

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 AGENDA

Notice is hereby given of a meeting of the City Council of Missouri City to be held on **Monday, August 17, 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) Recognize the "400 Years of African American History Commission" for its contributions to honor June 19 through August 25, 2020, as a period of reflection, cultural and public education, earnest assessment, planning, and commitment to end systemic racism and all forms of dehumanization which threaten equality and freedom for all. *(Proposed presenter: Mayor Yolanda Ford)*

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

6. CONSENT AGENDA

All consent agenda items listed are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember so requests; in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

- (a) Consider approving the minutes of the special and regular City Council meetings of August 3, 2020. *(Proposed presenter: City Secretary Maria Jackson)*
- (b) Consider an ordinance amending Chapter 82, Subdivisions, of the Missouri City Code; establishing regulations for the naming of new streets; providing a penalty; and consider the ordinance on the second and final reading. *(Proposed presenter: Planning Manager Jennifer Thomas Gomez)*
- (c) Consider authorizing the execution of a joint elections agreement and contract for elections services with Fort Bend County for the November 3, 2020 general and special elections. *(Proposed presenter: City Secretary Maria Jackson)*
- (d) Consider authorizing the negotiation and execution of a joint elections agreement and contract for elections services with Harris County for the November 3, 2020 general and special elections. *(Proposed presenter: City Secretary Maria Jackson)*
- (e) Consider authorizing an amendment to Appendix L of the City's Community Development Block Grant Housing Rehabilitation Program Guidelines relating to eligibility and prioritization. *(Proposed presenter: Director of Development Services Otis Spriggs)*

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 a proposal on a maximum property tax rate and consider setting the date for the adoption of a property tax rate on a future meeting agenda. *(Proposed presenter: Director of Financial Services Allena Portis)*
- (b) Consider authorizing the Farmers Market Partners' request to host a weekly farmers market at Sienna Annex (5855 Sienna Spring Way) under the Special Event's Permit Ordinance for a period expiring on November 25, 2023. *(Proposed presenter: Director of Development Services Otis Spriggs)*
- (c) Consider authorizing the city manager to negotiate and execute an amendment to the construction contract for the Mustang Bayou Wastewater Treatment Plant expansion for Package 2 (balance of plant). *(Proposed presenter: Director of Public Works Shashi Kumar)*

10. ORDINANCES

- (a) Consider an ordinance amending Chapter 62, Municipal Court, of the Missouri City Code; providing duties for the presiding judge; and consider the ordinance on the first of two readings. *(Proposed presenter: City Attorney E. Joyce Iyamu)*

- (b) Consider an ordinance amending the general budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers; making certain findings; containing certain provisions relating to the subject; and, consider the ordinance on the first and final reading. *(Proposed presenters: Director of Financial Services Allena Portis and Utilities Manager Todd Hoover)*
- (c) Consider an ordinance authorizing the enforcement of all traffic regulations that apply to public City streets on the private streets located in Meadowcreek, Section 4; providing a penalty; and consider the ordinance on the first of two readings. *(Proposed presenter: Assistant City Attorney James Santangelo)*

11. RESOLUTIONS

- (a) Consider a resolution adopting certain components of the 2020 Harris County Multi-hazard Mitigation Action Plan; providing for repeal; and providing for severability. *(Proposed presenters: Emergency Management Coordinator Trameka Jewett and Fire Chief Eugene Campbell)*

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

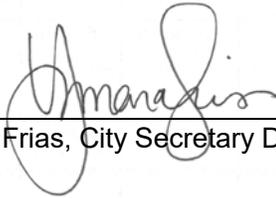
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

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 August 17, 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 August 13, 2020, at 4:15 p.m.



Yomara Frias, City Secretary Department



**Council Agenda Item
August 17, 2020**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

- (a) Recognize the "400 Years of African American History Commission" for its contributions to honor June 19 through August 25, 2020, as a period of reflection, cultural and public education, earnest assessment, planning, and commitment to end systemic racism and all forms of dehumanization which threaten equality and freedom for all. *(Proposed presenter: Mayor Yolanda Ford)*

4. PUBLIC COMMENTS

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5. STAFF REPORTS

YOLANDA FORD
Mayor

VASHAUNDR A EDWARDS
Councilmember at Large Position No. 1

CHRIS PRESTON
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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, August 3, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:34 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 5:42 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; City Manager Jones, City Attorney Iyamu, City Secretary Jackson, Assistant City Manager Atkinson, Assistant City Manager Martel, Director of Financial Services Portis, Director of Communications Walker, Director of Human Resources and Organizational Development Russell, Director of Development Services Spriggs, Police Chief Berezin, Judge Sinclair, Judge Richter, Judge Rosenberg, Budget and Financial Reporting Manager Alexander, Procurement and Risk Manager Pleasant and Budget Analyst Su.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss amending Chapter 62, Municipal Court, of the Missouri City Code, to provide duties for the presiding judge.

City Attorney Iyamu presented the proposed ordinance and noted it was provided to the three municipal court judges for feedback. She stated the desire of the judges was to retain the three panel and not consolidate them. Iyamu stated the judge's comments and a revised ordinance was provided to Council in the packet.

Councilmember Edwards moved to amend the ordinance. Mayor Pro Tem Preston seconded.

Councilmember Edwards asked for the pros and cons of consolidating the duties of the judges. Judge Sinclair stated the issue with it being changed to three panels arose when the presiding judge ordinance was eliminated. She stated they did not have specific language for the duties of the presiding judge. Iyamu noted the additional panels were added in 1988 and the presiding judge duties were eliminated in 2010. She added the reason for proposing a single panel was that state law provides that when having multiple panels, each judge on each panel have the same power. The proposal of a single panel ordinance was to be in line with what state law provided. Iyamu asked if Judge's Sinclair's request was to include the entirety of Chapter 62-8a first line or change the phrase 'shall manage.' Sinclair stated she would change manage to facilitate.

Councilmember Edwards asked if the judges had any other suggestions. Judge Richter stated the ordinance would codify what the duties of the presiding judge were. Judge Rosenberg thanked them for removing the criminal penalties. He stated everything works efficiently at the court and likes the cooperation that exists among the parties.

Councilmember Edwards asked what changes took place in 2010. Iyamu stated she was not sure why they were done away in 2010, but believed that the attorneys were reading the statute as it related to providing equal power to the judges. Mayor Ford asked that the item be placed on the next agenda.

- (b) Presentation of the Proposed Fiscal Year 2021 Budget (Assistant City Manager Atkinson and Director of Financial Services Portis).

City Manager Jones stated staff had been working hard on the budget and introduced staff to present the proposed budget. Assistant City Manager Atkinson presented the presentation outline on the proposed budget. Director of Financial Services Portis presented the Fiscal Year 2021 general budget overview. Atkinson presented on the organizational focus and priorities.

Councilmember Edwards asked that staff explain the delay of the beautification project. Assistant City Manager Martel provided an update and noted the contractor was in the City last week working on irrigation. He stated the trees would be delivered this week and the project should be finalized the third week in August, pending weather. Atkinson noted the crews working on the project were affected by COVID-19 thus creating a delay.

Councilmember Emery asked if they had an inventory of reoccurring expenditures and one-time expenditures regarding supplemental requests. Atkinson stated they would provide information to Council. Director of Financial Services Portis addressed next steps and the budget calendar. Councilmember Sterling asked if they had any bond proceeds. Portis explained the bond proceeds that were available to spend on projects.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:43 p.m.

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

4. RECONVENE

At 7:06 p.m., City Council recessed the special meeting for the regular meeting.

At 8:58 p.m., City Council reconvened into closed executive session.

At 9:31 p.m., City Council reconvened into open session. No action.

3. ADJOURN

The special City Council meeting adjourned at 9:31 p.m.

Minutes PASSED AND APPROVED this the 17th day of August 2020.

Maria Jackson, City Secretary

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

CHRIS PRESTON
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Councilmember at Large Position No. 2



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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, August 3, 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 7:07 p.m.

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

2. The PLEDGE OF ALLEGIANCE was led by Director of Information Technology Cole.

There were no **PRESENTATIONS AND RECOGNITIONS** or **PUBLIC COMMENTS**.

5. STAFF REPORTS

(a) Presentation of the certified tax rolls by Director of Financial Services Portis.

Director of Financial Services Portis presented on the certified tax rolls. Councilmember Emery asked if they were aware of how much additional revenue was coming from the increase of assessed values. Portis stated there was a calculation available and the information of assessed value would be provided to Council at the August 17 City Council meeting.

(b) Report on conducting an internal controls audit by City Manager Odis Jones.

City Manager Jones reported on conducting an internal controls audit. He stated he was looking at the financial strength of the organization and has evaluated the audits conducted by the City. Jones stated the last audit did not look at the effectiveness of audit controls. He added that for transparency purposes, he would have an audit for the effectiveness and to look at best practices. He noted that if the cost exceeded \$50,000 he would bring the item before City Council for approval.

Councilmember Edwards thanked Jones for alerting Council about the item. She stated it was incumbent of them to have this audit. Councilmember Sterling stated in any position with a leader dealing with millions of dollars, they should do an audit to be successful.

Councilmember Boney asked what the internal controls audit entailed. Jones stated the plan was to evaluate all internal controls, which included purchasing, cash handling, and overall policies that exists. They would do a contrast of what they have and how effective they were. Jones wanted to make sure they were operating

up to standards and believes they could get that done for under \$50,000. He stated he would get three or more bids and move forward with that.

Councilmember Boney stated that in the previous audits Jones reviewed, they were not able to encompass the things he was seeking to audit and asked if he could speak further on that. Jones stated that the letter from the auditors looked at the transactional purposes and not the effectiveness of the policies. He wanted a third party to look at what has been put in place to ensure the safekeeping of financial services. Councilmember Boney asked if the audit would be brought to Council for review. Jones stated if something was found that raised questions he would bring it to City Council.

Councilmember Emery stated there were recommendations made by the previous audit firm of deficiencies found and staff put together recommendations on how to strengthen those. Emery stated he hopes those would be looked at so that processes would not be duplicated. Jones stated he would make sure that would occur.

Councilmember Maroulis asked if from this point going forward, could they add this type of audit or would they have to do it as needed. Jones stated it was something that could have been added and recommends doing so from now on. Mayor Pro Tem Preston stated he received feedback from several residents that were in favor of this process.

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the special City Council meeting of July 16, 2020, and the special and regular City Council meetings of July 20, 2020.
- (b) Consider an ordinance amending Chapter 16, Naming of City Property and City Programs; of the Missouri City Code; reducing the signature threshold to change existing street names; providing a penalty; and consider the ordinance on the second and final reading.
- (c) Consider accepting the quarterly investment report for the quarter ending on June 30, 2020.
- (d) Consider authorizing the City Manager to execute a contract for the Emergency Operations Center server room HVAC replacement.
- (e) Consider approving a correction deed correcting an omission contained in a deed, previously approved and accepted by City Council on December 16, 2019, transferring certain dedicated and gifted parkland to the City of Missouri City, Texas, from Herrin Ranch Development II Inc., on behalf of the Riverstone "Phase II" Subdivision.

Councilmember Edwards moved to approve the Consent Agenda pursuant to recommendations by City Staff. 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

There were no **Zoning Public Hearings and Ordinances** on this agenda.

7. **PUBLIC HEARINGS AND RELATED ACTIONS**

(b) **Public Hearings and related.**

- (1) Public hearing to receive comments for or against an ordinance amending Chapter 82, Subdivisions, of the Missouri City Code; establishing regulations for the naming of new streets; providing a penalty; and consider a related ordinance on the first of two readings.

Planning Manager Thomas Gomez presented on the proposed ordinance for the renaming of streets with names that may be historically offensive. Mayor Ford asked if abutting neighborhoods would be given notice

of the changing of street names. Gomez stated they would not be notified but they could amend the ordinance to do so. Ford asked the language to be added.

Councilmember Emery asked if the ordinance was retiring the use of often-used names, such as green and quail. Gomez stated it would not affect anything with the words now, but it would permit the Planning and Zoning Commission to disapprove the use of an often-used word, when naming a subdivision moving forward. Emery asked for the logic to not use names such as green and quail. Gomez stated in part it was to look at similar names to not have conflict in place and let it be clear in case of emergency or delivery services. City Attorney Iyamu stated it was primary for emergency services so that they know where to report. Gomez stated that the Planning and Zoning Commission expressed concerns on the proposed regulations and understood the situation and climate and all generally agreed on the concept. Gomez stated some of the challenges would be on them making the call and/or determination on whether to approve/disapprove street names and with a time constraint.

Councilmember Emery asked if the regulations on the platting process came from the state legislature. Gomez stated the last changes to the subdivision ordinance came from the last legislative session where they placed a 30-day process. Emery asked if with the new requirement, would there be any problems with adhering to the new standards. Gomez stated that if they work with developers and builders, they could determine at what stage of the process they would need this information to be submitted. She noted it would be a learning curve but they could adjust to the process. Gomez noted staff recommended approval; however, the Planning and Zoning Commission forward a negative recommendation.

Councilmember Edwards moved to open the public hearing at 7:59 p.m. 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

Mayor Ford noted there four public comments submitted in writing and could be requested from City Secretary Jackson. Mayor Pro Tem Preston asked for the comments to be read aloud. City Secretary Jackson read public comments.

David Ball, 2707 Vermillion Drive, submitted comments against the ordinance.

Beau Gilbo, 3222 Confederate Drive, submitted comments in support the ordinance.

Marsha Willis, 3306 Confederate Drive, submitted comments in support the ordinance.

Wanda Taylor, 3218 Confederate Drive, submitted comments in support the ordinance.

Councilmember Edwards thanked Planning Manager Gomez for giving a detailed presentation.

Mayor Pro Tem Preston asked if they received any feedback from the residents as to why the Planning and Zoning Commission voted this down. Gomez noted there was no specific feedback other than what was expressed in the presentation as the Commission understood the need but their issues were more on the process of it.

Councilmember Boney stated he was in support of ensuring any future names were not offensive names. Mayor Ford stated it was appalling to see streets and neighborhoods with names of people and events that represent dreadful atrocities to African Americans. Ford spoke about a conversation held by former Mayor Owen and his group about the renaming of streets. Ford noted she asked the City Manager to compile a list

of all historically and racially offensive street names and communities in the City along with the cost of changing these. She added they would advise residents of the process of changing street names in the future.

Zelda Dashiell spoke in support of the ordinance.

Mayor Pro Tem Preston moved to close the public hearing at 8:13 p.m. 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

Councilmember Maroulis moved to approve the ordinance with the amendment to notice abutting neighborhoods. Councilmember Boney 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 **APPOINTMENTS** on this agenda.

9. AUTHORIZATIONS

- (a) Consider authorizing the replacement and upgrade of the lease for a City-wide security camera solution and associated hardware.

Director of Information Technology Cole spoke on the current solution and noted it had reached the end of lease. Cole noted the technology they were proposing had a longer shell life.

Councilmember Edwards moved to authorize the replacement and upgrade of the lease for a City-wide security camera solution and associated hardware. Mayor Pro Tem Preston 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 the use of CARES Act funds on the submitted project list.

Fire Chief Campbell provided an overview on the use of CARES Act funds on the submitted project list.

Spurgeon Robinson, MPACT Strategic Consulting, LCC., reviewed the difference between FEMA and CARES Act funding.

Zelda Dashiell, requested to know how citizens could get a better understanding on how the funds would be distributed and how the information would be relayed to the residents.

Mayor Ford asked Chief Campbell to work with the Communications Department to relay this information to residents. Campbell stated the City was proactive to have a consultant in place to receive guidance from

the MPACT group. Robinson agreed with Mayor Ford in providing detailed information to residents. Mayor Pro Tem Preston thanked Zelda for her passion.

Mayor Pro Tem Preston moved to authorize the use of CARES Act funds on the submitted project list. 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

10. ORDINANCES

- (a) Consider an ordinance of the City of Missouri City, Texas, providing for a general election to be held on November 3, 2020, for the purpose of electing a mayor and two at-large councilmembers; providing for a special election to be held on November 3, 2020, for the purpose of submitting to the qualified voters of the city of Missouri city a proposition providing for or against the adoption of the fire fighters' and police officers' civil service law; providing for joint elections on November 3, 2020, with other entities contracting with Fort Bend County and Harris County, respectively, for such joint elections; providing for election precincts and polling places; providing for repeal; providing for severability; containing other provisions relating to the subject; and consider the ordinance on the first and final reading.

Mayor Pro Tem Preston moved to adopt the ordinance. 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

11. RESOLUTIONS

- (a) Consider a resolution identifying certain officials within authority to open and maintain a city account or accounts with Wells Fargo Bank, National Association; providing for repeal; and containing other provisions relating to the subject.

Councilmember Maroulis moved to approve the resolution. Mayor Pro Tem Preston 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 a resolution identifying certain officials within the authority to maintain account with Wells Fargo National Bank Association for the City of Missouri City Nonprofit Trust for the payment of certain employee benefits and containing other provisions relating to the subject.

Councilmember Emery moved to approve the resolution. Councilmember Maroulis 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 a resolution ratifying the placement of retired K-9 Officer Samu with a nonprofit animal rescue organization.

Councilmember Maroulis moved to approve the resolution. 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

12. CITY COUNCIL ANNOUNCEMENTS

Councilmember Edwards thanked Mayor Ford for her leadership and moving the City forward; welcomed City Manager Jones; thanked staff that has been working hard to keep the City moving; thanked Councilmember Sterling for having her on the Zoom meeting when providing an update to District A residents; and, she reminded everyone to continue to stay safe and practice social distancing.

Councilmember Sterling thanked Mayor Ford, Mayor Pro Tem Preston, Councilmember Edwards, staff and the constituents of District A for their support and participation at the virtual district meeting she held; she stated they would be having a virtual career fair on August 11 in partnership with Fort Bend County; and, she wished the Muslim community a belated Happy Eid Mubarak.

Councilmember Boney stated he was excited to support the food drive held by Second Mile Mission Center.

Councilmember Maroulis congratulated Ms. Lee, owner of Tang City, for getting recognition for the City at a global level.

Councilmember Emery recognized the week of August 8 as National Farmers Market Week in Missouri City; and, noted he would be presenting a proclamation to the owners of the Missouri City Farmers Market.

Mayor Ford dittoed everyone's comments and welcomed City Manager Jones.

City Manager Jones thanked City Council for the opportunity.

13. ADJOURN

The regular City Council meeting adjourned at 8:58 p.m.

Minutes PASSED AND APPROVED this the 17th day of August 2020.

Maria Jackson, City Secretary



CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 6(b) New street names - Chapter 82, Subdivision Ordinance
Submitted by: Jennifer Thomas Gomez, AICP, Planning Manager

SYNOPSIS

This is the second and final reading of an ordinance to amend the City Subdivision Ordinance, Chapter 82, Code of Ordinances, to provide regulations for establishing new street names.

City Council requested that staff bring forward regulations to ensure that new subdivision and street names are not historically offensive. Concern has been raised about existing subdivisions and streets that have been named for certain historical periods and persons. These concerns have included subdivision names such as Sienna Village of Destrehan, later developed as Sienna Section or Sienna Plantation; Memorial Plantation, later named Parks Edge, as well as street names in the Vicksburg subdivision.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout

BACKGROUND

Generally, new subdivision and street names are proposed at the time of platting by a developer, builder or applicant. The city has not adopted regulations on the naming of new subdivisions. The naming of new streets is regulated through the City Subdivision Ordinance and the public infrastructure design manual. The naming of existing streets is regulated through Chapter 16 of the City Code of Ordinances.

The Planning and Zoning Commission discussed the naming of new subdivisions and streets on May 13, 2020, and considered proposed regulations on July 8, 2020. The discussion and proposed regulations are summarized as follows:

- **Subdivision names:** No proposed regulations. Subdivision property is considered private property and is protected by the First Amendment.
- **Street names:** Amend the City Subdivision Ordinance to include a new section providing for the naming of new streets:
 - Existing requirements** for the provision of proposed names at the time of platting and the maximum number of characters in a name to remain.
 - Provide **general standards** to include:
 - No duplicate names;
 - Names may not be similar to another within close proximity;
 - Names may be disapproved based upon the city naming program guidelines (Sec. 16-5, article I, Chapter 16, Code of Ordinances);
 - Names may only contain a proper name if such has contributed to the community or humanity;

- Names may not be an overused name;
- A private street name must include "PRIVATE" or "PVT" designation;
- Names may not contain a topographic character.

The Commission forwards a final report with a **negative recommendation** providing that the concept seems good in theory however more clarification would be needed on a process to determine the acceptability of new names. Additionally, Commissioners expressed concern about the time needed to research a proposed name before action was required.

Staff provided to the Commission that the current submittal and review schedule would have to be modified based on the regulations adopted. At the time of submission, an applicant would have to provide documentation responsive to the existing requirements and the proposed general standards, if adopted. That documentation would be reviewed by staff and a recommendation forwarded to the Commission. Due to the time needed, this documentation may have to be provided earlier in the platting timeline to allow for approval prior to the submission of a conceptual plan or a preliminary plat application.

The proposed regulations would allow a process for an applicant to appeal to the City Council, if a street name is disapproved. This process would include a public hearing and provide that the City Council could grant or deny the appeal.

City Council approved the ordinance on the first reading with the request to add a notice requirement for appeals to disapproved street names. The requirement would provide notice, at a minimum, to subdivisions within the vicinity of the subject subdivision containing the proposed street name.

BUDGET ANALYSIS

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

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

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

SUPPORTING MATERIALS

1. Ordinance
2. Changes marked
3. Draft New Street Name(s) Submittal Application, Checklist, Review Form

STAFF'S RECOMMENDATION

Staff recommends approval of the ordinance on the final reading.

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

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

ORDINANCE NO. O-20-__

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS,
AMENDING CHAPTER 82, SUBDIVISIONS, OF THE MISSOURI CITY
CODE; ADDING REGULATIONS REGARDING NAMING NEW
STREETS; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND
PROVIDING FOR SEVERABILITY.**

* * * * *

WHEREAS, pursuant to Walker v. Texas Division, Sons of Confederate Veterans, Inc., et al., the United States Supreme Court determined that the government may control the content of its message; and

WHEREAS, street signs on City of Missouri City (“City”) roadways and City extraterritorial roadways are ultimately owned and maintained by the City; and

WHEREAS, the City Council of the City of Missouri City finds that ensuring that the names of new street signs accurately reflects the values of the City is in the interest of the residents of the City; and

WHEREAS, the City Council of the City of Missouri City now deems it appropriate to add regulations regarding the process by which proposed street names may be disapproved in the platting process; now therefore,

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

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

Section 2. The Missouri City Code is hereby amended by adding a new Section 82-180 of Article III of Chapter 82 thereof to provide as follows:

“Sec. 82-180. Proposed Street Names.

- (a) The commission shall consider an alphabetized list of proposed street names for a plat. Upon acceptance by the city and the recordation of a plat designating the name of such street, any subsequent change in the name of the street is subject to approval by the city council pursuant to chapter 16 of this Code.
- (b) *Characters.* The commission may disapprove a proposed street name that exceeds the maximum number of characters required by the infrastructure design manual.

- (c) *Duplicate names.* The commission may disapprove duplicate street names. A street name is considered a duplicate if an existing street or a proposed street on an approved plat shares the same street name. The number of words, spaces, spelling differences, and street type do not make a street name unique.
- (d) *Names within close proximity.* The commission may disapprove a proposed street name that is proposed to be located in close proximity to a similarly named street.
- (e) *Naming program considerations.* The commission may disapprove a proposed public street name if the commission determines that such name may be rejected pursuant to the guidelines of the city's naming program, as set forth in section 16-5, article I, chapter 16 of this Code.
- (f) *Proper names.* The commission may disapprove a proposed street name that consists of the proper name of a person, geographical area, event, or activity that has not had a significant positive impact on the city or that has not contributed to the cultural, economic, educational, intellectual, political, or scientific vitality of the community or made an extraordinary contribution in the service of humanity.
- (g) *Overused names.* The commission may disapprove overused street names. Words used in more than 20 street names in the city Street Name Database are considered overused. A list of overused street names shall be appended to the platting manual and filed with the city secretary. A proposed street name submitted for review shall be disapproved if:
 - (1) Overused words are included in the name, regardless of whether the word is included in a subdivision name or marketing theme;
 - (2) The proposed street name changes the spelling of an overused street name; or
 - (3) Compound or combined words using an overused word are included in the name.
- (h) *Private streets.* The designation, "PRIVATE" or "PVT," shall follow the street name suffix of a non-public street and shall be indicated on a street name marker erected for such street.
- (i) *Typographical characters.* The commission may disapprove a proposed public street name containing typographic characters.
- (j) *Appeals.* An applicant may appeal the disapproval of one or more proposed street names by the commission to the city council. The notice of appeal shall be filed with the director of development services together with a filing fee in the amount provided in the schedule of fees adopted by resolution of the city council, within 10 days of the disapproval of the commission and shall state which criteria the commission applied in disapproving the proposed street name. One filing fee is required for an appeal of one or more disapproved street names. Upon the

determination by the director of development services that the notice of appeal is sufficient and timely filed, the director of development services shall, in coordination with the city secretary, schedule a public hearing concerning the appeal. If the director of development services determines that the notice of appeal is not sufficient, the director of development services shall notify the appellant in writing of the deficiencies. No further action shall be taken until the appellant remedies the deficiencies and the director of development services thereafter determines that the notice of appeal is complete. The council shall conduct a public hearing within 30 days of the date on which the notice of appeal was deemed to be sufficient. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be provided to each homeowner association, property owner association, and homeowner association or property owner association management company representative of the residential subdivisions located within 200 feet of the property line of the property being subdivided, or if such property is located within a planned community, within 200 feet of the planned community in which the property is located, and published in the official newspaper or a newspaper of general circulation in the city. Such notice may be provided by electronic mail. The council's review shall be limited to whether the commission correctly applied the criteria outlined in this section. The council may grant or deny an appeal by adopting a written resolution. When the council acts on a disapproval pertaining to a naming decision of the commission, council action shall be deemed to be the final action of the city as of the effective date of the resolution and shall not be subject to further review under this Code.

