collaborative Model to Combat Human Trafficking: Enhancement of Established Human Trafficking Task Forces program, that all the information presented is correct, and that the applicant will comply with the rules of the Human Trafficking Rescue Alliance and all other applicable federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the foregoing assurances above apply to all recipients of assistance.

**Sylvester Turner, Mayor
City of Houston**

Date



**Council Agenda Item
June 15, 2020**

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



CITY COUNCIL AGENDA ITEM COVER MEMO

June 15, 2020

To: Mayor and City Council
Agenda Item: 11(a) A resolution adopting rules governing the investment of funds of the City of Missouri City; providing for repeal; and designating the Assistant City Manager and the Director of Financial Services to be responsible for the investment of City funds
Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

This resolution proposes the adoption of the investment policy as of June 15, 2020 for the City.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

Chapter 2256 of the Texas Government Code requires the governing body of an investing entity to adopt a written investment policy regarding the investment of its funds, and requires that the governing body review its investment policy and investment strategies not less than annually. City Council last reviewed and adopted the investment policy on June 17, 2019.

Chapter 2256 of the Texas Government Code, also known as the Public Funds Investment Act, outlines allowable investment instruments for municipalities. The City's investment policy remains in compliance with the Act. Although during the 86th legislative session, there were no changes to the Public Funds Investment Act; the policy has been amended to require Investment Officers to attend ten hours of training in subsequent two year periods as required by the Public Funds Investment Act.

On June 11, 2020, the Investment Committee reviewed the Investment Policy and strategy with the Finance and Services Committee, and recommends adopting the investment policy found in Attachment A to our resolution.

SUPPORTING MATERIALS

1. Resolution (including proposed Investment Policy)
2. Investment Policy changes marked
3. Approved Broker/Dealer list

STAFF'S RECOMMENDATION

Staff recommends approval of the Investment Policy as of June 15, 2020.

Director Approval: Allena Portis, Director of Financial Services

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

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ADOPTING RULES GOVERNING THE INVESTMENT OF FUNDS OF THE CITY OF MISSOURI CITY; DESIGNATING THE ASSISTANT CITY MANAGER AND THE FINANCIAL SERVICES DEPARTMENT DIRECTOR TO BE RESPONSIBLE FOR THE INVESTMENT OF CITY OF MISSOURI CITY FUNDS; AND PROVIDING FOR REPEAL.

* * * * *

WHEREAS, Chapter 2256 of the Texas Government Code (the “Public Funds Investment Act”) requires the governing body of an investing entity to adopt a written investment policy regarding the investment of its funds and funds under its control and to review the investment policy and investment strategies not less than annually; and

WHEREAS, on June 17, 2017, by Resolution No. R-19-21, the City Council of the City of Missouri City (the “City”) reviewed, approved, and adopted a written Investment Policy for the City regarding the investment of public funds (the “Investment Policy”); and

WHEREAS, the City Council has reviewed the Investment Policy and the City’s investment strategies; and

WHEREAS, the City Council has determined that it is in the best interest of the residents of the City to adopt rules governing the investment of the funds of the City; now therefore,

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

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

Section 2. In accordance with the Public Funds Investment Act, the City Council has reviewed the Investment Policy and the City’s investment strategies and hereby recommends and adopts rules governing the investment of City funds and investment strategies as set forth in the Investment Policy attached hereto as Exhibit “A” and made a part hereof for all purposes.

Section 3. Resolution No. R-19-21, adopted June 17, 2019, and all other resolutions in conflict herewith, are hereby repealed.

Section 4. In accordance with the Public Funds Investment Act, the City Council hereby designates the Assistant City Manager and the Financial Services Department Director to be responsible for the investment of City funds in accordance with the rules governing investments adopted in Section 2 hereof.

PASSED, APPROVED and ADOPTED this 15th day of June, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



INVESTMENT POLICY
FOR
City of
MISSOURI CITY, TEXAS

June 15, 2020

Exhibit "A"

PREFACE

This Policy serves to satisfy the statutory requirements for the City of Missouri City, Texas (the "City") of the Texas Government Code Chapters 2256 (the "Public Funds Investment Act" or the "Act") and 2257 (the " Public Funds Collateral Act") to define and adopt a formal investment policy.