- (k) *Reservation of rights.* The city reserves the right to reject, replace, or reconfigure any street name on any plat pursuant to this section.”

Section 3. Repeal. All ordinances or parts of ordinances in conflict herewith, if any, shall be and are hereby repealed only to the extent of such conflict.

Section 4. Penalty. Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 3rd day of August, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 17th day of August, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

ORDINANCE NO. O-20-__

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AMENDING CHAPTER 82, SUBDIVISIONS, OF THE MISSOURI CITY
CODE; ADDING REGULATIONS REGARDING NAMING NEW
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PASSED and APPROVED on first reading this ____ day of _____, 2020.

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

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Document comparison by Workshare 9.5 on Wednesday, August 12, 2020
4:32:36 PM

Input:	
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Description	2020 New Street Names Ordinance
Document 2 ID	W:\Legal Department\Ordinance\Drafts\2020 Drafts\Platting Manual\2020.2 New Street Names Ordinance.doc
Description	W:\Legal Department\Ordinance\Drafts\2020 Drafts\Platting Manual\2020.2 New Street Names Ordinance.doc
Rendering set	Standard

Legend:	
	<u>Insertion</u>
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	2
Deletions	1
Moved from	0
Moved to	0
Style change	0

Format changed	0
Total changes	3



**DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division**

1522 Texas Parkway
Missouri City, Texas 77489
281-403-8600 (Office) ■ 281-403-8962 (Fax)
www.missouricitytx.gov

Citizen Self Service link: <https://permits.missouricitytx.gov/energovprod/selfservice#/home>

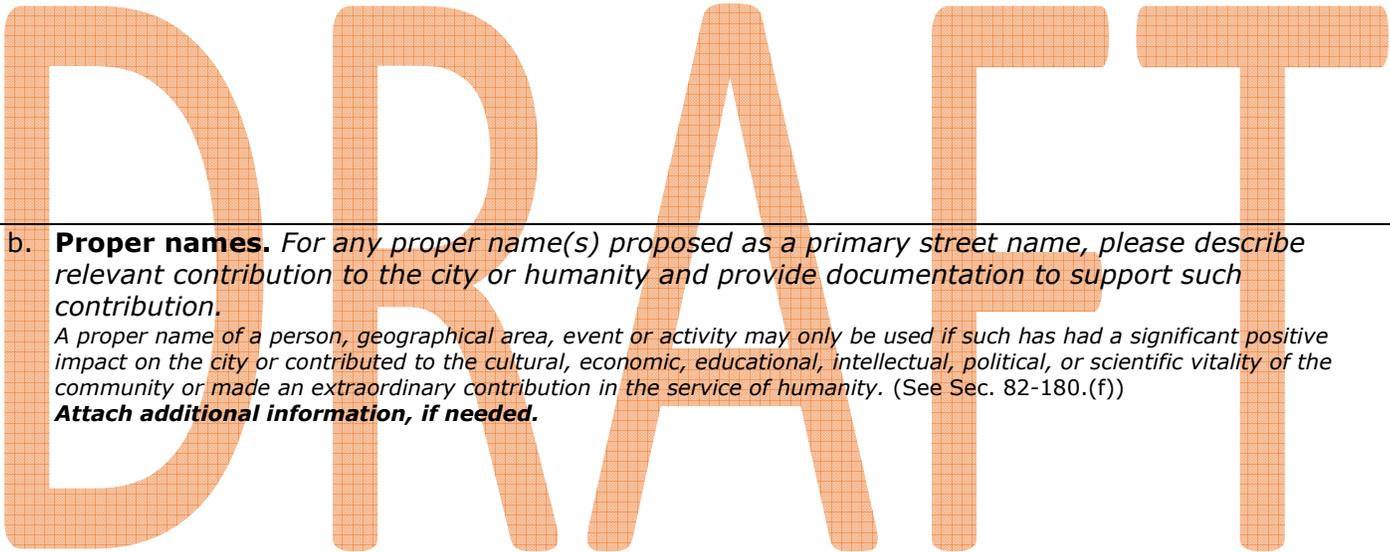
NEW STREET NAME(S) CHECKLIST

The following checklist is required to be completed and submitted with a New Street Name Submittal Application. An application containing false or misleading information or omissions is subject to disapproval in accordance with Sec. 16-5.(1), article I, chapter 16, City Code of Ordinances.

Information/Document Required

a. **Theme.** Please describe the theme, if any, of proposed street name(s) for subject plat.
A street name may not advocate a political party or religion; be unsuitable for publication; promote an illegal activity or violence; demean, intimidate, or maliciously portray any gender, racial or ethnic group or other protected class; violate federal, state or local law; or bring disrepute upon the city. (See Sec. 16-5, article I, chapter 16, City Code of Ordinances)
Attach additional information, if needed.

b. **Proper names.** For any proper name(s) proposed as a primary street name, please describe relevant contribution to the city or humanity and provide documentation to support such contribution.
A proper name of a person, geographical area, event or activity may only be used if such has had a significant positive impact on the city or contributed to the cultural, economic, educational, intellectual, political, or scientific vitality of the community or made an extraordinary contribution in the service of humanity. (See Sec. 82-180.(f))
Attach additional information, if needed.



I hereby certify that the above information is true and correct.

Applicant Printed Name

Signature

Date

Notice of Appeal. If a street name(s) is disapproved by the Planning and Zoning Commission, an applicant may appeal the disapproval by filing a notice of appeal with the director of development services within 10 days following the disapproval and in accordance with Sec. 82-180.(j), City Subdivision Ordinance. Such appeal will be considered by the city council following a public hearing.



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PROPOSED STREET NAMES REVIEW

The following review will be completed during a plat application review period by city staff comprising of the Development Services Department – Planning Division; Public Works – Engineering Division; and Public Works – GIS Division. The reasons for disapproval or conditions for approval shall be provided to the Planning and Zoning Commission with the staff report containing the plat recommendation. The New Street Name(s) Application and Checklist and any support documentation shall be provided to the commission.

Responsible Department / Division	Requirement	Notes/comments
Engineering	<input type="checkbox"/> A street name, including spaces between individual words, on major thoroughfares and major collectors may not exceed 30 characters. A street name on all other streets may not exceed 20 characters. <i>Section 11.16.G., Infrastructure Design Manual</i>	
GIS	<input type="checkbox"/> A street name may not duplicate an existing street or proposed street on an approved plat. <i>Sec. 82-180.(c), Subdivision Ordinance</i>	
GIS	<input type="checkbox"/> A street name may not be of a similar name to an existing street within close proximity. <i>Sec. 82-180.(d), Subdivision Ordinance</i>	
Planning / GIS	<input type="checkbox"/> A street name may not consist of an overused name. <i>Sec. 82-180.(g), Subdivision Ordinance</i>	
Planning / GIS	<input type="checkbox"/> Private streets must be designated as "PRIVATE" or "PVT" following the suffix. <i>Sec. 82-180.(h), Subdivision Ordinance</i>	
Planning / GIS	<input type="checkbox"/> A street name may not contain a typographic character. <i>Sec. 82-180.(i), Subdivision Ordinance</i>	
Planning	<input type="checkbox"/> A street name may only consist of a proper name of a person, geographical area, event, or	



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		<p>activity that has had a significant positive impact on the city or made an extraordinary contribution in the service of humanity. <i>Sec. 82-180.(f), Subdivision Ordinance</i></p>	
<p>Planning</p>	<input type="checkbox"/>	<p>A street name must comply with the following conditions: <i>Sec. 16-5, article I, Chapter 16, City Code of Ordinances</i></p>	
		<ul style="list-style-type: none"> ○ May not advocate a political party or religion 	
		<ul style="list-style-type: none"> ○ Must be suitable for publication and community standards for appropriateness 	
		<ul style="list-style-type: none"> ○ May not promote an illegal activity as defined by federal, state, or local law 	
		<ul style="list-style-type: none"> ○ May not promote, suggest, or glorify violence or acts of violent nature 	
		<ul style="list-style-type: none"> ○ May not demean, intimidate or maliciously portray any gender, racial or ethnic group or other protected class 	
		<ul style="list-style-type: none"> ○ May not bring disrepute upon the city. 	



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 17, 2020

To: Mayor and City Council
Agenda Item: 6(c) Consider authorizing the execution of a Joint Election Agreement and Contract for Election Services with Fort Bend County for the November 3, 2020 general and special election.
Submitted by: Maria Jackson, City Secretary

SYNOPSIS

The City is being asked to authorize the execution of the Joint Election Agreement and Contract for Election Services with Fort Bend County for the November 3, 2020 general and special election.

BACKGROUND

Since 1994, the City has contracted with Fort Bend County for election services and equipment. This contract states that the city agrees to hold a Joint Election in accordance with Chapter 271 of the Texas Election Code.

The Fort Bend County Elections Administrator will coordinate, supervise, and handle all aspects of administering the Joint Election for those precincts in Fort Bend County. The City will pay Fort Bend County for the lease of the equipment, supplies, services and administrative costs. The Fort Bend County Elections Administrator is also named as the administrator for the Joint Election and the City remains responsible for the lawful conduct of the election.

City Staff is requesting to approve the execution of the Fort Bend County Joint Election Agreement.

The City will also enter into a contract with Harris County for election services.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Fund	101-53511-10-102	Election Expense	\$60,200	\$42,790	\$17,637*

**Estimated costs*

Funding Source	Account Number	Project Code/Name	Proposed FY21 Funds Budgeted	Proposed FY21 Funds Available	Amount Requested
General Fund	101-53511-10-102	Election Expense	\$60,200	\$60,200	\$17,637*

**Estimated costs*

Purchasing Review: N/A

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.

Sufficient funds have been budgeted for conducting the City's election on November 3, 2020. The cost of Missouri City's election is dependent upon the shared cost of each jurisdiction contracting with Fort Bend County for election services in November. The total cost for election services may fluctuate due to jurisdictions cancelling their elections, which may increase Missouri City's shared cost for election services. Should the City hold a runoff election, the election cost will significantly increase.

Sixty (60) percent of the total estimated obligation is due to the County under the agreement. This deposit shall be paid to the County within ten (10) days of the City's receipt of this agreement, authorized by the governing bodies of both parties and fully executed by both parties.

Below is the total cost of contracting our election services from 2010 to present:

Year	Total Cost	Election Information
2019	\$17,041.92	<p>November 5, 2019, General Election to elect District City Councilmembers</p> <p><i>Expenses Include:</i> Fort Bend County Election Costs: \$12,200.00 Harris County Election Costs: \$2,724.83 Spanish Translations: \$1,155.14 Publications: \$856.95 Election Signs: \$105.00</p>
2018	\$67,579.67	<p>November 6, 2018, General Election to elect a Mayor and (2) At-Large City Councilmembers</p> <p>December 8, 2018, Runoff Election to elect a Mayor and At-Large Position 2 City Councilmember</p> <p><i>Expenses Include:</i> Fort Bend County Election Costs: \$54,244.00 Harris County Election Costs: \$3,847.34 Election Signs: \$480.00 Spanish Translation: \$3,381.41 Publications: \$5,626.92</p>
2017	\$21,638.26	<p>November 7, 2017, General Election to elect District City Councilmembers and Special Election regarding the (7) Charter Propositions.</p> <p><i>Total Expenses Include:</i> Fort Bend County Joint Election: \$10,527.55 Harris County Joint Election: \$1,657.03 Publications: \$5,143.68 Election Signs: \$280.00 Translations: \$4,030.00</p>

2016	\$50,365.38	<p>May 7, 2016, General Election to elect a Mayor and (2) At-Large City Councilmembers</p> <p>June 11, 2016, Runoff Election to elect an At-Large Position 2 City Councilmember</p> <p><i>Expenses Include:</i> Election Signs: \$1,665.62 Spanish Translation: \$599.90 Publications: \$2,964</p>
2015	\$17,881.82	<p>May 9, 2015, General Election to elect District City Councilmembers</p> <p>*District C and District D races were unopposed and candidates were elected into office</p> <p>*Expenses include: transaction costs, election signs, and legal publication notice.</p>
2014	24,525.58	<p>May 10, 2014, General Election to elect a Mayor and (2) At-Large City Councilmembers and a Special Bond Election for various public improvements which pertained to drainage, transportation, facilities and public safety.</p> <p>*At-Large Position 1 race was unopposed and candidate Jerry Wyatt was elected into office.</p> <p>***Election material was translated to Spanish.</p>
2013	\$42,903	<p>May 11, 2013, General Election to elect District City Councilmembers and Special Election regarding the (15) Charter Propositions.</p> <p>*District C and D races were unopposed; however, all district races were still on the ballot due to the Special election propositions.</p> <p>**Run-off election was held for Single member District A race.</p> <p>***Election material was translated to Spanish, Vietnamese, and Chinese.</p>
2012	\$183.82	<p>May 12, 2012, General Election to elect a Mayor and (2) At-Large City Councilmembers.</p> <p>*Missouri City May 12, 2012, was cancelled due to unopposed candidates.</p> <p>\$183.82 cost was for translation expenses.</p>
2011	\$12,664	<p>May 14, 2011, General Election to elect District City Councilmembers.</p> <p>*District B and District C races were unopposed and candidates were elected into office.</p>

2010	\$17,691	May 8, 2010, General Election to elect a Mayor and (2) At-Large City Councilmembers. *A Special Election was also held on May 8, 2010, to consider two propositions: adoption of an ordinance prohibiting smoking in certain public places and regulating City-wide municipal consolidation of trash collection.
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SUPPORTING MATERIALS

1. Fort Bend County Joint Election Contract

STAFF'S RECOMMENDATION

Consider authorizing the execution of the contract.

Director Approval:

Maria Jackson, City Secretary

THE STATE OF TEXAS
COUNTY OF FORT BEND

JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES

THIS CONTRACT made by and between Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting herein by and through the Fort Bend County Elections Administrator pursuant to Texas Election Code Section 31.092, hereinafter referred to as the "County", and the City of Missouri City hereinafter referred to as "Political Subdivision," for a joint November 3, 2020 election pursuant to Texas Election Code Section 271.002 .

RECITAL

The City of Missouri City (at the expense of the Political Subdivision) is holding on November 3, 2020 a General Election for the purpose of electing municipal officers and a Special Election for the purpose of approving, or disapproving, a fire fighters' and police officer's civil service law.

The County owns the Election Systems & Software EVS 6020 Voting System consisting of the ExpressVote Ballot Marking Device, the ExpressTouch electronic tabulation device, the DS-200 Precinct Tabulator, and the DS-450 Central Scanner and tabulator, which have been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. Political Subdivision desires to use the County's electronic voting system and to compensate the County for such use and to share in certain other expenses connected with joint elections in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

NOW THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, IT IS AGREED as follows:

I. ADMINISTRATION

The parties agree to hold a "Joint Election" in accordance with Chapter 271 of the Texas Election Code and this agreement. The Fort Bend County Elections Administrator, hereinafter referred to as "Elections Administrator", shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this agreement. Political Subdivision agrees to pay the County for equipment, supplies, services, and administrative costs as provided in this agreement. The Elections Administrator shall serve as the administrator for the Joint Election; however, the Political Subdivision shall remain responsible for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Political Subdivision.

It is understood that other political subdivisions may wish to participate in the use of the County's electronic voting system and polling places, and it is agreed that the County may enter into other joint election agreements and contracts for election services for those purposes on terms and conditions generally similar to those set forth in this contract. Political Subdivision agrees that the County may enter into joint election agreements with other political subdivisions that may have territory located partially or wholly within the boundaries of Political Subdivision, and in such case all parties sharing common territory shall share a joint ballot on the County's electronic voting system at the applicable polling places. In such cases, costs shall be pro-rated among the participants according to Section X of this contract.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

II. LEGAL DOCUMENTS

Political Subdivision shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or Political Subdivision's governing body, charter, or ordinances.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of Political Subdivision, including translation to languages other than English. Political Subdivision shall provide a copy of their respective election orders and notices to the Elections Administrator.

III. VOTING LOCATIONS

The County has adopted a countywide polling place program. Voters from Political Subdivisions participating in this Joint Election may cast a ballot at any polling location open for this election. The Elections Administrator shall select and arrange for the use of and payment for all Election Day voting locations. The proposed voting locations are listed in Attachment A of this agreement. In the event a voting location is not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Political Subdivision. The Elections Administrator shall notify the Political Subdivision of any changes from the locations listed in Attachment A.

If polling places for the November 3, 2020 joint election are different from the polling place(s) used by Political Subdivision in its most recent election, Political Subdivision agrees to post a notice no later than November 3, 2020 at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and stating the polling place names and addresses in effect for the November 3, 2020 election.

IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The County shall be responsible for the appointment of the presiding judge and alternate judge for each polling location in accordance with Chapter 32 of the Texas Election Code. The Elections Administrator shall make emergency appointments of election officials if necessary.

Upon request by the Elections Administrator, Political Subdivision agrees to assist in recruiting polling place officials who are bilingual (fluent in both English and Spanish).

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to ensure that all election judges appointed for the Joint Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying the person of the appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint.

Each election judge and clerk will receive compensation at an hourly rate established by the County pursuant to Texas Election Code Section 32.091. Judges and Clerks will be compensated for actual time working at a polling place, time spent preparing the polling location prior to Election Day, and time spent attending any training classes required to successfully conduct the election. The election judge will receive an additional sum of \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close.

The Elections Administrator may employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. Part-time personnel working in support of the Early Voting Ballot Board and/or central counting station on election night will be compensated at the rate set by the County.

It is agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are independent contractors and are not employees or agents of the County. No statement contained in this Agreement shall be construed so as to find any judge, clerk, or any other election personnel an employee or agent of the County, and no election personnel shall be entitled to the rights, privileges, or benefits of County employees except as otherwise stated herein, nor shall any election personnel hold himself out as an employee or agent of the County, unless considered a county employee as determined by the Fort Bend County Human Resources Department. It is further agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are independent contractors and are not employees or agents of Political Subdivision. No statement contained in this Agreement shall be construed so as to find any judge, clerk, or any other election personnel an employee or agent of Political Subdivision, and no election personnel shall be entitled to the rights, privileges, or benefits of Political Subdivision employees except as otherwise stated herein, nor shall any election personnel hold himself out as an employee or agent of Political Subdivision, unless considered an employee of the City of Missouri City as determined by the Human Resources Department of the City of Missouri City.

V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to official ballots, sample ballots, voter registration lists, and all forms, signs, maps and other materials used by the election judges at the voting locations. At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The Elections Administrator shall provide the necessary voter registration information, maps, instructions, and other information needed to enable the election judges in the voting locations that have more than one ballot style to conduct a proper election.

Political Subdivision shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which Political Subdivision's ballot is to be printed). This list shall be delivered to the Elections Administrator prior to the deadlines as described in section XVI. Political Subdivision shall be responsible for proofreading and approving the ballot insofar as it pertains to Political Subdivision's candidates and/or propositions.

VI. EARLY VOTING

The participating authorities agree to conduct joint early voting and to appoint the Election Administrator as the Early Voting Clerk in accordance with Sections 31.097 and 271.006 of the Texas Election Code. The participating authorities agree to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The participating authorities further agree that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by the County pursuant to Section 83.052 of the Texas Election Code.

Early Voting by personal appearance will be held at the locations, dates, and times listed in Attachment "B" of this document. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted

by mail received by Political Subdivision shall be forwarded immediately by fax or courier to the Elections Administrator for processing.

Upon request, the Elections Administrator shall provide Political Subdivision a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

VII. EARLY VOTING BALLOT BOARD

The County shall appoint an Early Voting Ballot Board (EVBB) to process early voting results from the Joint Election. The Presiding Judge of Central Count, with the assistance of the Elections Administrator, shall appoint two or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the early voting ballots.

VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager:	John Oldham, Elections Administrator
Tabulation Supervisor:	Robin Heiman, Assistant Elections Administrator
Presiding Judge:	Lisa Railsback, Equipment Technician

The counting station manager or his representative shall deliver timely cumulative reports of the election results as precincts report to the central counting station and are tabulated. The manager shall be responsible for releasing cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of hard copies or electronic transmittals by facsimile (when so requested) and by posting to the Elections Administrator's web page located at "www.fortbendvotes.org".

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted, and will deliver a copy of the unofficial canvass to the Political Subdivision as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

The Elections Administrator shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each participating authority and the Secretary of State's Office.

IX. RUNOFF ELECTION

Political Subdivision shall have the option of extending the terms of this agreement through its runoff election, if applicable. In the event of such runoff election, the terms of this agreement shall automatically extend unless the Political Subdivision notifies the Elections Administrator in writing within 10 days of the original election.

Political Subdivision shall reserve the right to reduce the number of early voting locations and/or Election Day voting locations in any runoff election.

X. ELECTION EXPENSES AND ALLOCATION OF COSTS

Political Subdivision agrees to share the costs of administering the Joint Election. Allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared among the total number of political subdivisions. Costs for polling places shared by the County, Political Subdivision, and other political subdivisions shall be pro-rated among the participants to this agreement.

Any expenses incurred in the rental of polling place facilities shall be pro-rated among the participants to this agreement.

It is agreed that the normal rental rate charged for the County's voting equipment used on Election Day shall be pro-rated among the participants to this agreement.

Costs for Early Voting by Personal Appearance shall be allocated as shown in Attachment C of this document.

Political Subdivision agrees to pay the County an administrative fee equal to ten percent (10%) of its total billable costs in accordance with Section 31.100(d) of the Texas Election Code.

XII. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

Political Subdivision may withdraw from this agreement and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code. Political Subdivision is fully liable for any expenses incurred by the County on behalf of Political Subdivision up until the time Political Subdivision notifies County of such withdrawal from this agreement, plus an administrative fee of ten percent (10%) of such expenses. Any monies deposited with the county by Political Subdivision shall be refunded, minus the aforementioned expenses and administrative fee if applicable.

XII. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of Political Subdivision to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with Political Subdivision.

XIII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. Political Subdivision agrees that any recount shall take place at the offices of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor and Political Subdivision's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

XIV. MISCELLANEOUS PROVISIONS

1. It is understood that to the extent space is available, that other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.
2. The Elections Administrator shall file copies of this document with the Fort Bend County Treasurer and the Fort Bend County Auditor in accordance with Section 31.099 of the Texas Election Code.
3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
4. The parties agree that under the Constitution and laws of the State of Texas, neither the County nor Political Subdivision can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.
5. This agreement shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Fort Bend or Harris Counties, Texas.
6. In the event of one of more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
7. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
8. The waiver by any party of a breach of any provision of this agreement shall not operate as or be construed as a waiver of any subsequent breach.

Any amendments of this agreement shall be of no effect unless in writing and signed by all parties hereto.

XV. COST ESTIMATES AND DEPOSIT OF FUNDS

It is estimated that Political Subdivision's obligation under the terms of this agreement shall be \$17,637.00 The Political Subdivision agrees to pay to the County a deposit of \$10,582.00 which is approximately sixty (60) percent of the total estimated obligation of Political Subdivision to the County under this agreement. This deposit shall be paid to the County within ten (10) days of the City's receipt of this agreement, authorized by the governing bodies of both parties and fully executed by both parties. The exact amount of the Political Subdivision's obligation under the terms of this agreement shall be calculated after the November 3, 2020 election (or runoff election, if applicable), and if the amount of the Political Subdivision's obligation exceeds the amount deposited, the Political Subdivision shall pay to the County the balance due within thirty (30) days after receipt of the final invoice from the Elections Administrator. However, if the amount of the Political Subdivision's obligation is less than the amount deposited, the County shall refund to the Political Subdivision the excess amount paid within thirty (30) days after final costs are calculated.

XVI. RESULT OF NON-COMPLIANCE OF DEADLINES

The Political Subdivision agrees that it shall provide ballot details to the Elections Office not later than the 70th day (August 25, 2020) before the election. It is understood that if the ballot details are not provided to the Elections Office by the 72nd

day before the election (August 28, 2020) that the Elections Office may impose a penalty fee of \$1000.00 assessed to the total cost. It is also understood that if the ballot details are not provided to the Elections Office by the 63rd day before Election Day (September 2, 2020), this contract will be declared null and void and it will be the responsibility of the political entity to conduct a separate election.

IN TESTIMONY HEREOF, this agreement, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

- (1) It has on the _____ day of _____, 2020 been executed on behalf of Fort Bend County by the Elections Administrator pursuant to the Texas Election Code Section 31.092 so authorizing;
- (2) It has on the _____ day of _____, 2020 been executed on behalf of the City of Missouri City by its Presiding Officer or authorized representative, pursuant to an action by the Governing Body of the City of Missouri City.

FORT BEND COUNTY

By John Oldham
John Oldham
Elections Administrator

CITY OF MISSOURI CITY:

By _____

APPROVED AS TO FORM:

By _____
Assistant County Attorney

VOTING CENTER	ADDRESS	CITY	ZIP
Adams Junior High School	4141 Cross Creek Bend Lane	FULSHEAR, TX	77441
Al Rabba World Food	5800 New Territory Blvd	SUGAR LAND, TX	77479
Beasley City Hall	319 S. Third Street	BEASLEY, TX	77417
Beck Junior High School	5200 S Fry Rd	KATY, TX	77450
Beckendorf Jr High School	8200 South Fry Rd.	KATY, TX	77494
Bowie Middle	700 Plantation Dr	RICHMOND, TX	77406
Brazos Bend Home & Ranch	22930 FM 1462 Rd	NEEDVILLE, TX	77461
Briarchase Missionary Baptist Church	16000 Blueridge Rd	MISSOURI CITY, TX	77489
Briscoe Junior High School	4300 FM 723 Rd	RICHMOND, TX	77406
Calvary Baptist Church	4111 Airport Ave	ROSENBERG, TX	77471
Chasewood Clubhouse	7622 Chasewood Dr	MISSOURI CITY, TX	77489
Cinco Ranch Branch Library	2620 Commercial Center Dr.	KATY, TX	77494
Clements High School	4200 Elkins Rd	SUGAR LAND, TX	77479
Commonwealth Clubhouse	4330 Knightsbridge Blvd	SUGAR LAND, TX	77479
Crockett Middle School	19001 Beechnut	RICHMOND, TX	77407
Elkins High School	7007 Knights Court	MISSOURI CITY, TX	77469
Eagle Heights Church	16718 West Bellfort	RICHMOND, TX	77407
Fairgrounds Bldg D	4310 Highway 36 S	ROSENBERG, TX	77471
Firethorne Community Association	28800 S. Firethorne Rd	KATY, TX	77494
Fort Bend ISD Admin Building	16431 Lexington Blvd	SUGAR LAND, TX	77479
Four Corners Community Center	15700 Old Richmond Road	SUGAR LAND, TX	77498
Fulshear High School	9302 Charger Way	FULSHEAR, TX	77441
Gallery Furniture	7227 W Grand Parkway S	RICHMOND, TX	77407
Garcia Middle	18550 Old Richmond Rd	SUGAR LAND, TX	77478
George Bush High School	6707 FM 1464 RD	RICHMOND, TX	77407
George Memorial Library	1001 Golfview Dr	RICHMOND, TX	77469
Great Oaks Baptist Church	7101 FM 2759 Rd	RICHMOND, TX	77469
Greatwood Community & Rec Center	7225 FM 359 Rd	SUGAR LAND, TX	77479
Hightower High School	3333 Hurricane Ln	MISSOURI CITY, TX	77459
Hunters Glen Elem.	695 Independence Blvd	MISSOURI CITY, TX	77459
Imperial Park Recreation Center	234 Matlage Way	SUGAR LAND, TX	77478
Jacks Conference Center	3232 Austin Pkwy	SUGAR LAND, TX	77479
Jones Creek Ranch Park	7714 Farm to Market 359	Richmond, TX	77406
Joy Lutheran Church	717 FM 359 Rd	RICHMOND, TX	77406
Katy Reserve (fka Childhood Center)	1711 Spring Green Blvd	KATY, TX	77479
Kempner High School	14777 Voss Rd	SUGAR LAND, TX	77498
Kendleton Church of God	619 FM 2919 Rd	KENDLETON, TX	77417
Knights of Columbus (Needville)	13631 Highway 36	NEEDVILLE, TX	77461
Kroger's Riverstone	18861 University Blvd	SUGAR LAND, TX	77479
Lake Olympia Club House	180 Island Blvd	MISSOURI CITY, TX	77459
Lantern Lane Elem.	3323 Mission Valley Dr	MISSOURI CITY, TX	77459
Lexington Creek Elem.	2335 Dulles Ave	MISSOURI CITY, TX	77459
Living Word Lutheran Church	3700 South Mason Road	KATY, TX	77450
Lost Creek Conference Center	3703 Lost Creek Blvd	SUGAR LAND, TX	77478
M.R. Massey Admin. Bldg.	1570 W. Sycamore Rd	FRESNO, TX	77545
Meadows Place City Hall	1 Troyan Dr	MEADOWS PLACE, TX	77477

VOTING CENTER	ADDRESS	CITY	ZIP
Merrell Center	6301 South Stadium Ln	KATY, TX	77494
Mission Bend Library	8421 Addicks Clodine Rd	HOUSTON, TX	77083
Missouri City Baptist Church	16816 Quail Park Dr	MISSOURI CITY, TX	77489
Missouri City Community Center	1522 Texas Parkway	MISSOURI CITY, TX	77489
Missouri City Parks and Rec.	2701 Cypress Point Dr	MISSOURI CITY, TX	77459
Museum of Natural Science	13016 University Blvd.	SUGAR LAND, TX	77479
Mustang Community Center	4521 FM 521 Rd	FRESNO, TX	77545
Oak Lake Baptist Church	15555 W. Airport Blvd	SUGAR LAND, TX	77498
Orchard City Hall	9714 Kibler	ORCHARD, TX	77464
Our Lady of Guadalupe Family Life Ctr	1600 Avenue D	ROSENBERG, TX	77471
Pinnacle Senior Center	5525 Hobby St	HOUSTON, TX	77053
Pioneer Community Center	6501 Rohan Road	RICHMOND, TX	77469
Quail Valley Elementary	3500 Quail Village Dr	MISSOURI CITY, TX	77459
Quail Valley Fund Office	3603 Glenn Lakes Ln	MISSOURI CITY, TX	77459
Reese Technical Center	12300 University Blvd	SUGAR LAND, TX	77479
Richmond Water Mnt. Facility	110 N 8th St	RICHMOND, TX	77469
Ridge Point High School	500 Waters Lake Blvd.	MISSOURI CITY, TX	77459
Ridgegate Community Ass'n	5855 West Ridgecreek Dr	HOUSTON, TX	77489
Ridgemont Early Childhood Ctr	5353 Ridgecreek Circle	HOUSTON, TX	77053
River Park Recreation Ctr.	5875 Summit Crk Drive	SUGAR LAND, TX	77479
Rosenberg Annex Building	4520 Reading Rd	ROSENBERG, TX	77471
Rosenberg City Hall	2110 Fourth Street	ROSENBERG, TX	77471
Sartartia Middle School	8125 Homeward Way	SUGAR LAND, TX	77479
Seven Lakes High School	9251 S Fry Rd	KATY, TX	77494
Sienna Annex	5855 Sienna Springs Way	MISSOURI CITY, TX	77459
Simonton City Hall	35011 FM 1093	SIMONTON, TX	77476
Stafford City Hall	2610 S Main St	STAFFORD, TX	77477
Sugar Creek Country Club	420 Sugar Creek Blvd	SUGAR LAND, TX	77478
Sugar Lakes Clubhouse	930 Sugar Lakes Dr	SUGAR LAND, TX	77478
Sugar Land Branch Library	550 Eldridge Rd	SUGAR LAND, TX	77478
Sugar Land Church of God	1715 Eldridge Rd	SUGAR LAND, TX	77478
Sugar Land City Hall	2700 Town Center Blvd N	SUGAR LAND, TX	77479
Thompsons City Hall	520 Thompson Oil Field Road	THOMPSONS, TX	77481
Tompkins High School	4400 Falcon Landing Blvd	KATY, TX	77494
Townewest Towne Hall	10322 Old Towne Ln	SUGAR LAND, TX	77498
Travis Elementary School	2700 Avenue K	ROSENBERG, TX	77471
University Branch Library	14010 University Blvd	SUGAR LAND, TX	77479
Westlake Preparatory Academy	23300 Bellaire Blvd	RICHMOND, TX	77406

Fort Bend County Early Voting Schedule
November 3, 2020 Presidential Election
Programa de votación anticipada del condado de Fort Bend
Elección presidencial del 3 de noviembre de 2020

Early Voting Location <i>(Lugar de votación anticipada)</i>	Hours(Horas)					
	Tuesday - Saturday October 13 - 17, 2020 <i>(martes- sábado)</i> <i>(octubre 13 - 17, 2020)</i>	Sunday October 18, 2020 <i>(domingo)</i> <i>(octubre 18, 2020)</i>	Monday - Friday October 19 - 23, 2020 <i>(lunes-viernes)</i> <i>(octubre 19 - 23, 2020)</i>	Saturday October 24, 2020 <i>(sábado)</i> <i>(octubre 24, 2020)</i>	Sunday October 25, 2020 <i>(domingo)</i> <i>(octubre 25, 2020)</i>	Monday - Friday October 26 - 30, 2020 <i>(lunes - viernes)</i> <i>(octubre 26 - 30, 2020)</i>
Fort Bend ISD Admin Bldg 16431 Lexington, Sugar Land George Memorial Library 1001 Golfview Dr, Richmond Hightower High School 3333 Hurricane Lane, Missouri City James Bowie Middle School 700 Plantation Dr, Richmond James Reese Career & Technical Center 12300 University Blvd, Sugar Land Sugar Land Branch Library 550 Eldridge, Sugar Land Stafford City Hall 2610 Main Street, Stafford	8:00 A.M. to 5:00 P.M.	CLOSED	8:00 A.M. to 7:00 P.M.	7:00 A.M. to 7:00 P.M.	CLOSED	7:00 A.M. to 7:00 P.M.
Al Rabba World Food 5800 New Territory Blvd, Sugar Land Beasley City Hall 319 S. 3 rd Street, Beasley Chasewood Clubhouse 7622 Chasewood Drive, Missouri City Cinco Ranch Library 2620 Commercial Center Drive, Katy Fort Bend County Road & Bridge 3743 School Street, Needville Fort Bend County Rosenberg Annex 4520 Reading Road, Rosenberg Four Corners Community Center 15700 Old Richmond Road, Sugar Land Fulshear High School 9302 Charger Way, Fulshear Greatwood Community & Rec Center 7225 Greatwood Pkwy, Sugar Land Jacks Conference Center 3232 Austin Parkway, Sugar Land Jones Creek Ranch Park 7714 FM 359 Rd, Richmond, Katy Reserve (fka Childhood Center) 1711 Spring Green Blvd, Katy Kroger's Riverstone (Community Room) 18861 University Blvd, Sugar Land Lost Creek Park Conference Center 3703 Lost Creek Blvd, Sugar Land Meadows Place City Hall 1 Troyan Way, Meadows Place Missouri City Community Center 1522 Texas Pkwy, Missouri City Our Lady of Guadalupe Family Life Center 1600 Avenue D, Rosenberg Quail Valley Fund Office 3603 Glenn Lakes, Missouri City Richmond Water Maintenance Facility 110 N 8 th Street, Richmond Sienna Annex Community Room 5855 Sienna Springs Way, Missouri City Sugar Land City Hall 2700 Town Center, Sugar Land Tompkins High School 4400 Falcon Landing Blvd, Katy University Branch Library 14010 University Blvd, Sugar Land	8:00 A.M. to 5:00 P.M.	CLOSED	8:00 A.M. to 7:00 P.M.	7:00 A.M. to 7:00 P.M.	12 Noon to 5:00 P.M.	7:00 A.M. to 7:00 P.M.

**City of Missouri City proposed Election Services Contract
Estimate for the conduct of the November 3, 2020 Joint Election**

A. Statistical Information

1. Number of Registered Voters	<u>46,012</u>
2. Number of Precincts	<u>25</u>
3. Number of election day polling places (excluding early voting)	<u>85</u>
4. Number of polling places shared with another entity	<u>85</u>
5. Number of public buildings used as polling places	<u>50</u>
6. Number of early voting stations	<u>28</u>
7. Voting system:	<u>Hybrid</u>

B. Cost of Election

						Estimate	Actual
1. Early Voting and Election Day personnel <i>(TEC § 32.091, 32.092, 32.114, 83.052, 271.013)</i>							
	Clerks	x	Rate	x	Hours / Entities		
a. Early voting clerks	<u>2</u>	x	<u>\$13</u>	x	<u>145 / 3</u>	<u>\$1,257</u>	<u> </u>
Early voting clerks	<u>10</u>	x	<u>\$12</u>	x	<u>145 / 3</u>	<u>\$5,800</u>	<u> </u>
	<u>9</u> Location(s)	x					
b. Election day judges / clerks	<u>1</u>	x	<u>\$13</u>	x	<u>15 / 3</u>	<u>\$585</u>	<u> </u>
Election day judges / clerks	<u>5</u>	x	<u>\$12</u>	x	<u>15 / 3</u>	<u>\$2,700</u>	<u> </u>
2. Early Voting Ballot Board & central counting station personnel <i>(TEC § 87.005, 127.006)</i>							
a. Clerks and Judges						<u>\$600</u>	<u> </u>
3. Election Day Field Techs and Other Temp workers						<u>\$300</u>	<u> </u>
4. Elections Administration Dept. Staff overtime <i>(TEC § 31.100(e))</i>						<u>\$700</u>	<u> </u>
	Subtotal of Labor Cost					\$11,942	
5. FICA & Workers Comp	11.45% x \$11,942 =					<u>\$1,367</u>	<u> </u>
6. Election supplies & equipment							
Early Voting	<u>Quant</u>	x	<u>Cost</u>	/	<u>Entities</u>		
a. Early Voting supply kits	<u>0</u>	x	<u>\$35</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>
b. Early Voting laptop PC's	<u>0</u>	x	<u>\$125</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>
c. Early Voting label printers	<u>0</u>	x	<u>\$35</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>
d. Early Voting ExpressVotes	<u>0</u>	x	<u>\$175</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>
e. Early Voting ExpressTouch	<u>0</u>	x	<u>\$150</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>
f. Early Voting DS-200	<u>0</u>		<u>\$250</u>		<u>2</u>	<u>\$0</u>	<u> </u>
g. Cell Phones - 9 days	<u>0</u>	x	<u>\$40</u>	/	<u>2</u>	<u>\$0</u>	<u> </u>



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

August 17, 2020

To: Mayor and City Council
Agenda Item: 6(d) Consider authorizing the negotiation and execution of a joint election agreement and contract for election services with Harris County for the November 3, 2020 general and special election.
Submitted by: Maria Jackson, City Secretary

SYNOPSIS

The City is being asked to authorize the negotiation and execution of an agreement and for joint elections and election services with Harris County for the November 3, 2020 general and special election.

BACKGROUND

Since 2017, the City has contracted with Harris County for election services and equipment. This contract states that the city agrees to hold a Joint Election in accordance with Chapter 271 of the Texas Election Code.

The Harris County Elections Administrator will coordinate, supervise, and handle all aspects of administering the joint election for Missouri City Harris County Precinct 506. The City will pay Harris County for the lease of equipment, supplies, services and administrative costs. The Harris County Elections Administrator is also named as the administrator for the Joint Election and the City remains responsible for the lawful conduct of the election.

City Staff is requesting City Council to authorize the negotiation and execution of the Joint Election Agreement.

The City will also enter into a contract with Fort Bend County for election services.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Fund	101-53511-10-102	Election Expense	\$60,200	\$42,790.20	\$3,271.60*

**Estimated costs*

Funding Source	Account Number	Project Code/Name	Proposed FY21 Funds Budgeted	Proposed FY21 Funds Available	Amount Requested
General Fund	101-53511-10-102	Election Expense	\$60,200	\$60,200	\$3,271.60*

**Estimated costs*

Purchasing Review: N/A

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.

Sufficient funds have been budgeted for conducting the City's election on November 3, 2020. The cost of Missouri City's election is dependent upon the shared cost of each jurisdiction contracting with Harris County for election services in November. The total cost for election services may fluctuate due to jurisdictions cancelling their elections, which may increase Missouri City's shared cost for election services.

The agreement states the entity agrees to deliver sixty percent (60%) of the respective total estimated cost for its share of the November 3, 2020 Election to the County within ten (10) days of the execution of this agreement.

Below is the total cost of contracting our election services from 2017 to present:

Year	Total Cost	Election Information
2019	\$17,041.92	November 5, 2019, General Election to elect District City Councilmembers <i>Expenses Include:</i> Fort Bend County Election Costs: \$12,200.00 Harris County Election Costs: \$2,724.83 Spanish Translations: \$1,155.14 Publications: \$856.95 Election Signs: \$105.00
2018	\$67,579.67	November 6, 2018, General Election to elect a Mayor and (2) At-Large City Councilmembers December 8, 2018, Runoff Election to elect a Mayor and At-Large Position 2 City Councilmember <i>Expenses Include:</i> Fort Bend County Election Costs: \$54,244.00 Harris County Election Costs: \$3,847.34 Election Signs: \$480.00 Spanish Translation: \$3,381.41 Publications: \$5,626.92
2017	\$21,638.26	November 7, 2017, General Election to elect District City Councilmembers and Special Election regarding the (7) Charter Propositions. <i>Total Expenses Include:</i> Fort Bend County Joint Election: \$10,527.55 Harris County Joint Election: \$1,657.03 Publications: \$5,143.68 Election Signs: \$280.00 Translations: \$4,030.00

SUPPORTING MATERIALS

1. Harris County Joint Election Contract

STAFF'S RECOMMENDATION

Consider authorizing the negotiation and execution of a joint election agreement and contract for election services with Harris County for the November 3, 2020 general and special election

Director Approval:

Maria Jackson, City Secretary

**AGREEMENT BETWEEN HARRIS COUNTY AND
City of Missouri City, RELATING TO JOINT ELECTIONS TO BE HELD
NOVEMBER 3, 2020**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS AGREEMENT is made and entered into by and between Harris County, a body corporate and politic under the laws of the State of Texas (hereinafter the “County”), and City of Missouri City, a body corporate and politic under the laws of the State of Texas (hereinafter referred to as the “Entity”).

RECITALS:

The County will be conducting a joint election on November 3, 2020 for multiple entities. The County will be using an electronic voting system, eSlate, (hereinafter “Voting System”) that has been duly approved by the Secretary of State pursuant to Texas Election Code §§122.031-122.039, §122.061, §122.091, as amended, and duly approved by the United States Justice Department for use in Harris County pursuant to Voting Rights Act of 1965.

Part or all of the Entity lies within the boundaries of Harris County.

The Entity desires to join the November 3, 2020 General and Special Elections (hereinafter referred to as the “November 3, 2020 Election”) being conducted by the County.

The County desires to provide certain election services to the Entity for its election to be held on November 3, 2020.

TERMS:

In consideration of the mutual covenants, agreements and benefits to the parties, IT IS AGREED as follows:

I. Entity’s Responsibilities

The Entity agrees that it has furnished the County with a list of race titles and proposition titles and proposition language, if any, for the November 3, 2020 Election. All information must be provided in all four languages.

The Entity agrees that it provided the County with a list of candidates’ names and ballot positions for the November 3, 2020 Election.

Further, the Entity agrees that it has verified its current jurisdictional boundaries and the total number of Harris County precincts required by those jurisdictional boundaries by August 14, 2020. If the Entity failed to provide the County with this information by this stated deadline, then the County is hereby authorized to adopt the current jurisdictional boundaries and total number of Harris County precincts for the non-performing Entity that are provided to the County by the Harris

County Voter Registrar's Office, and the non-performing Entity hereby agrees to the County's use of that information to fulfill the requirements of this paragraph.

The Entity shall agree to appoint positions as the Harris County Commissioners Court, Election Board and the Early Voting Clerk have appointed for positions such as all Election Day Presiding and Alternate Judges, Early Voting Judges and Clerks, Early Voting Ballot Board and Central Count Presiding and Alternate Judges, Central Count Manager and Tabulation Supervisor pursuant to the Texas Election Code. The Entity agrees to accept the Early Voting and Election Day polling places accepted by the Harris County Commissioners Court and the hours designated by Harris County for Early Voting.

The Entity agrees to prepare, post and publish any and all notices required of the Entity by state law for the November 3, 2020 Election. Unless otherwise expressly provided herein, the Entity agrees to do all things that may be required of it in connection with the November 3, 2020 Election. The Entity is responsible for the preparation of election orders, resolutions, notices and other pertinent documents for adoption or execution by the appropriate officer of the Entity with regard to the November 3, 2020 Election. The County shall not have any responsibility or duty in connection with such preparations by the Entity. The Entity is responsible for making their own submissions, if any is required or desired, to the United States Justice Department and the County shall have no responsibility or duty in connection with such submission relating to the November 3, 2020 Election.

If an entity is conducting a Bond/Debt Obligation Election, the entity is required to provide a copy of the Bond Order(s) for each polling location. The instruction for the Order(s) are set forth in **Exhibit C** "Instructions for Bond/Debt Obligation Orders" attached hereto and incorporated herein. The Entity accepts the responsibility to ensure that the order of the election is posted at each polling location where its precincts will be voting on Election Day. The Entity will provide packets to be used for Early Voting and Election Day to the County by **September 1, 2020**. Documents for the voters will be in four (4) languages: English, Spanish, Vietnamese and Chinese.

II. County's Responsibilities

The County agrees to follow the Texas Election Code in the conduct of the November 3, 2020 General and Special Elections. The County agrees to provide mail ballots to all voters who request a ballot in the Entity's jurisdictions. The County shall provide space on the ballot sufficient to encompass all candidate races and issues of the Entity.

The County will provide the Entity with all dates and times for Early Voting no later than the 21st day before Election Day. The County agrees to provide polling locations for use during Early Voting. The County will arrange for the delivery of the Voting System equipment and other equipment and supplies for use in Early Voting by personal appearance in the November 3, 2020 Election. The County Clerk shall select election officers for the main Early Voting location, as well as any branch Early Voting location, pursuant to the Texas Election Code §85.009.

The County agrees to provide all equipment and supplies for use in Early Voting by mail in the November 3, 2020 Election. The County is authorized to employ or use such personnel, as it deems necessary or desirable, to prepare and conduct Early Voting by mail.

Further, the County agrees to provide all the Election Day polling places, Voting System equipment, and other equipment as it deems necessary or desirable for the holding of the November 3, 2020 Election and cause same to be delivered to the polling places. The Joint Election shall be conducted utilizing county-wide polling places pursuant to Section 43.007(a) (5) of the Texas Election Code. The County agrees to provide the Voting System to all polling places at least one (1) hour before the time set for opening the polls. The County shall determine the amount of voting equipment available for the November 3, 2020 Election and its decision shall be final.

The County will employ or use such personnel as it deems necessary to program and operate the automatic tabulating equipment in accordance with Texas Election Code.

The Harris County Commissioners Court shall appoint the Presiding and Alternate Election Judges for each county election precinct and the Central Counting Station, the Early Voting Ballot Board, Central Count Manager and Tabulation Supervisor according the Texas Election Code. Necessary additional appointments shall be made under the Texas Election Code. The County agrees to pay the Presiding Judges of the County and their clerks, pursuant to Texas Election Code §§32.091-32.093 and §271.013, as amended, for their services in connection with the November 3, 2020 Election at the expense of the Entity. The County agrees to pay the Presiding Judge and clerks of the Early Voting Ballot Board to process Early Voting results pursuant to Texas Election Code §§87.001-87.025, §87.101, and §87.103, as amended at the expense of the Entity. The County shall require all poll workers to adhere to safety protocols outlined by the County including but not limited to wearing masks at all times, utilizing Personal Protective Equipment (PPE), and social distancing. The County shall have the authority to remove any poll worker from employment if they do not follow safety protocols outlined by the County.

The County agrees to perform its obligations under this Agreement in accordance with all applicable federal and state laws, rules and regulations.

Regarding the posting of Debt Obligation Election Orders, Harris County, as a courtesy, will post a copy of all Debt Obligation Election Orders in four (4) languages in a notebook on the qualifying table of every Early Voting and Election Day location for this election. A notice, approved by the Secretary of State, will be posted on the wall stating that information regarding the Debt Obligation Election Orders is available. Harris County will train judges on the importance of making this information available. However, it is still the responsibility of the entity to ensure that the judge received the order and that the order was posted at each polling location within the jurisdiction.

III. Compensation

The fair and reasonable compensation for use of the County's Voting System, equipment, supplies, and staff and for other services provided for administration of the election is detailed in the itemized list of estimated election expenses under **Exhibit A**, attached hereto and incorporated herein. The Entity agrees to pay its pro rata share of costs to the County for the Voting System, equipment, furniture, telephones, election kits, Early Voting Ballot by Mail, printing, supplies, delivery and transportation services, personnel, polling places, technical support, training,

administrative costs and any other costs incurred by the Entity under this Agreement for the November 3, 2020 Election held by the County and the Entity and to share the cost of the November 3, 2020 Election in accordance with the terms of this Agreement.

The Entity's pro rata shares will be computed by attributing the total number of registered voters in each of the Entity's precincts that will be serviced by the County in the November 3, 2020 Election. The Voter Registry of the Entity, as of seventy (70) days before the November 3, 2020 Election, will be used to determine the total number of registered voters in each of the Entity's precincts. An estimate of the Entity's total cost is attached and incorporated herein as **Exhibit B**. The final determination of the Entity's pro rata share of the costs incurred by the County for November 3, 2020 Election necessary for the purposes contemplated by this Agreement shall be made by the County and its decision shall be final.