State and local public laws govern the investment process for the City's funds. Laws cannot ensure that public officials manage public funds in a disciplined and prudent manner. The actions of public officials responsible for investing public funds must be guided by knowledge, skills, systems, policies, procedures, and confidence that can be described only as professional discipline.

It is the policy of the City that giving due regard to safety and risk of investments, all available funds shall be invested in conformance with these legal and administrative guidelines. All City funds shall be invested, to the maximum extent possible, at the risk-appropriate rates obtainable at the time of the investment.

Effective cash management is recognized as essential to good fiscal management. An aggressive cash management and investment policy will be pursued. To that end, investment interest will be used as a viable and material revenue source for all operating and capital funds. Earnings from investments will be used in a manner that will best serve the interest of the City.

The City's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

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I. INTRODUCTION AND OBJECTIVES

The Investment Policy of the City shall be to have all available funds invested, to the maximum extent possible, at the optimum rates obtainable at the time of investment. This is in conformance with the legal and administrative guidelines outlined herein. The investments shall be consistent with state and local laws and shall be made in accord with the following hierarchy of objectives:

- Preservation of capital, safety of principal and security of investments and City funds,
- Maintenance of sufficient liquidity to meet operating needs,
- Diversification of investments to avoid unreasonable or avoidable risks,
- To ensure public trust, and
- Optimization of return on the portfolio.

Cash management is the process of managing moneys to optimize cash availability and yield on short-term investments of idle cash. An aggressive cash management program consistent with this Investment Policy will be pursued by the City to take advantage of investment interest as viable and material revenue for all operating and capital funds. The City's portfolio shall be designed and managed in a manner responsive to the public trust. Earnings from investments will be used in a manner that will best serve the interests of the City.

II. DELEGATION AND RESTRICTION OF INVESTMENT AUTHORITY

The Assistant City Manager and the Financial Services Director are designated as the Investment Officers. The Financial Services Director shall act as primary Investment Officer with responsibility and authority for daily investment transactions and cash management. The Financial Services Director is also responsible for considering the quality and capability of staff involved in investment management and procedures. The Financial Services Director will ensure that staff involved in the investment function complies with all requirements established by this Policy.

The Investment Officers shall attend training accumulating at least ten (10) hours relating to the Officer's responsibility under the Act within twelve (12) months after assuming duties and attend additional investment training accumulating at least ten (10) hours in subsequent two-year periods that begins on the first day of the fiscal year and consists of the two consecutive fiscal years after that date.

All investment training shall be from an independent source approved by the City Council. The following sponsors are hereby approved:

- 1) Government Finance Officers Association (GFOA and GFOAT);

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- 2) Texas Society of Certified Public Accountants (TSCPA);
- 3) Texas Municipal League (TML);
- 4) Government Treasurers' Organization of Texas (GTOT);
- 5) Sponsors approved by the TSCPA and GFOA, GFOAT, GTOT, to provide CPE credits;
- 6) Center for Public Management at the University of North Texas; or
- 7) Alliance of Texas Treasury Associations (ATTA)

The Financial Services Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived; and the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Financial Services Director shall establish internal controls that address the following points:

- Prevention of collusion.
- Separation of transaction authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for telephone (voice) transactions for investments and wire transfers.

ID. PRUDENCE AND ETHICAL STANDARDS

The standard of prudence used by the City shall be the "prudent person rule" and shall be applied in the context of managing the overall portfolio. The prudent person rule is restated below:

Investments shall be made with judgment and care, under prevailing circumstances that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. the investment of all funds, or funds under the City's control, over which the Officer had responsibility rather than a consideration as to the prudence of a single investment; and
2. whether the investment decision is consistent with this Investment Policy.

Investment Officers shall notify the City Council of any conflicts of interest, as defined in the Act, no later than the next regularly scheduled City Council meeting, and provide notification to the Texas Ethics Commission, as applicable.

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It is the City's policy that the Investment Officers perform their duties in accordance with the policies and procedures set forth herein. Investment Officers, acting in good faith and in accordance with these policies and procedures, shall be relieved of personal liability.