The fair and reasonable value of the general overall supervision and advisory services of the County in connection with decisions to be made and actions to be taken by officers of the Entity is ten percent (10%) of the total amount of the Agreement for the Entity, in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended. The Entity agrees to pay the County this ten percent (10%) fee for advisory services for its November 3, 2020 Election. It is understood that the fees paid for these advisory services shall be deposited in a separate fund in the County treasury, in accordance with Texas Election Code §31.100, as amended.

The Entity agrees to deliver sixty percent (60%) of their respective total estimated cost for its share of the November 3, 2020 Election to the County within ten (10) days of the execution of this Agreement. The County agrees to furnish a final accounting of the November 3, 2020 Election expenses actually incurred within ninety (90) days after the November 3, 2020 Election. The Entity agrees to pay the County's invoice for the balance of its November 3, 2020 Election expenses within thirty (30) days of receipt of the invoice. Payments, in the name of Harris County, must be submitted to Chris Hollins, Harris County Clerk, Attn: Elections Division, P.O. Box 1148, Houston, TX 77251-1148. Copies of all related invoices, records or documentation used in calculating the total cost of the elections will be made available as soon as practicable by the County upon written request to the County at the address above. Within ten (10) days of execution of this Agreement, the County will provide the Entity with a Personal Entity I.D. ("PEID") number assigned by the County Auditor. Each payment by the Entity to the County shall reference and include their respective PEID number.

If an entity has a proposition that is longer than 500 characters for one language or if there are more than five (5) contests, the entity may incur additional coding and supply fees to accommodate the additional costs. The additional amount will represent the additional time to code the ballot, the additional space on the sample ballot, additional costs for ballot by mail and postage, and any other associated costs.

Waiver of any penalty fees imposed upon the Entity under this Agreement is at the discretion of the County.

IV. Additional Entities

It is understood that other political subdivisions may wish to participate in the November 3, 2020 Election and request the use of the above-mentioned election equipment, voting places and personnel, etc. It is agreed that the County may contract with other political subdivisions for such purposes. It is understood and agreed that the County will use the same formula for determining a pro rata share for each entity as described in this Agreement.

V. Cancellation of Election

In the event the Entity's November 3, 2020 Election is enjoined or canceled, or if for any reason whatsoever the Entity shall decide not to proceed with its November 3, 2020 Election, the Entity agrees that it shall be responsible for its share of any costs and expenses incurred by the County up to the cancellation date.

VI. Presiding Judges and Clerks

Presiding Judges and clerks shall be selected pursuant to the Texas Election Code Chapter 32. Regarding powers and duties, the Presiding Judge is in charge of and responsible for the conduct of the election at the polling place of the election precinct that the judge serves. See Texas Election Code §32.071.

VII. Notice

Any notices permitted or required to be given under this Agreement must be made by certified mail, return receipt requested or hand-delivered to the parties at the following addresses:

Harris County:

Harris County Clerk
1001 Preston, 4th Floor
Houston, TX 77002
Attention: Maureen Fisbeck

Entity:

City of Missouri City
1522 Texas Parkway
Missouri City, Texas 77489

Attention: Ms. Maria Jackson

VIII. Termination

Each party may terminate this agreement upon thirty days (30) notice as provided in this agreement. Should the Entity terminate this contract, the Entity shall be responsible for its pro rata share of expenses incurred up unto the time of termination or as described herein specifically.

IX. Miscellaneous

Third Party Beneficiaries. The County is not obligated or liable to any party other than the Entity for the performance of this Agreement. Nothing in the Agreement is intended or shall be deemed or construed to create or increase any additional rights or remedies in any third party, or the duties or responsibilities of the County with respect to any third party.

Successors and Assigns. The County and Entity bind themselves and their successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body, which may be a Party hereto.

Applicable Law and Venue. This Agreement is governed by the laws of the State of Texas. The Agreement is subject to Texas state and federal laws, orders, rules, and regulations. Each Party shall comply with all applicable federal, state, and local laws, ordinances, rules, and regulations concerning the performance of this Agreement.

Entire Agreement. This instrument contains the entire agreement between the parties. Any oral or written representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing signed by both parties to this Agreement.

Severability. If any provision of this Agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions hereof. The illegal or invalid provisions will be deemed stricken and deleted here from to the same extent and effect as if never incorporated herein.

Subtitles. The subtitles in this Agreement are provided for organizational purposes only and do not provide substantive meaning to the Agreement.

Multiple Counterparts. This Agreement will be executed in several counterparts, each of which shall be an original and all of which shall constitute but one instrument.

EXECUTED on this the _____ day of _____, 2020.

ATTEST:

HARRIS COUNTY

CHRIS HOLLINS
County Clerk

APPROVED AS TO FORM:

VINCE RYAN
County Attorney

By _____
DOUGLAS P. RAY
Assistant County Attorney

ATTEST/SEAL:

Name: _____

Title: _____

«Entity_Name»

Signed by:

Name: _____

Title: _____

COUNTERSIGNED BY:

Name: _____

Title: _____

DATE COUNTERSIGNED:

APPROVED AS TO FORM:

Name: _____

Attorney for City of Missouri City

EXHIBIT A – Cost Estimate

EXHIBIT B – Cost Estimate

	% Share	Base Cost	Admin 10%	Total	Deposit
	100.00%	\$17,228,333.11	\$1,722,833.31	\$18,951,166.42	
	% Share	\$0.00	\$0.00	\$0.00	
HARRIS COUNTY	64.37%	\$11,089,878.02	\$1,108,987.80	\$12,198,865.83	\$7,319,319.50
Lone Star College System	11.68%	\$2,012,269.31	\$201,226.93	\$2,213,496.24	\$1,328,097.74
North Harris County Regional Water Authority	4.48%	\$771,829.32	\$77,182.93	\$849,012.26	\$509,407.35
Harris County ESD No. 9	3.32%	\$571,980.66	\$57,198.07	\$629,178.73	\$377,507.24
Katy Independent School District	2.28%	\$392,805.99	\$39,280.60	\$432,086.59	\$259,251.96
Klein Independent School District	1.48%	\$254,979.33	\$25,497.93	\$280,477.26	\$168,286.36
Clear Creek Independent School District	1.44%	\$248,088.00	\$24,808.80	\$272,896.80	\$163,738.08
Spring Independent School District	1.08%	\$186,066.00	\$18,606.60	\$204,672.60	\$122,803.56
Harris County ESD No. 16	0.81%	\$139,549.50	\$13,954.95	\$153,504.45	\$92,102.67
Galena Park Independent School District	0.74%	\$127,489.67	\$12,748.97	\$140,238.63	\$84,143.18
Harris County ESD No. 46	0.63%	\$108,538.50	\$10,853.85	\$119,392.35	\$71,635.41
Clear Lake City Water Authority	0.62%	\$106,815.67	\$10,681.57	\$117,497.23	\$70,498.34
Tomball Independent School District	0.43%	\$74,081.83	\$7,408.18	\$81,490.02	\$48,894.01
City of Deer Park	0.41%	\$70,636.17	\$7,063.62	\$77,699.78	\$46,619.87
LaPorte Independent School District	0.37%	\$63,744.83	\$6,374.48	\$70,119.32	\$42,071.59
Baytown Crime Control and Prevention District	0.36%	\$62,022.00	\$6,202.20	\$68,224.20	\$40,934.52
Baytown Fire Control, Prevention and ESD	0.36%	\$62,022.00	\$6,202.20	\$68,224.20	\$40,934.52
City of Baytown	0.36%	\$62,022.00	\$6,202.20	\$68,224.20	\$40,934.52
Channelview Independent School District	0.34%	\$58,576.33	\$5,857.63	\$64,433.97	\$38,660.38
City of LaPorte	0.28%	\$48,239.33	\$4,823.93	\$53,063.27	\$31,837.96
Harris County ESD No. 80	0.28%	\$48,239.33	\$4,823.93	\$53,063.27	\$31,837.96
City of Bellaire	0.27%	\$46,516.50	\$4,651.65	\$51,168.15	\$30,700.89
Harris County ESD No. 60	0.25%	\$43,070.83	\$4,307.08	\$47,377.92	\$28,426.75
City of Webster	0.24%	\$41,348.00	\$4,134.80	\$45,482.80	\$27,289.68
City of West University Place	0.24%	\$41,348.00	\$4,134.80	\$45,482.80	\$27,289.68
Huffman Independent School District	0.23%	\$39,625.17	\$3,962.52	\$43,587.68	\$26,152.61
Sheldon Independent School District	0.22%	\$37,902.33	\$3,790.23	\$41,692.57	\$25,015.54
Sunbelt Fresh Water Supply District	0.18%	\$31,011.00	\$3,101.10	\$34,112.10	\$20,467.26
Memorial Villages Water Authority	0.16%	\$27,565.33	\$2,756.53	\$30,321.87	\$18,193.12
City of Seabrook	0.12%	\$20,674.00	\$2,067.40	\$22,741.40	\$13,644.84
City of Humble	0.11%	\$18,951.17	\$1,895.12	\$20,846.28	\$12,507.77
City of Katy	0.10%	\$17,228.33	\$1,722.83	\$18,951.17	\$11,370.70
Harris County WCID No. 89	0.10%	\$17,228.33	\$1,722.83	\$18,951.17	\$11,370.70
Waller-Harris ESD No. 200	0.10%	\$17,228.33	\$1,722.83	\$18,951.17	\$11,370.70
Bridgestone MUD	0.09%	\$15,505.50	\$1,550.55	\$17,056.05	\$10,233.63
City of Friendswood	0.09%	\$15,505.50	\$1,550.55	\$17,056.05	\$10,233.63
Newport MUD	0.09%	\$15,505.50	\$1,550.55	\$17,056.05	\$10,233.63
City of Pearland	0.08%	\$13,782.67	\$1,378.27	\$15,160.93	\$9,096.56
Harris County MUD No. 26	0.08%	\$13,782.67	\$1,378.27	\$15,160.93	\$9,096.56
City of Galena Park	0.06%	\$10,337.00	\$1,033.70	\$11,370.70	\$6,822.42
Harris County ESD No. 15	0.06%	\$10,337.00	\$1,033.70	\$11,370.70	\$6,822.42
The Woodlands Township	0.06%	\$10,337.00	\$1,033.70	\$11,370.70	\$6,822.42
City of Nassau Bay	0.05%	\$8,614.17	\$861.42	\$9,475.58	\$5,685.35
Harris County MUD No. 24	0.05%	\$8,614.17	\$861.42	\$9,475.58	\$5,685.35
Harris County MUD No. 400	0.05%	\$8,614.17	\$861.42	\$9,475.58	\$5,685.35
Harris County MUD No. 419	0.05%	\$8,614.17	\$861.42	\$9,475.58	\$5,685.35
Harris County WCID No. 157	0.05%	\$8,614.17	\$861.42	\$9,475.58	\$5,685.35
Harris County MUD No. 119	0.04%	\$6,891.33	\$689.13	\$7,580.47	\$4,548.28

EXHIBIT B - COST ESTIMATE

November 3, 2020

Joint General and Special Elections

Harris County MUD No. 150	0.04%	\$6,891.33	\$689.13	\$7,580.47	\$4,548.28
Harris County MUD No. 196	0.04%	\$6,891.33	\$689.13	\$7,580.47	\$4,548.28
Lake Forest Utility District	0.04%	\$6,891.33	\$689.13	\$7,580.47	\$4,548.28
Bilma Public Utility District	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County FWSD No. 1A	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 127	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 148	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 180	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 304	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 364	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County MUD No. 64	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County Utility District No. 15	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Harris County WCID No. 133	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Kirkmont Municipal Utility District	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
West Harris County MUD No. 2	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Westlake MUD No. 1	0.03%	\$5,168.50	\$516.85	\$5,685.35	\$3,411.21
Beechnut MUD	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Brazoria County MUD No. 18	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
City of League City	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Cypress Creek Utility District	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Encanto Real Utility District	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Harris County FWSD No. 58	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Harris County MUD No. 136	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Harris County MUD No. 50	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Harris County WCID No. 70	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Northwest Freeway MUD	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Pearland Independent School District	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Rolling Fork Public Utility District	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Southwest Harris County MUD No. 1	0.02%	\$3,445.67	\$344.57	\$3,790.23	\$2,274.14
Harris County MUD No. 248	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Harris County MUD No. 399	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Harris County WCID No. 132	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Harris County WCID No. 99	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Inverness Forest ID	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
New Caney Independent School District	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Northwest Harris County MUD No. 23	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Northwest Harris County MUD No. 24	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
Pine Village Public Utility District	0.01%	\$1,722.83	\$172.28	\$1,895.12	\$1,137.07
The Woodlands Road Utility District No. 1	0.00	\$900.00	\$90.00	\$990.00	\$594.00
Green Tree Park MUD	0.00	\$900.00	\$90.00	\$990.00	\$594.00
Harris County MUD No. 405	0.00	\$900.00	\$90.00	\$990.00	\$594.00
Harris County MUD No. 489	0.00	\$900.00	\$90.00	\$990.00	\$594.00

EXHIBIT C

Instructions for Bond/Debt Obligation Orders **For the November 2020 General and Special Elections**

It is required that an Entity conducting a Bond/Debt Obligation Election must provide a copy of the Bond Order(s) for each polling location.

Please follow the guidelines below when preparing Bond Orders for distribution for the **Early Voting** and **Election Day** period:

- Supply our office with an electronic version of the Bond Orders in PDF or Microsoft Word by September 1st
 - Bond Order must be translated into all required languages (English, Spanish, Chinese & Vietnamese)
 - Do not include Early Voting or Election Day locations list(s).
- Bond Order format requirements:
 - 8 ½ X 11 in. page size
 - Page margins no larger than 0.75 inch
 - All text single spaced
 - All text 12 pt. font (excluding titles)
- Submissions will need to be transmitted via FTP
 - Confirmation of successful transmission and correct format will be provided by Maureen Fisbeck within 48 hours (excluding weekends).
 - Insert FTP instructions once IT sets up

Harris County Elections Division will print copies of the Bond/Debt Obligation Orders and prepare them for distribution to all Early Voting and Election Day locations. Copies will be printed on 8 ½ X 11 white copy paper, duplex, and 3 hole punched. A copy of all Early Voting and Election Day locations will be added to the binder for voter use.

In the event our office receives a call from a voter requesting more information regarding the Bond/Debt Obligation Orders on your ballot, **please provide a contact name and phone number for your Entity that we may share with the voter.**



CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 6(e) CDBG Housing Rehabilitation Policy Amendment
Submitted by: Otis T. Spriggs, AICP, Director of Development Services

SYNOPSIS

The current Housing Rehabilitation Policy, Appendix L: City of Missouri City Owner-occupied Housing Rehabilitation Program Guidelines, sets minimum guidelines that are established by the United States Department of Housing and Urban Development (HUD) and the State of Texas pertaining to the Community Development Block Grant (CDBG) Program. Amendments to these program guidelines are requested in order to insure consistency with the program administrative structure and assure timeliness with HUD's program activity reporting.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City

BACKGROUND

On August 15, 2016, the City Council adopted Appendix L: City of Missouri City Owner-occupied Housing Rehabilitation Program Guidelines, as recommended by the Community Development Advisory Committee (CDAC). The current policy establishes specific guidelines with the follow focused areas:

- Funding
- Applicant eligibility
- Eligible repairs
- General application process
- Review and approval of application, and
- Property assessment and contracts for rehabilitation work.

A major shift in the process was the inclusion the Building Inspector(s) and the Building Official involvement. With all of said changes, still program coordinator and city staff are challenged with requests that sometime can be deemed as ineligible and vague. This particular amendment will provide further clarity, so that the ultimate purpose of the program is adhered to, and the maximum number of residents can benefit. Staff will continue to refine the application checklist, specific scope of work, and initial inspection vetting performed by the Planning and Inspections team and Program contractor.

Staff recommends the following language be incorporated by the CDAC: Cosmetic improvements for aesthetic purposes and remodeling are not eligible. Cosmetic improvements are defined as higher-than-standard-grade fixtures; items required only for decoration and are aesthetic in nature; replacement of carpet, vinyl or other items which are currently in good condition, etc. Remodeling is defined as improvements, renovations and redesigning or altering living or work space that is made for aesthetic reasons and/or do not improve the safety and security of the occupants, structural integrity of the unit, and/or meet Program goals and objectives.

As an update since the last CDAC meeting, staff has incorporated all noted recommended changes, such as priority being given to the elderly and disabled and the language discussed regarding the aesthetics and cosmetic limitations. We have also verified that the homeowner’s insurance policy requirement is within the current policy, as discussed in the last meeting.

BUDGET/FISCAL ANALYSIS

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

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. Owner-Occupied Housing Rehabilitation Guidelines, Recommended Changes Marked.
2. CDAC Minutes, July 9, 2020.
3. Housing Rehabilitation Policy, Appendix L: City of Missouri City Owner-occupied Housing Rehabilitation Program Guidelines.

STAFF’S RECOMMENDATION

Staff recommends Council authorize the approval of the recommended amendments to the CDBG Housing Rehabilitation Policy by the Community Development Advisory Committee.

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

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

APPENDIX L: CITY OF MISSOURI CITY OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM GUIDELINES

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Section 5. Applicant Eligibility

- 5.1 To be eligible for rehabilitation assistance under this Program, an applicant must meet the following conditions:
- a. The applicant must be the owner (as defined in subsection 4.6 of these guidelines) of a single-family house located within the corporate limits of the City. A HUD-Code manufactured home or a mobile home are ineligible. Title to the property must be in the applicant’s name. Title research may be used to verify this requirement.
 - b. The applicant must have owned and resided in the property proposed for rehabilitation for at least 12 months prior to the date the applicant submits an application for rehabilitation assistance under this Program. The applicant must occupy the property as his or her primary residence. Acceptable proof that supports that the applicant resides in the property, includes, but is not limited to, utility bills with the applicant’s name for the prior 12 months.
 - c. An applicant must not be in arrears on mortgage payments. If applicable, the applicant shall provide a copy of the applicant’s mortgage statement for the prior three (3) months.
 - d. An applicant must not be delinquent in real estate taxes. The applicant shall provide the most current tax certificate or statement. If the applicant owes delinquent taxes and is on a payment plan with the tax assessor-collector, the applicant must provide the payment plan that shows the applicant is current on the payment plan.
 - e. The applicant must not be delinquent in the payment of property owners’ association assessments. The applicant shall provide the applicant’s most current association statement. If the applicant is delinquent in the payment of assessments and is on a payment plan with the association, the applicant must provide the payment plan that shows that the applicant is current on the payment plan.
 - f. The applicant must have sufficient insurance that would replace the property if it were destroyed by fire or other means. If the property is within a floodplain area, as identified on the Federal Emergency Management Agency’s official flood plain map, the applicant must have flood insurance. The applicant shall provide a copy of the

homeowners' insurance, and, if applicable, flood insurance.

- g. The applicant must be classified as low- and moderate-income pursuant to HUD Section 8 income requirements (income may not exceed 80 percent of the area median income). The applicant must submit complete and accurate documentation of the applicant's household composition and the income of all household members, age 18 and older. Income may be established in any reasonable manner, including, but not limited to, IRS tax returns, W-2 forms, employment pay stubs, social security checks, court orders for child support or spousal support, verification of employment, or bank statements.
- h. An applicant must not have received rehabilitation assistance from the City within the past five (5) years, except for emergency assistance.
- i. Selection priority shall be given to eligible applicants who are disabled and/or elderly, which is herein defined as persons who are fifty-five (55) years of age or older.

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Section 8. Ineligible Repairs

8.1 Rehabilitation assistance may not be provided for the following:

- a. The purchase, installation, or repair of furnishings and appliances, except as set forth in subsection 7.2.
- b. New construction or expansion of the size of a structure, unless such is necessary to alleviate overcrowding.
- c. Nonessential repairs such as purely decorative, cosmetic, or remodeling work are not eligible.
 - c.1. Cosmetic improvements for aesthetic purposes and remodeling are not eligible. Cosmetic improvements are defined as fixtures that are higher than standard grade; items required only for decoration that are aesthetic in nature, replacement of carpet, vinyl or other items which are currently in good condition; Remodeling is defined as improvements or renovations, or the redesign or alteration of living or work space that is made for aesthetic reasons and/or do not improve the safety and security of the occupants, structural integrity of the unit, and/or meet Program goals and objectives.
- d. The rehabilitation of appurtenant structures not attached to the living unit

are generally ineligible unless deemed necessary under the provisions of subsection 7.2.

Document comparison by Workshare on Thursday, August 13, 2020 3:40:48 PM

Input:	
Document 1 ID	Housing Rehabilitation Policy 2020 O.docx
Description	
Document 2 ID	Housing Rehabilitation Policy 2020 Revised.docx
Description	
Rendering set	standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Redline Summary:		
No.	Change	Text
1-2	Change	Policy 2016 Page 1 of 23
3	Insertion	i. Selection priority...years of age or older.
4	Insertion	c.1. Cosmetic...goals and objectives.

Statistics:	
	Count
Insertions	3
Deletions	1
Moved from	0
Moved to	0
Style changes	0

Format changes	0
Total changes	4



COMMUNITY DEVELOPMENT ADVISORY COMMITTEE DRAFT MEETING MINUTES

July 9, 2020, 6:30 PM

The Community Development Advisory Committee met virtually on July 9, 2020 at 6:30 PM on Zoom Conference, Planning Conference Room of the Development Services Building (between City Hall and the Community Center), 1522 Texas Parkway, Missouri City, Texas with the following in attendance on Zoom conference:

- Monica Rasmus, Committee Chairperson
- Chris Preston, Mayor Pro Tem, Committeemember
- Jeffrey Boney, Councilmember, Committeemember
- Bertha Eugene, Committeemember
- Angie Young, Committeemember
- Cheryl Sterling, Councilmember Committeemember

Absent was:

- Zelia Brown, Committeemember

Also in attendance were City staff representatives: James Santangelo, Assistant City Attorney/Prosecutor; Otis Spriggs, Development Services Director; Egima Edwards, Planning Technician; Glen Martel, Assist. City Manager.

1. Roll call:

Vice Chair Monica Rasmus called the meeting to order at 6:40 pm.

2. APPROVAL OF THE JUNE 25, 2020 MEETING MINUTES:

Vice Chair Monica Rasmus introduced the June 25, 2020 minutes for the Community Development Advisory Committee for additions or corrections.

Motion:

A motion was made by Mayor Pro Tem Chris Preston to approve the minutes for June 25, 2020; the motion was seconded by Councilmember Cheryl Sterling.

Councilmember Boney requested that the following corrections be made to the minutes: "Texas Parkway Cartwright Coalition"; Change to "herself" next page. Councilmember Sterling asked regarding the scope of work, at end letter of completion, is the scope and agreement letter signed by the owner? Mr. Spriggs noted that the owner signs the scope of work, all change order priors, as well as signs off specifying satisfaction of work performed.

The vote was as follows:

Ayes: Councilmember Sterling; Mayor Pro Tem Preston; Committeemember Young
Committeemember Eugene; Councilmember Boney; Chairperson Rasmus.

Motion Carried.

3. Election of Officers:

- a) Chair
- b) Vice-Chair.

Motion:

Committeemember Bertha Eugene made a motion to nominate Committeemember Monica Rasmus as Chairperson. Motion was seconded by Councilmember Sterling.

The vote was as follows:

Ayes: Councilmember Sterling; Mayor Pro Tem Preston; Committeemember Young
Committeemember Eugene; Councilmember Boney; Chairperson Rasmus.

Motion carried.

Motion:

Councilmember Cheryl Sterling made a motion to nominate Councilmember Preston as Vice Chair. Motion was seconded by Mayor Pro Tem Chris Preston.

The vote was as follows:

Ayes: Councilmember Sterling; Mayor Pro Tem Preston; Committeemember Young
Nayes: Committeemember Eugene; Councilmember Boney; Chairperson Rasmus.

Assistant City Attorney James Santangelo informed that with the 3-3 vote, the motion failed.

Next Motion:

Another motion was made by Councilmember Jeffrey Boney to nominate Committeemember Bertha Eugene as Vice Chair; Motion was seconded by Committeemember Bertha Eugene.

The vote was as follows:

Ayes: Councilmember Sterling; Mayor Pro Tem Preston; Committeemember Young
Committeemember Eugene; Councilmember Boney; Chairperson Rasmus.

Motion carried.

4. Housing Rehabilitation Policy Amendment:

Mr. Spriggs introduced the Housing Rehabilitation Policy Amendment to the committee for further consideration. Referring to the last CDAC meeting regarding the housing rehabilitation policy, he noted that a number of revisions were identified such as cosmetic type improvements, which were deemed ineligible for repair.

The Section c.1. Cosmetic improvement text was read:

add Section c.1. Cosmetic improvements for aesthetic purposes and remodeling are not eligible. Cosmetic improvements are defined as higher-than-standard-grade fixtures; items required only for decoration and are aesthetic in nature; replacement of carpet, vinyl or other items which are currently in good condition, etc. Remodeling is defined as improvements, renovations and redesigning or altering living or work space that is made for aesthetic reasons and/or do not improve the safety and security of the occupants, structural integrity of the unit, and/or meet Program goals and objectives.

References to the checklist as offered by Committeemember Zelia Brown were also discussed. A copy was provided in the packet and is currently incorporated in the development of scope of work during initial inspections.

It was also asked whether the policy included the requirement for homeowner's insurance; this was verified and made available to the committee.

Mr. Spriggs informed that it was requested by Chairperson Monica Rasmus that we provide in the policy, the provision that the housing rehabilitation program give priority to elderly and disabled applicants.

Councilmember Cheryl Sterling agreed with adding Section 5. i., where Chairperson Monica Rasmus recommended that a definition of elderly be provided for the preferred age, for example age of 55 and older. Committeemembers Bertha Eugene and Angie Young expressed agreement.

Motion:

Councilmember Jeffrey Boney made a motion that the CDAC accepts staff's recommendation, including the latest revisions and forward a positive recommendation to City Council for final approval. Motion was seconded by Councilmember Cheryl Sterling.

The vote was as follows:

Ayes: Councilmember Sterling; Mayor Pro Tem Preston; Committeemember Young
Committeemember Eugene; Councilmember Boney; Chairperson Rasmus.

Motion Carried.

APPENDIX L: CITY OF MISSOURI CITY OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM GUIDELINES

Section 1. Program Objectives

- 1.1 The objectives of the City of Missouri City Owner-Occupied Housing Rehabilitation Program (Program) are as follows:
- a. To prevent hazardous health conditions and code violations in owner-occupied homes in the City of Missouri City (the "City").
 - b. To prevent the deterioration of property and neighborhoods.
 - c. To improve the quality of the owner-occupied housing stock for low- and moderate-income persons.
 - d. To provide rehabilitation assistance to low- and moderate-income persons for housing rehabilitation activities.

Section 2. Administration

The Program will be administered by the Director in conformance with the Program guidelines established herein. The City may contract with a subrecipient or a contractor to implement, administer or conduct, in whole or in part, the Program in accordance with the guidelines set forth herein. These guidelines are established, and may be amended, by the City Council. The administration and operation of the Program will conform to all City ordinances, including the 2015 International Residential Code, City polices and regulations, and all requirements established by the United States Department of Housing and Urban Development (HUD) and the State of Texas pertaining to the Community Development Block Grant (CDBG) Program.

Section 3. Funding

- 3.1 Rehabilitation assistance will be provided in the form of a grant and in accordance with the provisions prescribed below:
- a. CDBG funds will be provided for the rehabilitation of owner-occupied single-family homes for **low-and moderate**-income households in the City. An applicant's total household income must not exceed HUD Section 8 income limits for housing assistance to low- and moderate-income households (income may not exceed 80 percent of the area median income) as established for the Houston-Sugar Land-Baytown Labor Market Area (as such area is described by the United States Bureau of Labor Statistics).
 - b. An applicant meeting the requirements of the Program guidelines may

qualify for 100% CDBG assistance for rehabilitation of the applicant's property up to a maximum of **\$10,000**, including the administrative activity delivery cost of the Program related to the rehabilitation of the property. Based on information and the recommendation provided by the Director, the Community Development Advisory Committee (the "CDAC") may approve, on a case-by-case basis, rehabilitation assistance for an individual property, for an additional amount, up to a maximum amount of \$20,000, within the Program guidelines.

- 3.2 CDBG funds may be provided for emergency assistance. Emergency assistance is defined as assistance for repairs to a residence that, without the repairs, would be uninhabitable. A residence is deemed to be uninhabitable if such residence appears to present an immediate and serious danger to persons or property.
- a. A person seeking emergency assistance shall certify that an imminent threat to health and safety exists and that no other funds are available to correct the problem and shall submit any and all documentation requested by the Director on the applicant's need and ability to pay for corrections. Failure to submit the requested documentation may result in the denial of emergency assistance.
 - b. Emergency assistance may be provided if the following conditions are met:
 1. an applicant's household constitutes a low-income household, which is a household having an income equal to or less than the Section 8 "very low-income" limit established by HUD;
 2. there is an imminent threat to health and safety;
 3. no other funds are available to the applicant to correct the problem; and
 4. the nature and severity of the problem is documented by the Director.
 - c. Based upon information and the recommendation provided by the Director, the CDAC may approve, on a case-by-case basis, emergency assistance for an individual property, up to a maximum of \$20,000, within the Program guidelines.
 - d. Upon approval of emergency assistance by the CDAC, the City will immediately expend funds to address the emergency, irrespective of whether the applicant has been approved for rehabilitation assistance.
 - e. If an applicant who has been approved for rehabilitation assistance requests emergency assistance before rehabilitation of the applicant's property is underway, the CDAC may approve immediate emergency assistance for the

applicant. All such emergency assistance will count towards the maximum funds allocated for rehabilitation assistance, unless an additional amount is approved by the CDAC as set forth in subsection 3.1(b) herein.

Section 4. Definitions

The following words, terms, and phrases, when used in this Appendix L, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- 4.1 **BUILDING OFFICIAL** means the City Building Official and his or her designee.
- 4.2 **CONTRACTOR** means an entity that receives a contract from the city to perform services needed to carry out the Program.
- 4.3 **DIRECTOR** means the Director of the Development Services Department or his or her designee.
- 4.4 **HOUSEHOLD** means all persons who occupy a housing unit.
- 4.5 **INCOME:** This subsection will define what is considered income and will be used in the process of qualifying applicants for the Program. Income eligibility is based on total household income for the twelve month period prior to the date of application for Program benefits. For the purpose of this Program, "total household income" shall include the combined annual income of all household members.
 - a. "Annual income" shall have the meaning assigned by the Section 8 Housing Assistance Payments program at 24 C.F.R§5.609. Annual income includes, but is not limited to:
 - 1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - 2. Interest, dividends, and other net income of any kind from real or personal property;
 - 3. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in subsection 4.2.B.14);
 - 4. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except

as provided in subsection 4.2.B.3);

5. Welfare assistance payments;
 6. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
 7. All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in subsection 4.2.B.7); and
 8. Any financial assistance in excess of amounts received for tuition.
- b. "Annual income" does not include the following:
1. Income from employment of children (including foster children) under the age of 18 years;
 2. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
 3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in subsection 4.2.A.4);
 4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
 5. Income of a live-in aide;
 6. Subject to subsection 4.2.A.8, the full amount of student financial assistance paid directly to the student or to the educational institution;
 7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
 8. Amounts received under training programs funded by HUD;
 9. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a

Plan to Attain Self-Sufficiency (PASS);

10. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
11. Amounts received under a resident service stipend;
12. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff;
13. Temporary, nonrecurring or sporadic income (including gifts);
14. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
15. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
16. Adoption assistance payments in excess of \$480 per adopted child;
17. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts;
18. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the residence;
19. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
20. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits, including the value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 [b]); amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs; and earned income tax credit (EITC) refund payments

received on or after January 1, 1991, including advanced earned income credit payments (26 U.S.C. 32[j]).

- 4.6 **OWNER:** "Owner" means a person vested with fee simple title, including a general warranty deed or a special warranty deed, in a home and excluding a contract for deed, quit claim deed, life estate, 99-year leasehold, and any other cloud to title.
- 4.7 **PROPERTY OWNERS' ASSOCIATION:** "Property owners' association" or "association" means an incorporated or unincorporated association that: (a) is designated as the representative of the owners of property in a residential subdivision; (b) has a membership primarily consisting of the owners of the property covered by the dedicatory instrument for the residential subdivision; and (c) manages or regulates the residential subdivision for the benefit of the owners of property in the residential subdivision.

Section 5. Applicant Eligibility

- 5.1 To be eligible for rehabilitation assistance under this Program, an applicant must meet the following conditions:
- a. The applicant must be the owner (as defined in subsection 4.6 of these guidelines) of a single-family house located within the corporate limits of the City. A HUD-Code manufactured home or a mobile home are ineligible. Title to the property must be in the applicant's name. Title research may be used to verify this requirement.
 - b. The applicant must have owned and resided in the property proposed for rehabilitation for at least 12 months prior to the date the applicant submits an application for rehabilitation assistance under this Program. The applicant must occupy the property as his or her primary residence. Acceptable proof that supports that the applicant resides in the property, includes, but is not limited to, utility bills with the applicant's name for the prior 12 months.
 - c. An applicant must not be in arrears on mortgage payments. If applicable, the applicant shall provide a copy of the applicant's mortgage statement for the prior three (3) months.
 - d. An applicant must not be delinquent in real estate taxes. The applicant shall provide the most current tax certificate or statement. If the applicant owes delinquent taxes and is on a payment plan with the tax assessor-collector, the applicant must provide the payment plan that shows the applicant is current on the payment plan.
 - e. The applicant must not be delinquent in the payment of property owners' association assessments. The applicant shall provide the applicant's most

current association statement. If the applicant is delinquent in the payment of assessments and is on a payment plan with the association, the applicant must provide the payment plan that shows that the applicant is current on the payment plan.

- f. The applicant must have sufficient insurance that would replace the property if it were destroyed by fire or other means. If the property is within a floodplain area, as identified on the Federal Emergency Management Agency's official flood plain map, the applicant must have flood insurance. The applicant shall provide a copy of the homeowners' insurance, and, if applicable, flood insurance.
- g. The applicant must be classified as low- and moderate-income pursuant to HUD Section 8 income requirements (income may not exceed 80 percent of the area median income). The applicant must submit complete and accurate documentation of the applicant's household composition and the income of all household members, age 18 and older. Income may be established in any reasonable manner, including, but not limited to, IRS tax returns, W-2 forms, employment pay stubs, social security checks, court orders for child support or spousal support, verification of employment, or bank statements.
- h. An applicant must not have received rehabilitation assistance from the City within the past five (5) years, except for emergency assistance.
- i. Selection priority shall be given to eligible applicants who are disabled and/or elderly, which is herein defined as persons who are fifty-five (55) years of age or older.

Section 6. Property Eligibility Criteria

- 6.1 To be eligible for rehabilitation assistance under the Program, the property proposed for rehabilitation must require improvements in one or more of the following categories:
 - a. The proposed rehabilitation must bring the property into conformance with applicable City ordinances and regulations incorporated in these Program guidelines, i.e., building, housing, fire, electrical or plumbing codes;
 - b. The proposed rehabilitation will provide access to persons with disabilities;
or
 - c. The proposed improvement will result in the conservation or more efficient use of energy.

- 6.3 The structures to which repairs are being proposed, must be economically repairable as determined through an inspection of the property.

Section 7. Eligible Repairs

- 7.1 Rehabilitation assistance provided through this Program shall address repairs in the following order of priorities:
- a. to remedy violations of City ordinances.
 - b. to remedy accessibility issues.
 - c. to provide energy efficiency improvements.
- 7.2 Proposed repairs to the property must fall within the scope of the following general categories: water, heating, electrical, plumbing and sewer; insect and rodent extermination; repairs to deteriorated steps, walls, ceilings, floors, porches, roofs, down spouts, chimneys and foundations; work on exterior walls, including painting, siding, windows and insulation, and demolition of deteriorated structures for the purpose of housing-related improvements to meet the special needs of handicapped persons and the elderly; repair or replace principal features, specifically, a kitchen stove or a refrigerator, if no such equipment exists in the residence, or if existing equipment is unsafe or unsanitary because of its basic condition. If a potential code violation exists at the time of inspection and it is thought that the physical condition of an element in the structure will deteriorate due to an actual violation in the near future, rehabilitation assistance may be used to correct the condition.
- 7.3 The proposed repairs must be in compliance with all applicable City ordinances, including the 2015 International Residential Code, and must include the elimination of lead-based paint conditions.
- 7.4 Rehabilitation assistance funded through this Program must provide for the purchase and/or installation of smoke detectors in all properties proposed for rehabilitation, which do not contain such devices. The location and installation of such devices shall comply with all applicable City ordinances.

Section 8. Ineligible Repairs

- 8.1 Rehabilitation assistance may not be provided for the following:
- a. The purchase, installation, or repair of furnishings and appliances, except as set forth in subsection 7.2.
 - b. New construction or expansion of the size of a structure, unless such is necessary to alleviate overcrowding.

- c. Nonessential repairs such as purely decorative, cosmetic, or remodeling work are not eligible.
 - c.1. Cosmetic improvements for aesthetic purposes and remodeling are not eligible. Cosmetic improvements are defined as fixtures that are higher than standard grade; items required only for decoration that are aesthetic in nature, replacement of carpet, vinyl or other items which are currently in good condition; Remodeling is defined as improvements or renovations, or the redesign or alteration of living or work space that is made for aesthetic reasons and/or do not improve the safety and security of the occupants, structural integrity of the unit, and/or meet Program goals and objectives.
- d. The rehabilitation of appurtenant structures not attached to the living unit are generally ineligible unless deemed necessary under the provisions of subsection 7.2.

Section 9. General Application Process

- 9.1 When CDBG funds are available and when program capacity allows, the City will accept applications for housing rehabilitation beginning on the first day of July of each year. If the first day of July falls on a weekend or a City holiday, the next working day shall be considered the first day on which applications will be accepted.
- 9.2 In order to maintain the confidentiality of certain applicant information, a separate log of applicant numbers with names and addresses shall be maintained. Two files will be kept on each application. One file will contain Program service (rehabilitation) information and the other will contain the applicant's confidential information such as income verification. All information submitted by the applicant shall be retained in the applicant's file.
- 9.3 The number of applicants whose properties will be rehabilitated during a Program Year will be determined by dividing the amount of funding allocated for the Program year by \$10,000.
- 9.4 All applications will be considered in the order in which they are received by the City ("first-come, first served").

Section 10. Application for Rehabilitation Assistance

- 10.1 A person who is seeking rehabilitation assistance under this Program shall file an application for housing rehabilitation with the Director on an application form provided by the Director. The application shall be accompanied with all documentation required to verify the applicant's eligibility for rehabilitation assistance as set forth in Section 5.

- 10.2 Failure to disclose information which may affect eligibility requirements under this subsection may constitute fraud and result in denial of an application for rehabilitation assistance. Applicants shall be required to make full restitution to the City in the event rehabilitation assistance is provided to an applicant who provided inaccurate or incomplete information in order to meet eligibility requirements. Requests for further rehabilitation assistance will be denied unless restitution is made in full.

Section 11. Review and Approval of Application

- 11.1 Upon receipt of an application, the CDBG Grant Coordinator will conduct a preliminary review of the application to determine whether the application is complete. To be considered complete, an application must be fully filled out and signed by all owners of the property proposed for rehabilitation, and all documentation required to verify applicant eligibility as set forth in Section 5 must be submitted with the application.
- 11.2 If the application is not complete, the Director will send a letter to the applicant informing the applicant of the specific documents or information that is deemed necessary for the application to be considered complete. An applicant whose application is not complete will be placed on an incomplete list until the remaining documentation or information is provided to the City.
- 11.3 Each complete application shall be assigned a number beginning with "(year)-01" and a separate file shall be set up for each application. Numbers shall be assigned consecutively from this sequence regardless of whether the application is approved or denied for rehabilitation assistance under this Program. Once a number is assigned, the number will not be reused.
- 11.4 The CDBG Grant Coordinator will review each complete application, in the order received, to determine if the applicant meets the applicant eligibility requirements of the Program guidelines. If the applicant fails to meet any of the applicant eligibility requirements, the Director will deny the application for rehabilitation assistance, and notify the applicant of such denial and the reason for the denial. An applicant who meets the applicant eligibility requirements will be conditionally approved for rehabilitation assistance, and will be notified in writing of such approval. Each determination will be kept in the applicant's file.
- 11.5 In the event that the number of conditionally approved applications exceed the number of properties that may rehabilitated during a Program Year, the additional applications will placed on a waiting list, in the order in which the applications were conditionally approved, to be considered for rehabilitation assistance should funding become available during that Program Year. Conditionally approved applications that do not receive rehabilitation assistance during the current Program Year will be placed at the top of the waiting list for rehabilitation assistance for the next Program Year in the order in which the applications were conditionally approved. This process will be followed for successive Program Years, until the number of conditionally approved applications on the waiting list does not exceed the number of properties that may be

rehabilitated during the Program Year. At that time, the City will then accept applications for rehabilitation assistance for the Program Year.

- 11.6 The Director will notify in writing each applicant who is placed on the waiting list of the applicant's position on the waiting list. Each applicant on the waiting list shall be responsible for updating the applicant's income information every six months, or, sooner, when the applicant becomes aware of any significant change in the income status of the any member of the applicant's household.

Section 12. Property Assessment

- 12.1 The Building Official will contact an applicant whose application is conditionally approved to schedule a time and date to conduct an inspection of the applicant's property to determine whether the property is eligible for rehabilitation under the provisions set forth in the Program guidelines. On the day of the inspection, the applicant shall ensure that the property is fully accessible, allowing for full view of all walls, floors, ceilings and other components in order to determine the condition of the property and rehabilitation requirements. The Building Official may cancel inspection appointments if, on the day and time of inspection, the applicant's home is not ready. The Director may revoke a conditionally approved application if an initial inspection cannot be completed within 60 days of initial contact by the Building Official.
- 12.2 The Building Official shall prepare an inspection report, which identifies whether the property meets the property eligibility requirements and each deficiency that may be corrected with rehabilitation of the property. The Building Official will ascertain whether through the proposed rehabilitation, the property will conform to applicable City ordinances, including the 2015 International Residential Code, city policies, and state and federal law. If the property was built prior to 1978, the property must be reviewed for applicability of the Lead Based-Paint regulations. A copy of the inspection report will be kept on file with the Development Services Department.
- 12.3 If the applicant's property meets the property eligibility requirements and the proposed repairs are eligible for rehabilitation assistance as outlined in the Program guidelines, the Director shall approve the applicant's application for rehabilitation assistance. If the applicant's property is not eligible for rehabilitation assistance, the Director will deny the application for rehabilitation assistance and provide the applicant notice of the denial and a reason for such denial.

Section 13. Determining Work to Be Done

- 13.1 **Work Write-up.** The inspection report will serve as the basis for preparing a work write-up and a cost estimate of the eligible repairs. The work write-up will include all repairs necessary to bring the property into compliance with the City Code, and repairs requested by the applicant that qualify as eligible repairs under these guidelines. All repairs on the work write-up must conform to the eligible

repairs allowed under these guidelines. Any costs associated with lead-based paint activities (e.g., testing, use of qualified contractors etc.) will be included in the work-write up. The work write-up should not contain details that have no significant effect on cost, such as color, style, or pattern.

- 13.2 Adjusting Work Write-Up. If the total estimated cost of the rehabilitation identified in the work write-up exceeds the amount available to the applicant under this Program, the Building Official will advise the applicant that additional funds may be needed for all the items identified in the work write-up to be completed. If the applicant is unable to provide supplementary funds to meet the difference, the Building Official shall eliminate or modify items in the work write-up as necessary to reduce the estimated cost. However, items necessary to meet City code requirements and Program guidelines shall not be eliminated. If the total estimated cost of the work cannot be reduced as necessary, the approval for rehabilitation assistance may be revoked.
- 13.3 Scope of Work. The Building Official will consult with the applicant to finalize the proposed rehabilitation scope of work and the amount of CDBG rehabilitation assistance, which may be available. Any changes to the scope of work should be completed before the rehabilitation project is put out for bid by the Director. The scope of work will include performance standards applicable to the project.
- 13.4 Environmental Review. HUD regulations require the City identify specific environmental factors that may be encountered at potential project sites and to develop procedures to ensure compliance with regulations pertaining to these factors. The CDBG Grants Coordinator will review the scope of work and determine the level of environmental review that needs to be conducted. A complete environmental review of all project activities must be complete prior to obligating CDBG funds.

Section 14. Contracts for Rehabilitation Work

- 14.1 Solicitation of Bids and Proposals. The City shall solicit and select contractors to perform rehabilitation services in accordance with all applicable local, state, and federal laws. Only pre-selected contractors shall be eligible to submit quotes for rehabilitation projects. In the event a subrecipient is used to administer the Program, the subrecipient may solicit informal quotes from contractors and subcontractors for repairs that require an expenditure of \$50,000 or less.
- 14.2 Contractor Quote. Once an application is approved for rehabilitation assistance, the City will invite each pre-selected contractor to submit an informal quote for rehabilitation services outlined in the scope of work. The City may schedule a walk-through of the eligible property with the applicant and the pre-selected contractor(s) prior to the close of the quote period. Upon review of submitted informal quote(s), the City will select the lowest, most responsible bidder to perform rehabilitation services, provided that no contractor may be authorized to perform rehabilitation

services on more than three properties at any one given time.

- 14.3 **Contract Documents.** The City will prepare appropriate contract documents for execution by the applicant, contractor, and the City. The contractor shall be required to execute a written contract in a format prescribed by the City for each eligible property the contractor is selected to provide rehabilitation services. Each specification in the contract shall be written so that it provides a clear understanding of the nature and scope of the work to be done, the location of the work, the quantity and type of materials, manufacturers' brand names or association standards to identify the quality of materials and equipment required, and provisions for acceptable or equivalent substitutes. If the scope of work is sufficiently comprehensive, it may itself be used for the specifications.
- 14.4 **Subcontractors.** Each contractor shall ensure that all subcontractors used on a Program rehabilitation project have complied with the requirements of the Program guidelines.
- 14.5 **Applicant-Contractor Conference.** The CDBG Grant Coordinator shall meet with the applicant, the selected contractor, and any applicable subcontractor to review the scope of work, the completion time, and warranties. The Applicant-Contractor Conference shall allow the applicant and the selected contractor to negotiate logistical arrangements needed to execute the scope of work, including, but not limited to, the contractor's use of utilities and other facilities at the applicant's property; moving or the offsite storage of furniture and personal belongings needed to provide the contractor with ready access to identified work areas; and any other matters related to steps necessary to ensure that the rehabilitation work is completed in a timely manner. Both the contractor and the applicant shall sign a copy of the scope of work, which shall include project details and expectations. A copy of the signed scope of work must be provided to the Director before a notice to proceed may be issued.
- 14.6 **Notice to Proceed.** The City will issue a notice to proceed upon receipt of all required executed contracts.
- 14.7 **Permits Required.** The contractor must apply for residential building permits for all work to be performed on a form provided by the Director. The Building Official shall conduct a preconstruction meeting with the contractor in accordance with the City's standard permitting process.
- 14.8 **Progress Reports.** As work progresses, the Building Official shall conduct all required inspections and provide progress reports of the rehabilitation services to the Director. The CDBG Grant Coordinator will verify compliance with the contract work schedule and compliance with general specifications.
- 14.9 **Change Orders.** If change orders are required or requested to the scope of work due to additional findings while the rehabilitation work is underway, the contractor shall

notify the Director of such requested changes prior to commencing the work. Change orders will not be authorized for additional work desired by the applicant unless it is to include work, which is necessary to prevent further property damage. If a change order is approved, a revised scope of work shall be signed by the applicant and the contractor and provided to the Director.

- 14.10 Final Inspection. Upon notification by the contractor to the applicant and the Director that the work is completed, the Building Official shall conduct a final inspection and issue final certification of completion.
- 14.11 Project Closeout. The contractor shall provide the Director, prior to, or along with, a request for final funds disbursement:
- a. A letter of completion signed by the applicant;
 - b. A guarantee of work;
 - c. Manufacturers and supplies warranties; and
 - d. Release of lien, if applicable.

Section 15. Procedures for Funds Disbursement

- 15.1 Payment in the amounts authorized, shall be made in accordance with the terms and conditions of the contract between the contractor and the City.
- 15.2 In any project wherein the applicant is required to contribute funding toward the cost of rehabilitation, said funds must be deposited in an escrow account prior to the start of construction. The applicant's funds must be disbursed prior to the use of CDBG funds approved for the project.
- 15.3 Prior to the disbursement of project funds, the contractor must submit an invoice and a document that indicates the applicant's approval of the work for which project funds are requested, to the Director for final authorization.
- 15.4 Final payment to a contractor shall be made upon satisfactory completion of the project work as determined through a final inspection conducted by the Building Official and approval of the work by the applicant and upon completion of required reporting documents.

Section 16. Terms and Conditions of Program Participation

- 16.1 Civil Rights. The applicant will be required to comply with Title VI of the Civil Rights Act of 1964 and shall not discriminate on the basis of race, color, or national origin.
- 16.2 Use of Funds. All CDBG funds provided under this shall be used only for work approved and identified in the Program documents.

- 16.3 Work to be performed by the applicant. An applicant approved for rehabilitation assistance who wishes to perform rehabilitation services on his or her own property, may do so, provided that the applicant has the necessary skill, equipment and ability to satisfactorily perform the work. In such a case, labor costs, time and effort expended by the applicant, shall not be eligible expenses. However, the purchase of supplies and materials related to the authorized project work shall be an eligible expense.
- 16.4 Inspections. Inspection of the property, the rehabilitation work, materials, and equipment by the Director shall be a condition of participation in the Program.
- 16.5 Supplementary Funds. In instances where the rehabilitation project costs exceed the amount of rehabilitation assistance provided, the applicant shall be responsible for providing whatever additional amount is needed to assure completion of the work or project.
- 16.6 Conflict of Interest. The operation and administration of this Program shall comply with all applicable local, state and federal requirements regarding conflict of interest.
- 16.7 Bonuses, Commissions, Fees, and Kickbacks. It shall be strictly prohibited for any person having any connection with this Program to use their knowledge, position or influence to secure any kind of a bonus, commission, or fee, including a finder's fee or kickback.
- 16.8 Participating Contractors. The Director reserves the right to recommend to the CDAC the debarment from this Program of any contractor or subcontractor on the basis of unsatisfactory performance or impropriety relating to the contractor or subcontractor's participation in the Program.
- 16.9 Section 3 compliance. All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause):
- a. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
 - b. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

- c. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- e. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- g. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

16.10 Lead-Based Paint Notification. The applicant and the occupants of a property requesting rehabilitation assistance must receive and sign a lead-based paint notification form. The signed form for the applicant and occupants must be in the

Program file, with a copy to remain with the applicant.