IV. INVESTMENT COMMITTEE

There shall be established an Investment Committee to determine general strategies and to monitor results of the City's portfolio. Members of this Committee include the Financial Services Director (as chairperson), the Assistant City Manager, and the Assistant Finance Director. Additional members may be appointed by the Committee as appropriate. The Committee shall identify strategies for funds to be invested. The Investment Committee shall include in its deliberation such topics as: economic outlook, portfolio diversification, maturity structure, potential investment risks, authorized brokers/dealers, eligible investment training sources, and the anticipated rate of return on the investment portfolio. The Investment Committee will review changes to the Investment Policy and will make their recommendations to the City Council for approval.

V. AUTHORIZED INVESTMENT INSTRUMENTS

All investments of the City shall be made in accordance with the Act. The City authorizes the following types of investments:

- 1) Obligations, including letters of credit, of the United States or its Agencies and Instrumentalities, including the Federal Home Loan Banks;
- 2) Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States or its agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
- 3) Obligations of the State of Texas or its agencies and instrumentalities, and obligations of counties, cities, and other political subdivisions of this State rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
- 4) Fully insured or collateralized deposits at eligible depositories placed in compliance with this Policy and the Act;
- 5) Repurchase agreements structured in compliance with the Act. The term includes direct security repurchase agreements entered into by City and reverse repurchase agreements only obtained in connection with investment by City in an Eligible Investment Pool or Money Market Mutual Fund. All City repurchase agreement transactions shall be governed in accordance with a written repurchase agreement;
- 6) Money Market Mutual Funds registered with and regulated by the Securities & Exchange Commission; that fully invest dollar-for-dollar all City funds without sales commissions or loads; that are categorized as a "Treasury" or "Government" money market fund; and, whose investment objectives include seeking to maintain a stable net asset value of \$1.0000 per share. City may not invest funds

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under its control in an amount that exceeds 10% of the total assets of any individual money market fund,

- 7) Eligible Investment Pools as defined by and in compliance with the Act, that have been authorized by the City Council, maintain a rating of a least AAA or AAAM, and whose investment philosophy and strategy seek to maintain a stable net asset value of \$1.0000.

The Investment Officers will, in general, purchase investments with the intent to own the investment until maturity. Safety of principal with due consideration of liquidity is the foremost objective of this Investment Policy. Each investment transaction shall seek to avoid capital losses from issuer defaults or erosion of market value.

Investments purchased prior to this Policy's revision that do not meet the revised requirements of this Policy are not required to be liquidated. The Finance Committee shall monitor each investment's status to determine whether it is in the best interest of the City to hold or liquidate the investment.

Any Authorized Investment that requires a minimum rating does not qualify during the period the investment does not have the minimum rating. The City shall monitor the rating of each issuer, as applicable, at least quarterly, and take all prudent measures that are consistent with this Policy to liquidate an investment that does not have the minimum rating.

The City will practice competitive solicitations when purchasing an investment to help strengthen the investment process. The City reserves the right to reject any investment and to select the most favorable option for investment strategy achievement.

VI. UNACCEPTABLE INVESTMENT INSTRUMENTS

The following investments, although authorized by the Public Funds Investment Act, are not eligible for direct investments for the City:

- Collateralized mortgage obligations
- Commercial paper
- Banker's acceptances
- No-load mutual funds other than no-load money market mutual funds

VII. DIVERSIFICATION

Portfolio risk shall be minimized by diversification of investment types. The following limits by instrument, exclusive of funds placed in Investment Pools, are established for

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the City's total portfolio and will be implemented after adoption of this Investment Policy.

1. Obligations of the U.S. and its Agencies/Instrumentalities 100%
2. Obligations of states, agencies, counties, cities, districts, and other political subdivision..... 50%
3. Financial Institution Deposits 100%
4. Repurchase Agreements (excluding bond funds) 50%
5. Money Market Mutual Funds..... Public Funds Investment Act Limits
6. Local Government Investment Pools 100%

VIII. INVESTMENT STRATEGIES

The City maintains the following portfolios which will utilize the specific investment strategy considerations designed to address the unique characteristics of the pooled fund groups or separately investment assets represented in the portfolios:

1. **Internal Investment Pool**

Suitability - Any investment eligible in the Investment Policy is suitable for the Internal Investment Pool.