- 16.11 Installation of Smoke Detectors. Properties assisted with HUD funds must comply with the Fire Administration Authorization Act of 1992 regarding installation of fire protection and safety devices.
- 16.12 The applicant, the contractor, and any applicable subcontractors, are required to adhere to the provisions of the Program guidelines.

Section 17. Community Development Advisory Committee

- 17.1 The CDAC shall:
- a. Recommend amendments and revisions to the Program guidelines;
 - b. Review Program progress and operation;
 - c. Review and act upon staff recommendations to debar contractors from participating in the Program; and
 - d. Serve as the Program review team. The review functions of the CDAC shall be as follows:
 1. Review and determine eligibility for applicants requesting rehabilitation assistance in excess of established Program limits and requesting emergency assistance;
 2. Review program complaints; and
 3. Act on appeals of any decision of the Director regarding the Program guidelines.

Section 18. Program Amendments

Amendments to the Program guidelines may be recommended by the Director and the CDAC and amended by the City Council.

Section 19. Grievance Procedure

- 19.1 Purpose. This appeal and complaint procedure provides for the prompt review and equitable disposition of disputes and complaints relating to the Program. These procedures are used by the City and its Subrecipients or Contractors.
- 19.2 Procedure. An applicant may file the following with the CDAC:
- a. An appeal of a decision by the Director, a subrecipient, or a

contractor.

- b. A *complaint* relating to an alleged violation of the law, which is defined as an individual or organization's allegation of a violation of the Housing and Community Development Act of 1974, as amended; the CDBG regulations; the City's contract with the HUD; the City's contracts with its subrecipient or contractor agencies; certain laws because of disability, race, color, national origin, age, sex, religion, sexual orientation, gender identification, or marital status discrimination; and the Inspector General Act of 1978, as amended.

19.3 Appeal and Complaint Process.

- a. An applicant may appeal the decision of the Director, a subrecipient, or a contractor or a may file a complaint relating to an alleged violation of the law by providing written notice of such appeal or complaint to the City Secretary within ten (10) working days of receipt of notice of the decision or the alleged violation. An applicant who is deemed ineligible for rehabilitation assistance due to income may not appeal such decision to the CDAC. A complainant may simultaneously pursue resolution of the complaint through the internal complaint procedures of the subrecipient or contractor or through the federal agencies having jurisdiction over the substance of the complaint.
- b. Upon receipt of the appeal or complaint by the City Secretary, the applicant will be provided written notice that the appeal or complaint has been received and the timetable under which it will be processed.
- c. If the appeal or complaint relates to a decision or complaint other than a decision of or complaint against the Director, the Director will attempt to reach an informal resolution of the appeal or complaint prior to the hearing.
- d. The CDAC will hear the appeal or complaint within twenty (20) working days of receipt of the applicant's appeal or complaint.
- e. The CDAC shall take the steps necessary to ensure each applicant is given a fair and equal opportunity to present his or her case.
- f. The CDAC shall forward to the applicant a written decision within fifteen (15) days of the date of the hearing.
- g. An applicant may appeal the decision of the CDAC by submitting a written notice of such appeal to the City Secretary within ten (10) working days of the receipt of the written decision of the CDAC. The City Council shall hear the appeal within thirty (30) days of receipt of

the notice of appeal and shall issue a response within fifteen (15) days of the date of the hearing.

- h. An applicant may appeal the decision of the City Council by submitting a written notice of appeal to the Houston Field Office of the United States Department of Housing and Urban Development Office of Community Planning and Development (CPD) within ten (10) days of receipt of the written response from the City Council. The Houston Field Office Director of CPD shall have final authority to resolve the issue.
- i. The City will maintain written documentation of its investigation and efforts involved in resolving an appeal or complaint.
- j. The City will prepare and maintain a written summary of the outcome of each appeal, complaint, investigation, and any hearing or other resolution and will provide such summary to the applicant.

19.4 Complaints may be directed to:

Grantee Contact:
Director of Development Services
City of Missouri City
1522 Texas Parkway
Missouri City, Texas 77489
Telephone: (281)-403-8661

Section 20. Program Subrecipients and Contractors

Subrecipients and contractors contracted to administer or conduct the Program must adopt these guidelines, including, but not limited to, any notification processes or procedures established in these guidelines, and any application, letter, or document related to these guidelines provided by the City for the administration of the Program.



**Council Agenda Item
August 17, 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.*
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CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 9(a) Consider and take action on the 2020 proposed ad valorem tax rate (Fiscal Year October 1, 2020 to September 30, 2021). The tax rate will be adopted as an action item at a future meeting.
Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

To begin the tax rate setting process, the City Council is required to propose a tax rate. This agenda item is for that purpose.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

To begin the tax rate setting process, the City Council is required to propose a tax rate. This agenda item is for that purpose.

2019 tax rate	\$0.63000 / \$100
No-New Revenue Rate/Effective tax rate	\$0.598035/ \$100
Voter Approval Rate/Rollback rate	\$0.603024/ \$100

If the proposed ad valorem tax rate exceeds the No New Revenue Rate, the Council must take a record vote on the proposed rate and schedule a public hearing before the adoption of the tax rate. The proposed tax rate does not exceed the No New Revenue Rate.

BUDGET ANALYSIS

The FY 2021 budget includes a tax rate of \$0.598035, which includes the following components:

Maintenance & Operations (General Fund):	\$0.453530
Interest & Sinking (Debt Service):	\$0.144505

Any increase in the proposed rate will increase the Maintenance & Operation portion of the tax rate, increasing the funding available in the general fund and require a public hearing. A decrease in the rate will reduce the funding available in the general fund in FY2021, which may result in the need to reduce the proposed budget.

The revenue generated at the proposed tax rate assuming a 97% collection rate is as follows:

General Fund	\$30,017,626
Debt Service Fund	\$ 9,564,300
Tax Increment Reinvestment Zones	<u>\$ 4,765,580</u>
Total	\$44,347,506

Of these amounts, approximately \$43,419,214 is generated from existing properties and \$928,292 is generated from new properties. For comparison, as of 6/30/2020 the property tax levy for Tax Year 2019/FY 2020, which excludes new properties, was \$44,383,716 with a collection rate of 97.86%. The budget assumption for FY2021 is 97% due to potential delinquencies related to economic impacts caused by the COVID-19 pandemic.

Included as an attachment is a corrected submission of the appraisal roll and new property value prepared by the Fort Bend County Tax Assessor-Collector. The certified roll was presented at the August 3, 2020 Council meeting, since this submittal the Fort Bend Central Appraisal District provided corrected information which resulted in a corrected Taxable Value of New Property. This figure decreased from \$229,857,158 to \$153,228,891 with the total appraised value and taxable value remaining unchanged. This new information was used in the truth in taxation calculations.

SUPPORTING MATERIALS

1. Truth in Taxation calculation
2. Corrected Submission – Certified Letter Fort Bend Tax office

STAFF'S RECOMMENDATION

Staff recommends City Council adopt a maximum proposed tax rate for Tax Year 2020/ Fiscal Year 2021.

Director Approval: Allena Portis, Director of Financial Services

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

2020 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

City of Missouri City

(281) 403-8614

Taxing Unit Name

Phone (area code and number)

1522 Texas Parkway, Missouri City, TX, 774892170

www.missouricitytx.gov

Taxing Unit Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller For 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do use this form but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

STEP 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Rate Activity	Amount/Rate
1.	2019 total taxable value. Enter the amount of 2019 taxable value on the 2019 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 17).[1]	\$6,991,228,247
2.	2019 tax ceilings. Counties, cities and junior college districts. Enter 2019 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step.[2]	\$0
3.	Preliminary 2019 adjusted taxable value. Subtract Line 2 from Line 1.	\$6,991,228,247
4.	2019 total adopted tax rate.	\$.630000
5.	2019 taxable value lost because court appeals of ARB decisions reduced 2019 appraised value.	
	A. Original 2019 ARB values:	\$90,483,734
	B. 2019 values resulting from final court decisions:	\$84,078,921
	C. 2019 value loss. Subtract B from A.[3]	\$6,404,813

Line	No-New-Revenue Rate Activity	Amount/Rate
6.	2019 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2019 ARB certified value:	48,569,899
	B. 2019 disputed value:	21,151,084
	C. 2019 undisputed value Subtract B from A.[4]	27,418,815
7.	2019 Chapter 42-related adjusted values. Add Line 5 and 6	33,823,628
8.	2019 taxable value, adjusted for court-ordered reductions. Add Lines 3 and 7	\$7,025,051,875
9.	2019 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2019. Enter the 2019 value of property in deannexed territory.[5]	\$0
10.	2019 taxable value lost because property first qualified for an exemption in 2020. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2020 does not create a new exemption or reduce taxable value.	
	A. Absolute exemptions. Use 2019 market value:	\$3,985
	B. Partial exemptions. 2020 exemption amount or 2020 percentage exemption times 2019 value:	\$4,430,751
	C. Value loss. Add A and B.[6]	\$4,434,736
11.	2019 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2020. Use only properties that qualified in 2020 for the first time; do not use properties that qualified in 2019.	
	A. 2019 market value:	\$0
	B. 2020 productivity or special appraised value:	\$0
	C. Value loss. Subtract B from A.[7]	\$0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$4,434,736
13.	Adjusted 2019 taxable value. Subtract Line 12 from Line 8	\$7,020,617,139
14.	Adjusted 2019 total levy. Multiply Line 4 by Line 13 and divide by \$100	\$44,229,887
15.	Taxes refunded for years preceding tax year 2019. Enter the amount of taxes refunded by the district for tax years preceding tax year 2019. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019.[8]	\$91,105
16.	Taxes in tax increment financing (TIF) for tax year 2019 Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0.[9]	\$3,854,320
17.	Adjusted 2019 levy with refunds and TIF adjustment. Add Lines 14, and 15, subtract Line 16.[10]	\$40,466,672
18.	Total 2020 taxable value on the 2020 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.[11]	
	A. Certified values:	\$7,047,970,527
	B. Counties: Include railroad rolling stock values certified by the Comptroller's office.	\$0
	C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property	\$0
	D. Tax increment financing: Deduct the 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2020 taxes will be deposited into the tax increment fund. Do not include any new	\$702,380,206

Line	No-New-Revenue Rate Activity	Amount/Rate
	property value that will be included in Line 23 below.[12]	
	E. Total 2020 value Add A and B, then subtract C and D	\$6,345,590,321
19.	Total value of properties under protest or not included on certified appraisal roll. [13]	
	A. 2020 taxable value of properties under protest The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest.[14]	\$246,836,332
	B. 2020 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll.[15]	\$336,466,796
	C. Total value under protest or not certified. Add A and B.	\$583,303,128
20.	2020 tax ceilings. Counties, cities and junior colleges enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step.[16]	\$0
21.	2020 total taxable value. Add Lines 18E and 19C. Subtract Line 20C.[17]	\$6,928,893,449
22.	Total 2020 taxable value of properties in territory annexed after Jan. 1, 2019. Include both real and personal property. Enter the 2020 value of property in territory annexed.[18]	\$2,268,250
23.	Total 2020 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2019. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2019 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2020.[19]	\$160,024,434
24.	Total adjustments to the 2020 taxable value. Add Lines 22 and 23.	\$162,292,684
25.	Adjusted 2020 taxable value. Subtract Line 24 from Line 21.	\$6,766,600,765
26.	2020 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100.[20]	\$.598035 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2020 county NNR tax rate.[21]	

[1]Tex. Tax Code Section

[2]Tex. Tax Code Section

[3]Tex. Tax Code Section

[4]Tex. Tax Code Section

[5]Tex. Tax Code Section

[6]Tex. Tax Code Section

[7]Tex. Tax Code Section

[8]Tex. Tax Code Section

[9]Tex. Tax Code Section

[10]Tex. Tax Code Section

[11]Tex. Tax Code Section

[12]Tex. Tax Code Section

[13]Tex. Tax Code Section

[14]Tex. Tax Code Section

[15]Tex. Tax Code Section

[16]Tex. Tax Code Section

[17]Tex. Tax Code Section

[18]Tex. Tax Code Section

[19]Tex. Tax Code Section

[20]Tex. Tax Code Section

[21]Tex. Tax Code Section

STEP 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. Maintenance and Operations (M&O) Tax Rate: The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.

2. Debt Rate: The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter Approval Tax Rate Activity	Amount/Rate
28.	2019 M&O tax rate. Enter the 2019 M&O tax rate.	\$466387
29.	2019 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	7,025,051,875
30.	Total 2019 M&O levy. Multiply Line 28 by Line 29 and divide by 100.	32,763,928
31.	Adjusted 2019 levy for calculating NNR M&O rate.	
	A. 2019 sales tax specifically to reduce property taxes. For cities, counties and hospital districts, enter the amount of additional sales tax collected and spent on M&O expenses in 2019, if any. Other taxing units, enter 0. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent.	0
	B. M&O taxes refunded for years preceding tax year 2019. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019.	66,537
	C. 2019 taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0.	2,853,359
	D. 2019 transferred function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in E below. The taxing unit receiving the function will add this amount in E below. Other taxing units enter 0.	0
	E. 2019 M&O levy adjustments. Add A and B, then subtract C. For taxing unit with D, subtract if discontinuing function and add if receiving function	-2,786,822
	F. Add Line 30 to 31E.	29,977,106
32.	Adjusted 2020 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	6,766,600,765
33.	2020 NNR M&O rate (unadjusted) Divide Line 31F by Line 32 and multiply by \$100.	0.443015
34.	Rate adjustment for state criminal justice mandate. [23]	
	A. 2020 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	0
	B. 2019 state criminal justice mandate Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies	0

Line	Voter Approval Tax Rate Activity	Amount/Rate
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Enter the rate calculated in C. If not applicable, enter 0.	0.000000
35.	Rate adjustment for indigent health care expenditures[24]	
	A. 2020 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose	0
	B. 2019 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state assistance received for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Enter the rate calculated in C. If not applicable, enter 0.	0.000000
36.	Rate adjustment for county indigent defense compensation.[25]	
	A. 2020 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose	0
	B. 2019 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state grants received by the county for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100.	0.000000
	E. Enter the lessor of C and D. If not applicable, enter 0.	0.000000
37.	Rate adjustment for county hospital expenditures.	
	A. 2020 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020	0
	B. 2019 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2018 and ending on June 30, 2019	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100	0.000000
	E. Enter the lessor of C and D, if applicable. If not applicable, enter 0.	0.000000
38.	Adjusted 2020 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E.	0.443015
39.	2020 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit If the taxing unit qualifies as a special taxing unit, multiply Line 38 by 1.08 -or- Other Taxing Unit If the taxing unit does not qualify as a special taxing unit, multiply Line 38 by 1.035. -or- Taxing unit affected by disaster declaration If the taxing unit is located in an area declared as disaster area, the governing body may direct the person calculating the voter-approval rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval rate in this manner until the earlier of 1) the second year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, and 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 38 by 1.08. [27]	0.458520

Line	Voter Approval Tax Rate Activity	Amount/Rate
40.	Total 2020 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses.	
	A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount	10,954,398
	B. Subtract unencumbered fund amount used to reduce total debt.	0
	C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	0
	D. Subtract amount paid from other resources	0
	E. Adjusted debt Subtract B, C and D from A	10,954,398
41.	Certified 2019 excess debt collections Enter the amount certified by the collector.	925,759
42.	Adjusted 2020 debt Subtract Line 41 from Line 40E	10,028,639
43.	2020 anticipated collection rate.	
	A. Enter the 2020 anticipated collection rate certified by the collector	100.16
	B. Enter the 2019 actual collection rate	100.16
	C. Enter the 2018 actual collection rate	100.73
	D. Enter the 2017 actual collection rate	102.79
	E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.	100.16
44.	2020 debt adjusted for collections. Divide Line 42 by Line 43E.	10,012,618
45.	2020 total taxable value. Enter the amount on Line 21 of the No-New-Revenue Tax Rate Worksheet.	6,928,893,449
46.	2020 debt rate Divide Line 44 by Line 45 and multiply by \$100.	0.144505
47.	2020 voter-approval tax rate. Add Line 39 and 46.	0.603024
48.	COUNTIES ONLY. Add together the voter-approval tax rate for each type of tax the county levies. The total is the 2020 county voter-approval tax rate.	
STEP 3 NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes		

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
49.	Taxable sales. For taxing units that adopted the sales tax in November 2019 or May 2020, enter the Comptroller's estimate of taxable sales for the previous four quarters [32]. Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2019, skip this line.	0
50.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue.[33] Taxing units that adopted the sales tax in November 2019 or in May 2020. Multiply the amount on Line 49 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95 [34] -or- Taxing units that adopted the sales tax before November 2019. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	0

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	6,928,893,449
52.	Sales tax adjustment rate. Divide Line 50 by Line 51 and multiply by \$100.	0.000000
53.	2020 NNR tax rate, unadjusted for sales tax [35]. Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$.598035
54.	2020 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2019 or in May 2020. Subtract Line 52 from Line 53. Skip to Line 55 if you adopted the additional sales tax before November 2019.	\$.598035
55.	2020 voter-approval tax rate, unadjusted for sales tax. [36] Enter the rate from Line 47 or Line 48 as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i>	0.603024
56.	2020 voter-approval tax rate, adjusted for sales tax. Subtract Line 52 from Line 55.	0.603024

[37]Tex. Tax Code Section [38]Tex. Tax Code Section

STEP 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O Funds to pay for a facility, device or method for the control of air, water or land pollution.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Activity	Amount/Rate
57.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ [37]. The taxing unit shall provide its tax assessor-collector with a copy of the letter.[38]	\$0
58.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$6,928,893,449
59.	Additional rate for pollution control. Divide Line 57 by Line 58 and multiply by \$100.	0.000000
60.	2020 voter-approval tax rate, adjusted for pollution control. Add Line 59 to one of the following lines (as applicable): Line 47, Line 48 (counties) or Line 56 (taxing units with the additional sales tax).	0.603024

[37]Tex. Tax Code Section

[38]Tex. Tax Code Section

STEP 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years [39]. In a year where a special taxing unit adopts a rate above the voter-approval tax rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

For each tax year before 2020, the difference between the adopted tax rate and voter-approval rate is considered zero, therefore the unused increment rate for 2020 is zero.[40]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [41]

Line	Activity	Amount/Rate
61.	2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
62.	2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
63.	2017 unused increment rate. Subtract the 2017 actual tax rate and the 2017 unused increment rate from the 2017 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
64.	2020 unused increment rate. Add Lines 61, 62 and 63.	0.000000
65.	2020 voter-approval tax rate, adjusted for unused increment rate. Add Line 64 to one of the following lines (as applicable): Line 47, Line 48 (counties), Line 56 (taxing units with the additional sales tax) or Line 60 (taxing units with pollution control).	

STEP 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.[42]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [43]

Line	Activity	Amount/Rate
66.	Adjusted 2020 NNR M&O tax rate. Enter the rate from Line 38 of the <i>Voter-Approval Tax Rate Worksheet</i>	0.000000
67.	2020 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>	0
68.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 67 and multiply by \$100.	0.000000
69.	2020 debt rate Enter the rate from Line 46 of the <i>Voter- Approval Tax Rate Worksheet</i>	0.000000
70.	De minimis rate Add Lines 66, 68 and 69.	0.000000

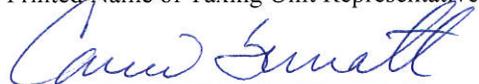
STEP 7: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate	0.598035
Voter-Approval Tax Rate	0.603024
De minimis rate	0.000000

STEP 8: Taxing Unit Representative Name and Signature

print here CARRIE SURRATT
 Printed Name of Taxing Unit Representative

sign here 
 Taxing Unit Representative

August 7, 2020
 Date



COUNTY TAX ASSESSOR-COLLECTOR
Fort Bend County, Texas

Carrie Surratt, PCC, CTOP
County Tax Assessor-Collector

(281) 341-3710
Fax (832) 471-1830
www.fortbendcountytexas.gov

**SUBMISSION OF 2020 TAX YEAR APPRAISAL ROLL
AND NEW PROPERTY VALUE**

I, Carrie Surratt, Tax Assessor Collector for **City of Missouri City** submit the following information from the 2020 Certified Appraisal Roll for your review:

- Taxable Value of New Property is \$153,228,891
- Appraised Value of All Properties is \$8,064,256,736
- Taxable Value of All Properties is \$7,047,970,527

The Fort Bend Central Appraisal District has provided corrected information which resulted in a corrected Taxable Value of New Property reflected above.

Please record receipt of the above information into the minutes of your next meeting.

Carrie Surratt, PCC, CTOP
Fort Bend County Tax Assessor/Collector

Date



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600

Phone (281) 344-8623 | www.fbcad.org

Fort Bend County, Texas

CERTIFICATION OF 2020 APPRAISAL ROLL

FOR C09 CITY OF MISSOURI CITY I, Jordan T. Wise, Chief Appraiser for Fort Bend Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Fort Bend Central Appraisal District which lists property taxable by and constitutes the appraisal roll.

2020 Appraisal Roll:

Total Market Value	<u>\$8,064,256,736</u>
Total Assessed Value	<u>\$7,442,730,797</u>
Total Taxable Value	<u>\$7,047,970,527</u>
Number of Accounts	<u>30,687</u>

Jordan T. Wise

Jordan T. Wise
Chief Appraiser

July 20, 2020

Date

Carmi Burnett

Received By

July 29, 2020

Date



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600

Phone (281) 344-8623 | www.fbcad.org

Fort Bend County, Texas

Chief Appraisers Reasonable Estimate of Value for Property Under Review as of 2020 Appraisal Roll Certification

On July 20, 2020, the Appraisal Review Board of Fort Bend County, Texas, met to approve the appraisal records for tax year 2020. At the time of certification 97.5% of the roll value was approved leaving 2.5% of the value still under review. Under Section 26.01 of the Texas Property Tax Code the chief appraiser must give a reasonable estimate of value for the properties still under review.

For C09 the district's full certified appraised value is as follows:

Market Value \$8,064,256,736

Taxable Value \$7,047,970,527

A reasonable estimate of value for the properties is as follows:

Under Review		Estimated Value Adjusted For ARB Action	
Market Value is	<u>\$298,363,224</u>	Market Value is	<u>\$277,477,798</u>
Taxable Value is	<u>\$194,424,276</u>	Taxable Value is	<u>\$180,814,577</u>

I, the undersigned, the duly selected chief appraiser of Fort Bend Central Appraisal District, do hereby certify this to be a reasonable estimate of value of the property still under protest for 2020.

Witness my hand, this 20th day of July, 2020.

Jordan T. Wise

Jordan T. Wise
Chief Appraiser



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600

Phone (281) 344-8623 | www.fbcad.org

**Appraisal Review Board
Fort Bend County, Texas**

Order Approving Appraisal Records

After review of the appraisal records of the Fort Bend Central Appraisal District and hearing and determining all taxpayer protests and taxing unit challenges which were properly brought before the Appraisal Review Board in accordance with the Texas Property Tax Code, the Board, with a quorum present, has determined that the appraisal records should be approved as changed by Board orders duly filed with the Chief Appraiser.

It is therefore ordered that the appraisal records as changed are approved and constitute the appraisal roll for the Fort Bend Central Appraisal District for the tax year 2020.

The approved appraisal records are attached to the Order and are incorporated herein by reference the same as if fully copied and set forth as length.

Total Value for C09 CITY OF MISSOURI CITY

Total Market Value	<u>\$8,064,256,736</u>
Total Assessed Value	<u>\$7,442,730,797</u>
Total Net Taxable Value	<u>\$7,047,970,527</u>

Signed this 20th day of July, 2020

Handwritten signature of Joseph Grace in black ink.

Joseph Grace
Appraisal Review Board Chairman
Fort Bend County, Texas

Handwritten signature of Tracie Zimmerman in black ink.

Tracie Zimmerman
Appraisal Review Board Secretary
Fort Bend County, Texas



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600

Phone (281) 344-8623 | www.fbcad.org

Fort Bend County, Texas

Certification Statement:

"I, Jordan T. Wise, Chief Appraiser for the Fort Bend Central Appraisal District, solemnly swear that I have made or caused to be made a diligent inquiry to ascertain all property in the district subject to appraisal by me, and that I have included in the records all property that I am aware of at an appraised value which, to the best of my knowledge and belief, was determined as required by law." The value of all property in,

C09 CITY OF MISSOURI CITY as shown by the certified appraisal roll for 2020, after being submitted to and approved by the appraisal review board is:

Total Market Value \$8,064,256,736

Total Assessed Value \$7,442,730,797

Witness my hand, this 20th, day of July, 2020

Handwritten signature of Jordan T. Wise in black ink, written over a horizontal line.