Safety of Principal - All investments shall be high quality with no perceived default risk. Market price fluctuations will occur. However, by managing weighted average days to maturity for the Investment Pool to one year or less and restricting the maximum allowable maturity to two years, the price volatility of the overall portfolio will be managed.

Marketability - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity - The Internal Investment Pool has moderate liquidity needs. Short-term deposits, investment pools, and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification - Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Diversifying the appropriate maturity structure out through two years will

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reduce market cycle risk.

Yield - Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of a comparable maturity, rolling Treasury Obligation portfolio will be the minimum yield objective.

2. **Special Project or Special Purpose Funds**

Suitability - Any investment eligible in the Investment Policy is suitable for Special Project or Special Purpose Funds.

Safety of Principal - All investments will be high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Special Project or Special Purpose Funds to not exceed the anticipated expenditure schedule the market risk of the overall portfolio will be minimized.

Marketability - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity - Special Project or Special Purpose Funds used for capital improvements programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Short-term deposits, investment pools, and money market mutual funds will provide readily available funds generally equal to at least one month's anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any expenditure request. This investment structure is commonly referred to as a flexible repurchase agreement.

Diversification - Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for construction, loan and bond proceeds. Generally, when investment rates exceed the applicable cost of borrowing, the City is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then concurrent market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield.

Yield - Achieving a positive spread to the cost of borrowing is the desired objective, within the limits of the Investment Policy's risk constraints. The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective for non-borrowed funds.

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3. Mortgage Portfolio

Suitability- Mortgage obligations of U.S. and its Agencies and Instrumentalities listed as eligible in the Investment Policy are suitable for the Mortgage Portfolio.

Safety of Principal - All investments will be high quality with no perceived default risk. Market price fluctuations will occur. However, by managing the Mortgage Portfolio to monitor market valuations and to take action to liquidate positions should their market price deteriorate significantly, the market risk of the overall portfolio will be monitored and adjusted as needed.

Marketability - Mortgage securities that exist in the Mortgage Portfolio have a reasonably efficient secondary market. The City does not intend to purchase additional positions with final maturities beyond 5 years.

Liquidity - The Mortgage Portfolio represents a longer-term investment strategy that is not intended to be a liquidity source for the City.

Diversification - The Mortgage Portfolio consists of longer-term positions that serve to diversify the overall investment program of the City.

Yield - As a longer-term program, the Mortgage Portfolio will have more yield volatility than other portfolios managed by the City.

IX. SAFEKEEPING AND CUSTODIAL AGENTS

The City shall select one or more financial institutions to provide safekeeping and custodial services for the City. A City approved agreement shall be executed with each Agent prior to utilizing that Agent's services. To be eligible for designation as the City's Safekeeping or Custodian Agent, a financial institution must qualify under the Public Funds Investment and Collateral Acts.

All repurchase agreements and investment security transactions shall be purchased using the Delivery Versus Payment (DVP) method. That is, funds shall not be wired or paid until verification has been made that the City's Safekeeping Agent received the security.

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The security or collateral shall be held in the account of the City. The Safekeeping or Custodial Agent's records shall assure the notation of the City's ownership of or explicit claim on the security or collateral. The original copy of all receipts shall be delivered to the City. Additionally, the Safekeeping or Custodial Agent shall provide a monthly report that includes the following (as available):

Name
Type/Description
CUSIP
Par Value
Current Principal or Face Value
Current Market Value
Maturity Date
Moody's or Standard & Poor's Rating (both if available)

X. COLLATERALIZATION

Consistent with the requirements of State law, the City requires all financial institution deposits to be federally insured or collateralized. Financial institutions serving as City depositories will be required to sign a depository or collateral agreement with the City. The custodial portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the agreement must be in writing;
- the agreement must be executed by the depository and the City contemporaneously with the acquisition of the asset;
- the agreement must be approved by the board of directors or the loan committee of the depository and a copy of the meeting minutes must be delivered to the City, specifically to the Financial Services Director; and
- the agreement must be part of the depository's "official record" continuously since its execution.

The City considers repurchase agreements as simultaneous sales and purchases of securities rather than collateralized loans. However, securities underlying repurchase agreements are referred to as "collateral" for the purpose of this Policy.