Jordan T. Wise
Chief Appraiser



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600
Phone (281) 344-8623 | www.fbcad.org

LIMITING CONDITIONS

The appraised value estimates provided by the district are subject to the following conditions:

1. The appraisals were prepared exclusively for ad valorem tax purposes.
2. The property characteristic data upon which the appraisals are based is assumed to be correct. Exterior inspections of the property appraised were performed as staff resources and time allowed.
3. Validation of sales transactions was attempted through questionnaires to buyer and seller, telephone survey and field review. In the absence of such confirmation, residential and commercial sales data obtained from vendors was considered reliable.
4. I have attached a list of staff providing significant mass appraisal assistance to the person signing this certification.
5. The district's latest ratio study results are available upon request.

List of staff providing significant mass appraisal assistance to the person signing this certification:

Licensed Appraiser	Licensed Appraiser	Licensed Appraiser	Licensed Appraiser
Adidi, Latisha	Fuentes, Francisco	Manak, Kris	Steffey, Whitney
Aivarado, Taylor	Garcia, Amanda	Martinez, Melissa	Strine, Tara
Applegate, Michael	Garcia, Jasmine	Masculine, Tiffany	Sury, Rodney
Benjebbour, Tiffany	Garza, Christene	Merecka, Amber	Tejeda, Sara
Boettcher, Jerrica	Guevara, Margaret	Moncrief, Georgia	Tellez, Rosio
Brown, Henry	Hall, Matthew	Moreno, Gilbert	Templet, Marissa
Cardoza, Andrew	Herrera, Jeanine	Muse, Sandra	Thompson, Brandon
Cariaga, Anna	Herrera, Natasha	ODwyer, Barry	Toadvine, Shane
Castillo, Joe	Herrera, Raymond	Paule, Zurelle	Torres, Paul
Clark, Karen	Hester, Ashley	Perkins, Clarence	Turrubiate, Elizabeth
Coba, Indra	Jackson, Lori	Phillips, Wayne	Vasquez, Carlos
Cole, Christi	Jamail, Helen	Rangel, Cynthia	Washington, LaTonja
Cryer, David	Jeronimo, Bianca	Reyes, Jacob	Werner, Markus
Damani, Naila	Ji, Vivian	Rodriguez, Kimberly	Wharton, Charles
Deleon, Karen	Johnson, Tracey	Rubalcaba, Mandi	Whitehead, Glen
De Luna, Ruben	Katie Stark	Schlepphorst, Gary	Wilson, Lorie
Duran, Yvonne	Klein, Irene	Schweinler, Brandon	Wise, Jordan
Ellis, Michael	Kruse, Ben	Smith, Mark	Wooten, Cliff
Estrada, Maria	Llanes, Isabel	Soliz, Crystal	
Flores, Daniel	Lott, Joscelyne	Stark, Katie	
Fredrickson, Bo	Luna, Cesar	Stavely, Taffanie	

From: Jeff Davidson
To: Surratt, Carrie; Ovuol, Mandy; Staton, Tammy
Cc: Jordan Wise; Irene Klein
Subject: Commercial Effective Tax Rate New Improvement Values
Date: Thursday, July 30, 2020 3:06:53 PM
Attachments: image002.png
image003.png
2020_County_RC-BA_NewImprovement_Values.xlsx

Good afternoon,

We received a question this morning from regarding data provided to you on the 2020 value of new improvements. There appears to be an inaccuracy in the ETR report previously provided to your office. The value reported as new commercial value (Box 23, I believe), is *higher* than it should be. We reviewed a sample of accounts to determine that the error was caused when the *actual age* of some of the commercial accounts was updated instead of the *effective age*. This was a keying error by the FBCAD Commercial team and skewed the values in your report.

Once the error was discovered, we ran queries to determine the correct value. The correct value of new commercial improved is:

Given the multitude of moving pieces within and the highly technical nature of SB 2, we highly recommend you contact your legal counsel regarding guidance on which value you should use for the TNT calculations.

Value of property to which applies	\$
23. Total 2020 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2019. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2019 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2020. ¹²	\$

Thank you again for your patience during these past few days. If you have any questions about the data or calculations provided, please do not hesitate to contact the appraisal district.

Note also, only jurisdictions that have commercial improvements are listed.

Thank you,

Jeff Davidson

Data Processing Manager

(281) 344-8823 x151 | www.fbcad.org
2801 B. F. Terry Blvd. Rosenberg, TX 77471-5800

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Will need to replace the values on the ETR Report from FBCAD
with the ones below. Section at bottom of P 1 - New Improvements -
Commercial. Will then need to recalculate the NEW IMPROVEMENTS TOTAL
on the next page for use on Line 23

Code	Total Appraised Value	New Current Taxable
C04	35,095,851	23,103,761
C05	9,173,159	5,466,509
C06	44,822,813	28,803,473
C09	72,367,872	52,979,932
C11	675,960	460,180
C15	2,290,380	1,753,970
C17	81,557,566	74,317,606
C19	28,322,313	19,385,953
C21	70,495,916	49,545,796
J01	1,966,057	1,467,767
J03	28,322,313	19,385,953
J07	72,367,872	52,979,932
D01	563,211,834	403,343,604
G01	563,211,834	403,343,604
M114	1,834,237	1,239,287
M242	5,099,958	4,580,898
M243	2,962,269	1,626,359
P303	1,687,073	1,160,713
R05	79,060,545	43,931,915
R07	2,599,972	462,692
R33	7,067,570	4,039,230
R41	49,562,784	35,224,984
R50	11,816,712	8,194,992
R51	350,761	222,381
R52	7,238,351	6,238,561
S01	120,071,596	93,291,696
S03	2,599,972	462,692
S05	1,966,057	1,467,767
S07	265,802,858	194,228,888
S11	28,322,313	19,385,953
S13	144,449,038	94,506,608
T102	9,984,061	7,918,561
T104	14,626,466	12,300,986
T105	6,546,391	4,282,981
T106	8,233,464	5,443,694
T109	8,509,509	4,782,379
T110	22,709,902	12,577,052
T125	3,893,737	3,183,097
T204	10,818,260	8,153,100
T206	2,891,847	2,205,707
T208	13,302,524	7,038,164

W03	58,173,273	46,484,083
W03A	13,302,524	7,038,164
W16	2,888,320	1,378,680
W20	30,795,757	22,817,407
W25	3,319,643	2,849,543
W29	1,329,175	755,605
W35	8,853,939	5,970,639
M96	5,869,974	3,533,524

Effective Tax Rate Report

Tax Year: 2020

Taxing Unit: C09 - City of Missouri City

NEW EXEMPTIONS:	COUNT	2019 ABSOLUTE EX VALUES	2020 PARTIAL EX VALUES
NEW EXEMPT PROPERTY	57	\$3,985	
NEW HS EXEMPTIONS	526		\$0
NEW PRO EXEMPTIONS	9		\$26,812
NEW OA EXEMPTIONS	251		\$3,287,502
NEW DP EXEMPTIONS	6		\$50,000
NEW DV1 EXEMPTIONS	1		\$5,000
NEW DV2 EXEMPTIONS	3		\$22,500
NEW DV3 EXEMPTIONS	6		\$58,667
NEW DV4 EXEMPTIONS	8		\$96,000
NEW DVX EXEMPTIONS	3		\$380,770
NEW HB368 EXEMPTIONS	0		\$0
NEW PC EXEMPTIONS	0		\$0
NEW FRSS EXEMPTIONS	0		\$0

ABSOLUTE EX TOTAL		\$3,985
PARTIAL EX TOTAL	(+)	\$3,927,251
2019 TAXABLE VALUE LOST DUE TO PROPERTY BECOMING EXEMPT IN 2020	(=)	\$3,931,236

NEW ANNEXED PROPERTY:	COUNT	APPRAISED VALUE	TAXABLE VALUE
NEWLY ANNEXED PROPERTY	0	\$0	\$0
IMPROVEMENT SEGMENTS	0	\$0	
LAND SEGMENTS	0	\$0	
MINERAL	0	\$0	
OTHER	0	\$0	

TAXABLE VALUE ON NEWLY ANNEXED PROPERTY:	\$0
--	-----

NEW AG APPLICATIONS:

NEW AG APPLICATIONS COUNT	0
2019 MARKET	\$0
2020 USE	(-) \$0
VALUE LOST DUE TO AG APPLICATIONS:	(=) \$0 (\$0 Taxable)

NEW IMPROVEMENTS:	COUNT	TOTAL APPRAISED VALUE ¹	NEW CURRENT TAXABLE ²
NEW IMPROVEMENTS	618	\$276,006,925	\$224,065,051
RESIDENTIAL	533	\$113,536,370	\$94,456,852
COMMERCIAL	72	\$262,792,555	\$220,508,399
OTHER	13	\$0	\$0

72,367,872

52,979,932

NEW ADDITIONS	92	\$30,239,250	\$1,251,057
RESIDENTIAL	92	\$30,239,250	\$1,251,057
COMMERCIAL	0	\$0	\$0
OTHER	0	\$0	\$0
PERCENT COMPLETION CHANGED	0	\$0	\$0
TOTAL NEW PERSONAL VALUE	31	\$5,313,470	\$4,541,050
SECTION 52 & 59	0	\$0	\$0
REDUCED/EXPIRING ABATEMENTS	0	\$0	\$0
TOTALS:		\$311,559,645	\$229,857,158

221,456,962

153,228,891

2019 TOTAL TAXABLE (EXCLUDES UNDER PROTEST)	\$6,676,865,548
2019 OA DP FROZEN TAXABLE	\$0
2019 TAX RATE	0.6300
2019 OA DP TAX CEILING	\$0
2020 CERTIFIED TAXABLE	\$7,047,970,527
2020 TAXABLE UNDER PROTEST	\$194,424,276
2020 OA FROZEN TAXABLE	\$0
2020 DP FROZEN TAXABLE	\$0
2020 TRANSFERRED OA FROZEN TAXABLE	\$0
2020 TRANSFERRED DP FROZEN TAXABLE	\$0
2020 OA FROZEN TAXABLE UNDER PROTEST	\$0
2020 DP FROZEN TAXABLE UNDER PROTEST	\$0
2020 TRANSFER OA WITH FROZEN TAXABLE UNDER PROTEST	\$0
2020 TRANSFER DP WITH FROZEN TAXABLE UNDER PROTEST	\$0
2020 APPRAISED VALUE	\$7,739,450,101
2020 OA DP TAX CEILING	\$0

1. Includes all land and other improvements of properties with new improvement values.
2. Includes only new improvement value.

2019 total taxable value.	1. \$6,676,865,548
2019 tax ceilings.	2. \$0
2019 total adopted tax rate.	4. 0.630000
a. 2019 M&O tax rate.	a. 0.466387
b. 2019 I&S tax rate.	+b. 0.163613
2019 taxable value of property in territory deannexed after Jan. 1, 2019.	7. \$0
2019 taxable value lost because property first qualified for an exemption in 2020.	8. \$3,931,236
a. Absolute exemptions.	a. \$3,985
b. Partial exemptions.	+b. \$3,927,251
2019 taxable value lost because property first qualified for agricultural appraisal (1 - d or 1 - d - 1), timber appraisal, recreational/ scenic appraisal or public access airport special appraisal in 2020.	9. \$0
a. 2019 market value.	a. \$0
b. 2020 productivity or special appraisal value.	-b. \$0
2020 certified taxable.	\$7,047,970,527
2020 tax ceilings.	18. \$0
Total 2020 taxable value of properties in territory annexed after Jan.1, 2019.	20. \$0
Total 2020 taxable value of new improvements and new personal property	21. \$229,857,158

* 2019 Values as of Supplement 10.



CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 9(b) Consider authorizing the Farmers Market Partners' request to host a weekly farmers market at Sienna Annex (5855 Sienna Spring Way) under the Special Event's Permit Ordinance for a period expiration of November 25, 2023.
Submitted by: Otis T. Spriggs, AICP, Director, Development Services

SYNOPSIS

Farmers Market Partners has requested permission to continue utilizing the grounds at 5855 Sienna Spring Way for the purposes of a seasonal farmers market to be held on Saturdays of every month, from 10:00 am until 2:00 pm, for a period expiration of November 25, 2023.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

The applicants, Farmers Market Partners were granted approval of the relocation of the Farmers Market to the Sienna Annex (5855 Sienna Spring Way) in April 2019. The frequency limitation was waived under the Special Events provisions of the Zoning Ordinance, whereby Council authorization is required.

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

Sponsors of this special event, now at a new location, have agreed to ensure all safety and health measures are followed, and adequate parking is provided based on the projected number of attendees. Access is monitored to assure reasonable traffic flow with a minimum amount of congestion. A signage plan has also been previously approved within the project vicinity with the permission of the Sienna Property Owners Association at Sienna Parkway and Highway 6 (on market day only) and directional signage to alleviate any traffic impacts for the 4-hour event (1-hour setup) at Sienna Parkway at Sienna Crossing Dr., Sienna Springs Way, and at Trammel Fresno Rd. intersections.

Meetings have also been held between staff and Farmer's Market Partners regarding more permanent solutions to the long-term proposal for the property; to address all code issues, and permit fees, food handling rules, and procedures. Staff will continue to work with Legal Services to assure that the Code of Ordinances for mobile vending accommodates the mobile vendors as well.

BUDGET ANALYSIS

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

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

SUPPORTING MATERIALS

1. Written request/application packet submitted to Development Services for Approval.

STAFF'S RECOMMENDATION

Staff recommends approval of this special event, subject to City Council action, due to waiver of the frequency clause within Section 9.10 Special Events that states that special events shall occur for two weeks, and no more frequently than every six months on the subject property, for a period ending November 25, 2023, event to occur each Saturday from 10:00 am to 2:00 pm.

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

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



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

SPECIAL EVENT PERMIT APPLICATION

(Please **PRINT** all answers)

Application Date: 8-7-20 Event Date: Every Saturday

Name & Type of Event FARMERS MARKET

Address or Location of Event 5855 Sienna Springs way

Name of Applicant Thomasine Johnson

Responsible Individual(s) Thomasine Johnson

Email & Phone Number (required) Thomasine@farmersmarketpartners.com
832-347-3811

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

Name of Property Owner (Not Tenant) Fort Bend Anne L

Property Owner Phone# Grady Prestage 281-403-8000

Signature of Property Owner _____

Event Hours 9-3

Number of signs to be displayed (Indicate number and location):
 Designated City rights-of-way 8 Private Property 8

Date sign(s) placed: Every Sat Date sign(s) removed Every Sat

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

Number of Staff 2

Number of Participants Estimated 250

Security will be provided by NA

Food or drinks served? Yes or No

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



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Will electricity be used?

Yes or No

If yes, from what source? _____

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

Will hard surface parking be provided?

Yes or No

If yes, then number of parking spaces.

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

Will tents be used? *-CRACK/*

Yes or No

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

Will there be alcohol sales?

Yes or No

NOTE: If yes, an alcohol permit is required.

Will outdoor sound amplification be used? Yes or No

How will disposal of solid waste be provided? yes

FOR DEPARTMENT USE:

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

Approved _____ Disapproved _____ Zoning Inspector _____ Date _____

Approved _____ Disapproved _____ Health Inspector _____ Date _____

Approved _____ Disapproved _____ Director of Development Services _____ Date _____



CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council

Agenda Item: 9(c) Consider authorizing the City Manager to negotiate and authorize an amendment to the Mustang Bayou Wastewater Treatment Plant Rehabilitation and Expansion Contract with Boyer, Inc. for the Balance of the Work Package (BOP) to factor cost escalation based on the original estimate.

Submitted by: Shashi K. Kumar, P.E., Director of Public Works and City Engineer
Todd Hoover, Utilities Manager

SYNOPSIS

In October 2019, the City Council authorized a resolution determining that the Construction Manager at Risk (CMAR) method of procurement provided the best value for the City for the rehabilitation and expansion of the Mustang Bayou Wastewater Treatment Plant. The City solicited proposals for the purpose of moving the now city-owned wastewater package plant from the City of Pearland to the Mustang Bayou location, reassembling and bringing the expanded plant to operational capacity.

On January 6, 2020, the City Council authorized the City Manager to execute a contract for pre-construction phase services towards the Mustang Bayou Wastewater Treatment Plant Project with Boyer, Inc. for \$210,000. Further, this Construction Manager at Risk (CMAR) contract with Boyer, Inc. was amended via change order (#1) upon Council authorization on March 2, 2020 to include Early Work Package (EWP) for a guaranteed maximum price (GMP) of \$1,816,974.75, and a total contract price in the amount of \$2,026,974.75. At that time, the estimated total cost of this project was approximately \$12.3 Million (see attachment). However, due to factors outlined in the background section, the now estimated total cost of project is approximately \$13.8 Million. This project is critical and time sensitive to support anticipated growth in the Business Park area and also to rehabilitate existing units that have reached their useful life. As such, staff is seeking authorization from Council for up to an additional \$1.5 Million dollars in expenditure towards this project to meet the schedule constraints.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City

BACKGROUND

The rehabilitation and expansion of the Mustang Bayou Wastewater Treatment Plant (MB WWTP) is critical to accommodate growth in the service area and to rehabilitate the current plant units that have reached their useful life. At the January 6, 2020 meeting, the City Council awarded the pre-construction phase services contract of \$210,000 to Boyer, Inc. The pre-construction phase services for this project allowed Boyer, Inc. to work hand-in-hand with Ardurra in finalizing the design and developing a construction work package, which is consistent with the CMAR method of procurement.

The next steps were to finalize the design and develop a construction work package with a Guaranteed Maximum Price (GMP). This work package is split into two packages: (1) an Early Work Package (EWP) for preparing the site and moving the purchased package plant. (2) The remainder of work is referred to as the Balance of the Plant (BOP). The City Council decided to enter into a contract with Boyer, Inc. for the

construction of EWP for a GMP not to exceed \$1,816,974.95 in March 2020. The EWP work is currently ongoing and expected to be completed in September, 2020. At that time, the City's Consultant (Ardurra) had estimated the BOP cost to be approximately \$7.325 Million. As shown in the attached original estimate, the total project cost (includes EWP, BOP and other soft cost) was estimated at approximately \$12.3 Million. In recent days, the City's consultant has informed staff that this original BOP cost estimate could now go up by as much as \$1.5 Million (12% cost escalation). Based on research from City's consultant, the following key factors are contributing towards this cost escalation:

1. The COVID-19 pandemic situation. Production of wastewater facility components (vales, fitting, etc.) is low and the cost of manufacturing materials have significantly risen. This low supply and continued demand from the municipal sector has resulted in increases in wastewater plant component costs.
2. The price of copper (used in electrical gear) has increased by as much as 30%, which is a major line item cost.
3. The number of sub-contractors willing to bid or perform various tasks has dwindled. This lack of competition among sub-contractors (such as plumbing, electrical, etc.) has contributed to higher construction costs.

A portion of the plant cost attributed to rehabilitation (only) is expected to be reimbursed by the other plant participants (MUD No. 47 and MUD No. 48) based on current agreements with the City. In addition, the plant expansion costs attributed to added capacity are proposed to be recovered via adopted wastewater impact fees and user fees to customers located in the service area. City staff had involved the MUD staff/consultants in the CMAR process since the inception and had developed a cost sharing formula (see attached) based on the original estimate of approximately \$12.3 Million. However, with the now projected cost escalation (up to \$1.5 Million), the project team will need to reallocate costs and also submit requests to the MUDs for payment of their pro-rata share of escalated project cost.

At this time, the exact amount of cost escalation and the allocation of the same to various participants is not known. Due to the time sensitivity of this project, the City may need to upfront added costs (up to \$1.5 Million) and then negotiate and seek reimbursement from the MUD's on their pro-rata share. Therefore, staff is seeking Council authorization to expend additions funds (up to \$1.5 Million) above the original estimate towards this project. Once the BOP costs are finalized, staff will seek formal authorization for the award of BOP contract to Boyer, Inc., which is expected in September 2020. In the interim, the City's Consultant is performing a value engineering effort with the contractor to keep the cost escalation to a minimum.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
2018A CO Fund	515-58700-50-999-	80027	13,845,853.58		

Purchasing Review: Shannon Pleasant, CTPM - Procurement & Risk Manager
Financial/Budget Review:

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. MBWWTP Original Cost Estimate

STAFF'S RECOMMENDATION

Staff recommends City Council to authorize the City Manager to negotiate and authorize an amendment to the Mustang Bayou Wastewater Treatment Plant Rehabilitation and Expansion Contract with Boyer, Inc. for the Balance of the Work Package (BOP) to factor cost escalation of up to \$1.5 Million based on the original estimate which is attached to this cover memo.

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

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

City of Missouri City
Mustang Bayou WWTP Rehabilitation and Expansion
Cost Share Determination
Tuesday, March 3, 2020
v1



						FBMUD 47		FBMUD 48		Missouri City		Total		
						MGD	Percent	MGD	Percent	MGD	Percent			
						Existing Ownership (MGD/%)		0.307	32.3%	0.433	45.6%	0.21	22.1%	0.950
						Proposed Ownership (MGD/%)		0.307	20.5%	0.433	28.9%	0.76	50.7%	1.500
No.	Notes	Description	Service Life Added	Value Added	Combined Benefit	Cost		Cost		Cost		Cost		
		Initial Project Costs												
		Package Plant Purchase	67%	0%	67%	\$ 2,300,000.00	13.7%	\$ 315,391.33	19.3%	\$ 444,835.33	66.9%	\$ 1,539,773.33	100%	
		CMAR Pre-Con Fees	prorated		25%	\$ 210,000.00	5.1%	\$ 10,683.81	7.2%	\$ 15,068.70	87.7%	\$ 184,247.49	100%	
		Engineering Fees (70%)	prorated		25%	\$ 756,884.10	5.1%	\$ 38,506.71	7.2%	\$ 54,310.76	87.7%	\$ 664,066.63	100%	
		Subtotal				\$ 3,266,884.10	11%	\$ 364,581.85	16%	\$ 514,214.79	73%	\$ 2,388,087.46	OK	
		Early Work Package (EWP)												
1	a	General Conditions	prorated		22%	\$ 180,374.75	4.4%	\$ 8,014.55	6.3%	\$ 11,303.91	89.3%	\$ 161,056.29	100.0%	
2		EWP-Aeration, Blowers, Chlorine Contact	67%	0%	67%	\$ 825,000.00	13.7%	\$ 113,129.50	19.3%	\$ 159,560.50	66.9%	\$ 552,310.00	100.0%	
3	e	EWP-Filters	0%	25%	25%	\$ 35,000.00	5.1%	\$ 1,790.83	7.2%	\$ 2,525.83	87.7%	\$ 30,683.33	100.0%	
4	b	Detention Pond Fill	0%	0%	0%	\$ 200,000.00	0.0%	\$ -	0.0%	\$ -	100.0%	\$ 200,000.00	100.0%	
5	c	Sitework	25%	0%	25%	\$ 500,000.00	5.12%	\$ 25,583.33	7.22%	\$ 36,083.33	87.67%	\$ 438,333.33	100.0%	
		Subtotal				\$ 1,740,374.75	9%	\$ 148,518.22	0%	\$ 209,473.58	91%	\$ 1,382,382.95	OK	
		TOTAL INITIAL + EWP COSTS				\$ 5,007,258.85	10%	\$ 513,100.07	14%	\$ 723,688.37	75%	\$ 3,770,470.41	OK	
		Balance of Plant (BOP)												
1		Engineering Fees (30%)	prorated		25%	\$ 324,378.90	5.1%	\$ 16,502.87	7.2%	\$ 23,276.04	87.7%	\$ 284,599.99	100.0%	
2	a	General Conditions	prorated		24%	\$ 541,124.25	4.9%	\$ 26,777.06	7.0%	\$ 37,767.00	88.1%	\$ 476,580.19	100.0%	
3	d	Lift Station	0%	0%	0%	\$ 250,000.00	0.0%	\$ -	0.0%	\$ -	100.0%	\$ 250,000.00	100.0%	
4	d	Headworks	0%	0%	0%	\$ 100,000.00	0.0%	\$ -	0.0%	\$ -	100.0%	\$ 100,000.00	100.0%	
5		Aeration, Blowers, Chlorine Contact	67%	0%	67%	\$ 1,500,000.00	13.7%	\$ 205,690.00	19.3%	\$ 290,110.00	66.9%	\$ 1,004,200.00	100.0%	
6	e	Filters	0%	25%	25%	\$ 100,000.00	5.1%	\$ 5,116.67	7.2%	\$ 7,216.67	87.7%	\$ 87,666.67	100.0%	
7		Chlorine Equipment/Building	67%	0%	67%	\$ 500,000.00	13.7%	\$ 68,563.33	19.3%	\$ 96,703.33	66.9%	\$ 334,733.33	100.0%	
8	d	SO2 Equipment/Building	0%	0%	0%	\$ 500,000.00	0.0%	\$ -	0.0%	\$ -	100.0%	\$ 500,000.00	100.0%	
9	f	Chlorine Scrubber	0%	25%	25%	\$ 400,000.00	5.1%	\$ 20,466.67	7.2%	\$ 28,866.67	87.7%	\$ 350,666.67	100.0%	
10		Electrical	67%	0%	67%	\$ 2,300,000.00	13.7%	\$ 315,391.33	19.3%	\$ 444,835.33	66.9%	\$ 1,539,773.33	100.0%	
11	g	Thickener Conversion	0%	20%	20%	\$ 150,000.00	4.1%	\$ 6,140.00	5.8%	\$ 8,660.00	90.1%	\$ 135,200.00	100.0%	
12	h	Effluent Line Upgrade	33%	0%	33%	\$ 50,000.00	6.8%	\$ 3,377.00	9.5%	\$ 4,763.00	83.7%	\$ 41,860.00	100.0%	
13	i	Sitework	0%	10%	10%	\$ 260,000.00	2.05%	\$ 5,321.33	2.89%	\$ 7,505.33	95.07%	\$ 247,173.33	100.0%	
14		Owner Held Contingency (5% of BOP)	0%	25%	25%	\$ 350,000.00	5.12%	\$ 17,908.33	7.22%	\$ 25,258.33	87.67%	\$ 306,833.33	100.0%	
		Subtotal BOP				\$ 7,325,503.15	9%	\$ 691,254.60	13%	\$ 974,961.71	77%	\$ 5,659,286.84	OK	
		PROJECT TOTAL				\$ 12,332,762.00	10%	\$ 1,204,354.68	14%	\$ 1,698,650.08	76%	\$ 9,429,757.25	OK	
		Combined 47/48 Contribution					24%	\$ 2,903,004.75						

General Notes:

1. These figures do not include interest on financing.
2. The EWP costs represent actual negotiated GMAX Rehabilitation costs.
3. The BOP cost are an opinion of probable construction costs released under the authority of Jeffrey S. Peters, PE (TX) 86347 of February 26, 2020 and represents the design professional's best judgement.
4. Ardurra has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market and industry conditions. Actual BOP from the CMAR contractor are expected to be available by the end of March, 2020.
5. The division of directly attributable rehabilitation costs is difficult without performing a comprehensive condition assessment of the current facilities, estimating current lift expectancy, and determining and planning for temporary capacity, bypass pumping, and other temporary facilities in order to perform rehabilitation of the existing plants.

Explanatory Notes:

- a. Pro-rated subtotals are calculated by dividing the subtotal for the work for each entity and dividing by the total cost. General conditions generally covers project overhead conditions including, but are not limited to Bonds and Insurance, temporary facilities, tools, supplies, jobsite maintenance, project management and superintendent.
- b. Moving dirt from the adjacent development to fill the detention pond to grade.
- c. Site work includes base material, fencing, temp fencing and some other permanent and temporary construction elements to facilitate the moving and final placement of the package plant.
- d. Modifications or new construction for these items are attributed to the expansion requirements. No cost share proposed.
- e. The filters will provide significant operational redundancy as well as Type I reuse water available as a commodity through direct sale and/or groundwater credits.
- f. Chlorine Scrubber - the existing three separate chlorination feed systems do not have chlorine scrubbers and represent significant additional chlorine cylinder handling versus the proposed system, that will have a scrubber system, providing full protection to the adjacent surrounding areas.
- g. Thickener Conversion - Conversion of the existing concrete circular modular plant will provide additional operational efficiency by centralizing the sludge handling to one collection point and will result in thicker sludge concentrations which will further reduce operating costs by reducing the amount of liquid disposal volume.
- h. Missouri City is paying for the incremental costs to upgrade the size of the effluent line due to additional required additional required capacity.
- i. The final shared sitework costs are attributed to updated roads, gates, site fencing, signage, etc...



CITY COUNCIL MEETING AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 10(a) Municipal Court Judge Ordinance
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

The City Council authorized staff to prepare an ordinance acceptable to the City's municipal court judges' to provide the presiding judge with specific authority.

BACKGROUND

On March 12, 2019, former City Manager Anthony Snipes, Interim City Manager Bill Atkinson, Municipal Court Division Director Brittany Rychlick and the Legal Division met with Judge Debra Sinclair at her request. Judge Sinclair requested additional consideration of the duties of the presiding judge of the City of Missouri City Municipal Court. The City Council previously discussed the duties of its municipal court judges on May 1, 2017, January 28, 2019, February 18, 2019, March 18, 2019, April 1, 2019, and April 15, 2019. Draft language was provided to the City Council on July 6, 2020. City Councilmembers did not provide additional comments at that time. The first reading of the ordinance was presented on July 20, 2020, at which time members of the City Council requested input from the judges. The judges were contacted by email on July 20, 2020, and were asked to provide comments by Monday, July 27, 2020. The judges' comments and preferred language on the proposed Council ordinance were provided to the Council and the judges provided oral comments to the Council on August 3, 2020.

The proposed ordinance provides the following:

- Continues the three panels of the municipal court; and
- Prescribes duties for the presiding judge, including the duty to prescribe standing orders.

BUDGET ANALYSIS

Funds are not being requested at this time.

SUPPORTING MATERIALS

1. Ordinance
2. Document showing the changes between the proposed draft and the existing ordinance

STAFF'S RECOMMENDATION

ACTION IS DISCRETIONARY: This matter is fully within the discretion of the City Council.

Director Approval: E. Joyce Iyamu, City Attorney

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING CHAPTER 62, MUNICIPAL COURT, OF THE MISSOURI CITY CODE; AMENDING PROVISIONS PROVIDING FOR THE CONDUCT AND OPERATIONS OF THE MUNICIPAL COURT; PROVIDING DUTIES FOR THE PRESIDING JUDGE; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, pursuant to Section 4.03 of the Charter of the City of Missouri City (the "Charter"), a municipal court for the trial of misdemeanor offenses must be established and maintained; and

WHEREAS, pursuant to the Charter, the municipal court may, by ordinance, be divided into two (2) or more panels or divisions, one of which shall be presided over by the presiding judge; and

WHEREAS, pursuant to Ordinance O-88-1, the City of Missouri City divided the municipal court into three (3) panels; and

WHEREAS, the City Council has found that providing specific duties for the presiding judge may result in more uniform judicial procedures; and

WHEREAS, the City Council of the City of Missouri City now deems it appropriate to provide additional direction regarding the operations of the municipal court; now therefore,

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

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

Section 2. The Missouri City Code is hereby amended by deleting Section 62-8 of Chapter 62 thereof, and substituting therefor, a new Section 62-8 to provide as follows:

“Chapter 62 - MUNICIPAL COURT

. . . .

Sec. 62-8. - Conduct and operation of courts; transfer of cases; authority of judges and divisional director of municipal court; and duties of the presiding judge.

- (a) The divisional director of municipal court shall facilitate the docket system for the filing of complaints so that the case load is equally distributed among the panels. At the request of the presiding judge, the divisional director of municipal court shall transfer cases and dockets from one judge to another.

- (b) The presiding judge of the municipal court shall:
 - (1) Prescribe standing orders and provide notice of such orders to associate judges, if any, for the conduct and operation of the municipal court during the proceedings of the court;
 - (2) Transfer cases from one judge to another;
 - (3) Exchange benches with any judge;
 - (4) At the request of the divisional director, assist the divisional director with assigning judges to scheduled dockets;
 - (5) Except as provided by local law, review and set fines;
 - (6) Facilitate administrative matters that specifically relate to the conduct of the judges in the municipal court; and
 - (7) Take judicial notice of state law, ordinances and the corporate limits of the city.

- (c) Each judge of the municipal court shall:
 - (1) Exercise complete judicial authority over the judgments, orders and process of the judge’s court, the trial of cases therein, and the conduct of persons attending thereon; and
 - (2) Enter on the docket of the municipal court, over which the municipal judge presides, appropriate notations of the disposition of each case.”

Section 3. *Repeal.* All ordinances or parts of ordinances in conflict herewith, if any, shall be and are hereby repealed only to the extent of such conflict.

Section 4. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 17th day of August, 2020.

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

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Chapter 62 - MUNICIPAL COURT

.....

Sec. 62-8. - Conduct and operation of courts; transfer of cases; authority of judges and divisional director of municipal court; and duties of the presiding judge.

- (a) The divisional director of municipal court shall facilitate the equitable scheduling of dockets. Municipal courts and the judges thereof may docket system for the filing of complaints so that the case load is equally distributed among the panels. At the request of the presiding judge, the divisional director of municipal court shall transfer cases and dockets from one court judge to another, and any judge of any such court may exchange benches and preside over any such court, subject to the approval of the judge of each municipal court affected by such transfer or exchange. Any judge of any
- (b) The presiding judge of the municipal court shall:
- (1) Prescribe standing orders and provide notice of such orders to associate judges, if any, for the conduct and operation of the municipal court during the proceedings of the court;
 - (2) Transfer cases from one judge to another;
 - (3) Exchange benches with any judge;
 - (4) At the request of the divisional director, assist the divisional director with assigning judges to scheduled dockets;
 - (5) Except as provided by local law, review and set fines;
 - (6) Facilitate administrative matters that specifically relate to the conduct of the judges in the municipal court; and
 - (7) Take judicial notice of state law, ordinances and the corporate limits of the city.
- (c) Each judge of the municipal court shall exercise:
- (1) Exercise complete judicial authority over the judgments, orders and process of his the judge's court, the trial of cases therein, and the conduct of persons attending thereon; and
 - (2) Enter on the docket of the municipal court, over which the municipal judge presides, appropriate notations of the disposition of each case."

Document comparison by Workshare 9.5 on Thursday, August 6, 2020 11:34:05 AM

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Rendering set	Standard

Legend:	
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Total changes	26
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CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 10(b) Consider an ordinance amending the FY 2020 Adopted Budget
Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

Consider an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020; transferring various appropriations among accounts; appropriating supplemental revenue to various fund accounts; authorizing the appropriate city officials to take steps necessary to accomplish such transfers making certain findings; containing certain provisions relating to the subject; and consider the ordinance on the first and final reading.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

In accordance with Article IX, Section 9.04 of the City of Missouri City Charter, upon request by the City Manager, the Council may by ordinance transfer part or all of any unencumbered balance from one department, office or agency to another.

The purpose of this amendment is to revise appropriations in various line items and funds and provide supplemental revenue to various funds in accordance with the attached Exhibit A for the fiscal year 2020 Adopted Budget. The details and purposes are outlined in the Exhibit A.

The Finance and Services Committee met on August 13, 2020 to review the budget amendment. The committee recommends adoption of the budget amendment as presented.

BUDGET ANALYSIS

See Exhibit A-Budget Amendment Details

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

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

SUPPORTING MATERIALS

1. Budget Amendment Ordinance
2. Exhibit A – Budget Amendment Details

3. Presentation

STAFF'S RECOMMENDATION

The Finance and Services Committee and Staff recommends approval of the FY 2020 budget amendment as presented.

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

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

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING THE GENERAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; TRANSFERRING VARIOUS APPROPRIATIONS AMONG ACCOUNTS; APPROPRIATING SUPPLEMENTAL REVENUE TO VARIOUS FUND ACCOUNTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE STEPS NECESSARY TO ACCOMPLISH SUCH TRANSFERS; MAKING CERTAIN FINDINGS; AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, pursuant to Ordinance No. O-19-22, passed and approved on September 16, 2019, the City Council of the City of Missouri City (the "City Council") adopted the City of Missouri City, Texas, General Budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020 ("Fiscal Year 2020"); and

WHEREAS, Article IX, Section 9.04 of the City Charter authorizes the City Council, upon written request by the City Manager, to transfer by Ordinance all or part of any unencumbered appropriations balance from one department, office, or agency to another; and

WHEREAS, Article IX, Section 9.04 of the Charter authorizes the City Council, upon certification by the City Manager, to appropriate by Ordinance all or part of any unencumbered supplemental appropriations balance to one or more fund accounts, including capital improvement projects fund accounts; and

WHEREAS, the City Manager has certified that certain unencumbered appropriations and supplemental appropriations are available and has requested that such unencumbered appropriations be transferred to various other accounts and that such supplemental revenues be appropriated to various fund accounts; and

WHEREAS, it is the desire of City Council to comply with the requests of the City Manager; now, therefore,

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

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

Section 2. The General Budget of the City of Missouri City, Texas, for Fiscal Year 2020 be, and is hereby, amended as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference for all purposes.

Section 3. The appropriate officials are hereby authorized and directed to take those steps necessary to accomplish such transfers and to cause the same to be duly reflected in the records of the City.

PASSED, APPROVED and ADOPTED on first and final reading this 17th day of August 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Exhibit A-Budget Amendment Details - August 2020

Line Item	Funding Source	Account Number	Account Number Description	FY 2020 Original/Revised Budget	FY 2020 Proposed Budget Amendment	FY 2020 Amended Budget	Purpose/Description
1		505-45509-01-056-	Maintenance Service Charges	(550,000)	(315,060)	(865,060)	Increased revenue associated with "True-ups" from MUD #47 and MUD #48.
2	Water/Wastewater Utility Fund	505-54053-50-055-	Lift Station Maintenance	2,000	1,000	3,000	To increase budget for needed typical equipment repairs.
3	Water/Wastewater Utility Fund	505-54101-50-055-	Equipment Maintenance/Repair	4,000	25,000	29,000	To increase budget for needed typical equipment repairs.
4	Water/Wastewater Utility Fund	505-55037-50-055-	Electric Utilities	1,000	500	1,500	To increase budget for electric utilities.
5	Water/Wastewater Utility Fund	505-55041-50-055-	Water Utilities	192	100	292	To increase budget to account for inflation and shifting fuel prices.
6	Water/Wastewater Utility Fund	505-52073-50-057-	Chemicals	15,000	10,000	25,000	To increase budget to account for higher flows and increased maintenance activity.
7	Water/Wastewater Utility Fund	505-53065-50-057-	Laboratory Testing	12,000	5,000	17,000	To increase budget for increased samples due to more maintenance.
8	Water/Wastewater Utility Fund	505-53547-50-057-	Operator Fees	135,000	50,000	185,000	To increase budget to account for increased costs related to the operator's staffing and wages
9	Water/Wastewater Utility Fund	505-53548-50-057-	Sludge Removal	120,163	40,000	160,163	To increase budget to account for higher flows and increased maintenance activity.
10	Water/Wastewater Utility Fund	505-53557-50-057-	Mustang Bayou-Contract Services	66,000	20,000	86,000	To increase budget to account for added administrative due to plant expansion.
11	Water/Wastewater Utility Fund	505-54053-50-057-	Lift Station Maintenance	25,000	35,000	60,000	To increase budget to account for equipment repairs.
12	Water/Wastewater Utility Fund	505-54101-50-057-	Equipment Maintenance/Repair	65,092	100,000	165,092	To increase budget to account for equipment repairs.
13	Water/Wastewater Utility Fund	505-55037-50-057-	Electric Utilities	90,000	30,000	120,000	To increase budget to account for increased treatment and shifting fuel prices.
14	Water/Wastewater Utility Fund	505-53563-50-056-	GRP Pumpage Fee Expense	500,000	150,000	650,000	To increase budget to account for higher water use and related fees.
15	Water/Wastewater Utility Fund	505-52073-50-056-	Chemicals	13,500	6,500	20,000	To increase budget to account for increased water demand and treatment.
16	Water/Wastewater Utility Fund	505-53557-50-056-	Mustang Bayou-Contract Services	65,000	17,000	82,000	To increase budget to account for administrative for increased connections.
17	Water/Wastewater Utility Fund	505-53572-50-056-	Water Service Installation	188,571	25,000	213,571	To increase budget to account for increased connection taps.
18	Water/Wastewater Utility Fund	505-55037-50-056-	Electric Utilities	70,000	10,000	80,000	To increase budget to account for increased production and shifting fuel prices.
19	Water/Wastewater Utility Fund	505-39200-00-000-	Budgetary Fund Balance Unreserved		(210,040)		
20	Steepbank/Flatbank Wastewater Treatment Plant	506-45510-01-001-	Maintenance Service Charges-SBFB	(1,350,000)	(495,000)	(1,845,000)	To account for revenue for maintenance service charges

Exhibit A-Budget Amendment Details - August 2020

Line Item	Funding Source	Account Number	Account Number Description	FY 2020 Original/Revised Budget	FY 2020 Proposed Budget Amendment	FY 2020 Amended Budget	Purpose/Description
21	Steepbank/Flatbank Wastewater Treatment Plant	506-52073-50-506-	Chemicals	14,000	10,000	24,000	To increase budget to account for much higher flows and increased maintenance activity.
22	Steepbank/Flatbank Wastewater Treatment Plant	506-53065-50-506-	Laboratory Testing	52,400	5,000	57,400	To increase budget to account for increased samples due to more maintenance.
23	Steepbank/Flatbank Wastewater Treatment Plant	506-53547-50-506-	Operator Fees	160,000	90,000	250,000	To increase budget to account for increased operator hours wages.
24	Steepbank/Flatbank Wastewater Treatment Plant	506-53548-50-506-	Sludge Removal	88,594	150,000	238,594	To increase budget to account for increased flows and maintenance activity.
25	Steepbank/Flatbank Wastewater Treatment Plant	506-54053-50-506	Lift Station Maintenance	60,000	15,000	75,000	To increase budget to account for equipment repairs.
26	Steepbank/Flatbank Wastewater Treatment Plant	506-54101-50-506-	Equipment Maintenance/Repair	308,800	120,000	428,800	To increase budget to account for aging equipment repairs.
27	Steepbank/Flatbank Wastewater Treatment Plant	506-55037-50-506-	Electric Utilities	187,852	105,000	292,852	To increase budget to account for added flow and blowers.
28	Fleet/Equipment Replacement Fund	606-48302-01-001-	Insurance Reimbursement	(30,000)	(74,142)	(104,142)	To record revenue associated with insurance reimbursements received from TML. These funds will be used to offset the costs to cover the purchase of new vehicles that were recently totaled. Two units were totaled.
29	Fleet/Equipment Replacement Fund	606-58650-15-999-	Transportation Equipment	792,630	100,000	892,630	
30	Fleet/Equipment Replacement Fund	606-48202-01-001-	Auction Proceeds	(40,000)	(115,733)	(155,733)	To record revenue from auction proceeds.
31	Fleet/Equipment Replacement Fund	606-39200-00-000-	Budgetary Fund Balance Unreserved		89,876	89,876	

BUDGET AMENDMENT AUGUST 2020



UTILITY FUNDS

Utility Operating – Fund 505

Revenue

Increase in revenue of \$315,060 for “True-up” for water and wastewater. Exhibit A Line Item #1.

Expenditure

Increase in expense of \$525,100 is to cover the expenditures associated with typical equipment repairs of \$161,000, increased utilities expenses of \$40,600, increased maintenance activities of \$61,500, increased costs of \$50,000 related to the operator’s staffing and wages, added fees for Mustang Bayou Contract Services of \$37,000, additional GRP Pumpage fees of \$150,000, and increased water service installation of \$ 25,000. Exhibit A Line Items #2 through #19.

Fund 505	Revised Adopted Budget	Incr./ (Decr.)	Revised Budget
Revenue	\$2,927,231	\$315,060	\$3,242,291
Expenditure**	\$4,590,814	\$525,100	\$5,115,914
Net Impact		(\$210,040)	

*Estimated Ending Fund Balance \$7,666,113

**Note: \$2,618,083 is transferred out to 535-Utility Construction Fund.



UTILITY FUNDS

Utility Operating – Fund 506

Revenue

Increase in revenue of \$495,000 for maintenance fee services charges to cover the increase in expenditures. Exhibit A Line Item #20.

Expenditure

Increase in expense of \$495,000 is to cover the expenditures associated with typical equipment repairs of \$135,000, increased utilities expenses of \$105,000, increased maintenance activities of \$165,000, increased operator hours and wages of \$90,000. Exhibit A Line Items #21 through #27.

Fund 506	Revised Adopted Budget	Incr./ (Decr.)	Revised Budget
Revenue	\$2,784,501	\$495,000	\$3,279,501
Expenditure	\$2,425,430	\$495,000	\$2,920,430
Net Impact		\$ 0	

*Estimated Ending Fund Balance \$16,745,133.



FLEET/EQUIPMENT REPLACEMENT FUND

Fleet/Equip Replacement– Fund 606

Revenue

Increase in revenue of \$189,875 consist of \$74,142 insurance reimbursements received from TML and \$115,733 in auction proceeds. Funds will be used to offset the cost to replace two vehicles that were recently totaled. Exhibit A Line Items #28 and #30.

Expenditure

Increase in expense of \$100,000 is to purchase new vehicles to replace two units that were totaled. Exhibit A Line Item #29.

Fund 606	Revised Adopted Budget	Incr./((Decr.))	Revised Budget
Revenue	\$512,739	\$189,875	\$702,614
Expenditure	\$794,619	\$100,000	\$894,619
Net Impact		(\$89,876)	

*Estimated Ending Fund Balance \$62,766.





**Council Agenda Item
August 17, 2020**

10. ORDINANCES

- (c) Consider an ordinance authorizing the enforcement of all traffic regulations that apply to public City streets on the private streets located in Meadowcreek, Section 4; providing a penalty; and consider the ordinance on the first of two readings. (*Proposed presenter: Assistant City Attorney James Santangelo*)
-

Cover memo: *Forthcoming*

Ordinance: *Forthcoming*



CITY COUNCIL AGENDA ITEM COVER MEMO

August 17, 2020

To: Mayor and City Council
Agenda Item: 11(a) Harris County Multi-Hazard Mitigation Action Plan
Submitted by: Eugene Campbell, Jr.

SYNOPSIS

Adopt Resolution 11c accepting all of Volume 1 and the City's portion of Volume 2 of the Harris County Multi-Hazard Mitigation Action Plan. Once the hazard mitigation plan is adopted by all of the jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to apply for funding of hazard mitigation projects. Utilizing this mitigation plan will allow under the suite of hazard mitigation grants provided under FEMA's Hazard Mitigation Assistance (HMA) program.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City

BACKGROUND

In September of 2018, a coalition of Harris County cities and special districts embarked on a planning process to prepare for and lessen the impacts of specified natural hazards by updating the Harris County Multi-Hazard Mitigation Action Plan. Responding to federal mandates in the Disaster Mitigation Act of 2000 (Public Law 106-390), the partnership was formed to pool resources and to create a uniform hazard mitigation strategy. The new mitigation strategy can be consistently applied to the defined planning area and used to ensure eligibility for specified grant funding success.

This effort represents the second comprehensive update to the prior hazard mitigation plan approved by the Federal Emergency Management Agency (FEMA) in June of 2015. The 38 member coalition of partners involved in this program includes Harris County, the Cities of; Baytown, Bellaire, Bunker Hill Village, Deer Park, El Lago, Friendswood, Galena Park, Hedwig Village, Hillshire Village, Humble, Hunters Creek Village, Jersey Village, Katy, La Porte, Missouri City, Morgan's Point, Nassau Bay, Pasadena, Piney Point Village, Seabrook, Shore Acres, Spring Valley Village, Stafford, Taylor Lake Village, Tomball, Webster, West University Place, and ten special purpose districts. The planning area for the hazard mitigation plan was defined as the Harris County Operational Area.

The result of the organizational effort will be a FEMA, and Texas Department of Emergency Management (TDEM) approved multi-jurisdictional, multi-hazard mitigation plan.

SUPPORTING MATERIALS

1. Resolution
2. Executive Summary from the Harris County Multi-Hazard Mitigation Action Plan
3. City Annex of the Harris County Multi-Hazard Mitigation Action Plan

STAFF'S RECOMMENDATION

Staff recommends Council adopt Resolution 11C and to read it by title only.

Director Approval: Eugene Campbell, Jr.

**Assistant City Manager/
City Manager Approval:** Odis Jones

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ADOPTING CERTAIN COMPONENTS OF THE 2020 HARRIS COUNTY MULTI-HAZARD MITIGATION ACTION PLAN; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Missouri City, Texas (the “City”), has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the Federal Emergency Management Agency offers the City the opportunity to consider natural hazards and risks and to identify mitigation actions to reduce future risk; and

WHEREAS, the last comprehensive update of the Harris County Multi-Hazard Mitigation Action Plan (the HMP) was completed in 2015; and

WHEREAS, the 2020 Harris County Multi-Hazard Mitigation Action Plan revises the 2015 plan; and

WHEREAS, the HMP includes a prioritized list of mitigation actions including activities that will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, Volume I and the introduction, Chapter 16, the Missouri City jurisdictional annex, and the appendices of Volume II of the Harris County Multi-Hazard Mitigation Action Plan are specific to the City; and

WHEREAS, the City Council of Missouri City, Texas now desires to adopt, in its entirety, Volume I and the introduction, Chapter 16, the City of Missouri City jurisdictional annex, and the appendices of Volume II of the Harris County Multi-Hazard Mitigation Action Plan; now, therefore,

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

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

Section 2. The City Council of the City of Missouri City hereby adopts, in its entirety, Volume I and the introduction, Chapter 16, the City of Missouri City jurisdictional annex, and the appendices of Volume II of the Harris County Multi-Hazard Mitigation Action Plan (HMP).

Section 3. The City departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments in the HMP to guide pre- and post-disaster mitigation of the hazards identified.

Section 4. The designated Emergency Management Coordinator must continue his or her support of the Steering Committee and continue to participate in the Planning Partnership as described by the HMP.

Section 6. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the City Council, and this Resolution shall not be interpreted to mandate any such appropriations.

Section 7. *Repeal.* Any resolution or part thereof in conflict herewith is hereby repealed.

Section 8. *Severability.* In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED and ADOPTED this 17th day of August 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

16. CITY OF MISSOURI CITY

16.1 HAZARD MITIGATION PLAN POINT OF CONTACT

Primary Point of Contact

Trameka Jewett, Emergency Management