Financial Institution deposits plus accrued interest do not need to be collateralized pursuant to this Investment Policy as long as FDIC insurance is provided.

Acceptable forms of collateral are limited to those authorized in the Public Funds Collateral Act.

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Collateral is valued at current market value plus interest accrued through the date of the valuation. Uninsured Financial Institution deposits and repurchase agreement investments marketable security collateral must be maintained at a minimum 102% of deposit or investment value, plus any accrued interest. The City reserves the right to accept or reject any proposed collateral and to increase the minimum required collateral level.

Letters of Credit issued to the City by an agency or instrumentality of the United States shall have a minimum value of 100% of the uninsured deposit value plus any accrued interest.

Collateralized investments often require substitution of collateral. Substitution is allowed, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Financial Services Director may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

Collateral shall be audited at least annually by the City's independent audit firm and may be audited by the City at any time during normal business hours of the safekeeping party.

XI. INVESTMENT REPORTING

Each quarter, the Investment Officers shall prepare and submit to the City Council a written report of all investment transactions. The report will include the following information:

- A detailed description of the investment position of the City at the end of the quarter;
- A summary statement of each pooled fund group that states beginning market value for the quarter, ending market value for the period and fully accrued interest for the period;
- The book value and market value of each separately invested asset at the end of the quarter by the type of asset and fund type invested;
- The maturity date of each separately invested asset that has a maturity date;
- The fund or pooled group fund for which each individual asset was acquired;
- A signed statement of compliance with the investment strategy established in this Investment Policy and by the Public Funds Investment Act.

The City monitors the market price of its investments by contacting sources independent of the transaction and utilizing the Wall Street Journal or other market information sources. The report should also include computations of the weighted average yield on each fund or pooled group fund as the performance measurement standard.

XII. BROKER/DEALERS

The Investment Committee shall maintain a list of authorized broker/dealers, reviewed and approved at least annually. Broker/dealers will be selected on the basis of their

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expertise in public cash management and their ability to provide service to the City's account. The City shall purchase securities only from those authorized firms.

To be eligible, a firm must meet the following criteria:

1. Be recognized as a Primary Dealer by the Federal Reserve Bank of New York, or
2. Report voluntarily to the Federal Reserve Bank of New York, or
3. Qualify under Securities and Exchange Commission (SEC) Rule 15c3-1 (Uniform Net Capital Rule), and
4. Be registered with the Texas State Securities Board, the Financial Industry Regulatory Authority (FINRA) and the Securities and Exchange Commission (SEC), as appropriate.

XIII. ELIGIBLE BUSINESS ORGANIZATIONS

Investment Pools and discretionary investment management firms ("business organization") eligible to transact investment business with the City shall be presented a written copy of this Policy. The qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the qualified representative has:

1. Received and thoroughly reviewed this Investment Policy, and
2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of City's entire portfolio, requires an interpretation of subjective investment standards, or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

XIV. PRIMARY DEPOSITORY

A Primary Depository shall be selected through the City's banking services procurement process, which shall include a formal Request for Application (RFA) issued in compliance with applicable State law. This contract can be extended as per the RFA specifications. In selecting a Primary Depository, the credit worthiness of institutions shall be considered.

Obtaining competitive applications on the City's depository specifications will be the responsibility of the Financial Services Director. Selection of the primary depository shall be based on the institution's offering the most favorable terms and conditions for the

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handling of City funds (Chapter 105 of the Local Government Code) and the services available to the City.

The City reserves the right to open and maintain accounts at other depositories for selective services and investment purposes.

XV. COMPLIANCE AUDITS

The City, in conjunction with its annual financial audit, will require the audit firm to conduct a compliance audit of the management controls on investments and adherence to investment policies, and the quarterly investment reports. The results of the audit shall be reported to the City Council.

XVI. ANNUAL REVIEW

The Finance Committee shall, at a minimum, submit proposed amendments of this Investment Policy and incorporated investment strategies to the City Council annually. The City Council shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed or changed the Investment Policy and incorporated investment strategies.



INVESTMENT POLICY

FOR

**City of
MISSOURI CITY, TEXAS**

June ~~19XX~~, 20192020

PREFACE

This Policy serves to satisfy the statutory requirements for the City of Missouri City, Texas (the "City") of the Texas Government Code Chapters 2256 (the "Public Funds Investment Act" or the "Act") and 2257 (the "Public Funds Collateral Act") to define and adopt a formal investment policy.

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Suitability - Any investment eligible in the Investment Policy is suitable for Special Project or Special Purpose Funds.

Safety of Principal - All investments will be high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Special Project or Special Purpose Funds to not exceed the anticipated expenditure schedule the market risk of the overall portfolio will be minimized.

Marketability - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity - Special Project or Special Purpose Funds used for capital improvements programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Short-term deposits, investment pools, and money market mutual funds will provide readily available funds generally equal to at least one month's anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any expenditure request. This investment structure is commonly referred to as a flexible repurchase agreement.

Diversification - Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for construction, loan and bond proceeds. Generally, when investment rates exceed the applicable cost of borrowing, the City is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then concurrent market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield.

Yield - Achieving a positive spread to the cost of borrowing is the desired objective, within the limits of the Investment Policy's risk constraints. The yield of an equally weighted, rolling six-month Treasury Bill portfolio will be the minimum yield objective for non-borrowed funds.

3. **Mortgage Portfolio**

Suitability- Mortgage obligations of U.S. and its Agencies and Instrumentalities listed as eligible in the Investment Policy are suitable for the Mortgage Portfolio.

Safety of Principal - All investments will be high quality with no perceived default risk. Market price fluctuations will occur. However, by managing the Mortgage Portfolio to monitor market valuations and to take action to liquidate positions should their market price deteriorate significantly, the market risk of the overall portfolio will be monitored and adjusted as needed.

Marketability - Mortgage securities that exist in the Mortgage Portfolio have a reasonably efficient secondary market. The City does not intend to purchase additional positions with final maturities beyond 5 years.

Liquidity - The Mortgage Portfolio represents a longer-term investment strategy that is not intended to be a liquidity source for the City.

Diversification - The Mortgage Portfolio consists of longer-term positions that serve to diversify the overall investment program of the City.

Yield - As a longer-term program, the Mortgage Portfolio will have more yield volatility than other portfolios managed by the City.

IX. **SAFEKEEPING AND CUSTODIAL AGENTS**

The City shall select one or more financial institutions to provide safekeeping and custodial services for the City. A City approved agreement shall be executed with each Agent prior to utilizing that Agent's services. To be eligible for designation as the City's Safekeeping or Custodian Agent, a financial institution must qualify under the Public Funds Investment and Collateral Acts.

All repurchase agreements and investment security transactions shall be purchased using the Delivery Versus Payment (DVP) method. That is, funds shall not be wired or paid until verification has been made that the City's Safekeeping Agent received the security.

The security or collateral shall be held in the account of the City. The Safekeeping or Custodial Agent's records shall assure the notation of the City's ownership of or explicit claim on the security or collateral. The original copy of all receipts shall be delivered to the City. Additionally, the Safekeeping or Custodial Agent shall provide a monthly report that includes the following (as available):

Name
Type/Description
CUSIP
Par Value
Current Principal or Face Value
Current Market Value
Maturity Date
Moody's or Standard & Poor's Rating (both if available)

X. COLLATERALIZATION

Consistent with the requirements of State law, the City requires all financial institution deposits to be federally insured or collateralized. Financial institutions serving as City depositories will be required to sign a depository or collateral agreement with the City. The custodial portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the agreement must be in writing;
- the agreement must be executed by the depository and the City contemporaneously with the acquisition of the asset;
- the agreement must be approved by the board of directors or the loan committee of the depository and a copy of the meeting minutes must be delivered to the City, specifically to the Financial Services Director; and
- the agreement must be part of the depository's "official record" continuously since its execution.

The City considers repurchase agreements as simultaneous sales and purchases of securities rather than collateralized loans. However, securities underlying repurchase agreements are referred to as "collateral" for the purpose of this Policy.

Financial Institution deposits plus accrued interest do not need to be collateralized pursuant to this Investment Policy as long as FDIC insurance is provided.

Acceptable forms of collateral are limited to those authorized in the Public Funds Collateral Act.

Collateral is valued at current market value plus interest accrued through the date of the valuation. Uninsured Financial Institution deposits and repurchase agreement investments marketable security collateral must be maintained at a minimum 102% of deposit or investment value, plus any accrued interest. The City reserves the right to accept or reject any proposed collateral and to increase the minimum required collateral level.

Letters of Credit issued to the City by an agency or instrumentality of the United States shall have a minimum value of 100% of the uninsured deposit value plus any accrued interest.

Collateralized investments often require substitution of collateral. Substitution is allowed, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Financial Services Director may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

Collateral shall be audited at least annually by the City's independent audit firm and may be audited by the City at any time during normal business hours of the safekeeping party.

XI. INVESTMENT REPORTING

Each quarter, the Investment Officers shall prepare and submit to the City Council a written report of all investment transactions. The report will include the following information:

- A detailed description of the investment position of the City at the end of the quarter;
- A summary statement of each pooled fund group that states beginning market value for the quarter, ending market value for the period and fully accrued interest for the period;
- The book value and market value of each separately invested asset at the end of the quarter by the type of asset and fund type invested;
- The maturity date of each separately invested asset that has a maturity date;
- The fund or pooled group fund for which each individual asset was acquired;
- A signed statement of compliance with the investment strategy established in this Investment Policy and by the Public Funds Investment Act.

The City monitors the market price of its investments by contacting sources independent of the transaction and utilizing the Wall Street Journal or other market information sources. The report should also include computations of the weighted average yield on each fund or pooled group fund as the performance measurement standard.

XII. BROKER/DEALERS

The Investment Committee shall maintain a list of authorized broker/dealers, reviewed and approved at least annually. Broker/dealers will be selected on the basis of their

expertise in public cash management and their ability to provide service to the City's account. The City shall purchase securities only from those authorized firms.

To be eligible, a firm must meet the following criteria:

1. Be recognized as a Primary Dealer by the Federal Reserve Bank of New York, or
2. Report voluntarily to the Federal Reserve Bank of New York, or
3. Qualify under Securities and Exchange Commission (SEC) Rule 15c3-1 (Uniform Net Capital Rule), and
4. Be registered with the Texas State Securities Board, the Financial Industry Regulatory Authority (FINRA) and the Securities and Exchange Commission (SEC), as appropriate.

XIII. ELIGIBLE BUSINESS ORGANIZATIONS

Investment Pools and discretionary investment management firms ("business organization") eligible to transact investment business with the City shall be presented a written copy of this Policy. The qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the qualified representative has:

1. Received and thoroughly reviewed this Investment Policy, and
2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of City's entire portfolio, requires an interpretation of subjective investment standards, or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

XIV. PRIMARY DEPOSITORY

A Primary Depository shall be selected through the City's banking services procurement process, which shall include a formal Request for Application (RFA) issued in compliance with applicable State law. This contract can be extended as per the RFA specifications. In selecting a Primary Depository, the credit worthiness of institutions shall be considered.

Obtaining competitive applications on the City's depository specifications will be the responsibility of the Financial Services Director. Selection of the primary depository shall be based on the institution's offering the most favorable terms and conditions for the

handling of City funds (Chapter 105 of the Local Government Code) and the services available to the City.

The City reserves the right to open and maintain accounts at other depositories for selective services and investment purposes.

XV. COMPLIANCE AUDITS

The City, in conjunction with its annual financial audit, will require the audit firm to conduct a compliance audit of the management controls on investments and adherence to investment policies, and the quarterly investment reports. The results of the audit shall be reported to the City Council.

XVI. ANNUAL REVIEW

The Finance Committee shall, at a minimum, submit proposed amendments of this Investment Policy and incorporated investment strategies to the City Council annually. The City Council shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed or changed the Investment Policy and incorporated investment strategies.



Missouri City, Texas
Approved Broker/Dealer List
2020

Duncan Williams, Inc.

Great Pacific Securities

Multi-Bank Securities

Rice Financial Products Co.

Raymond James

Wells Fargo Brokerage Services, L.L.C.

FHN Financial Capital Markets

Hilltop Securities



**Council Agenda Item
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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
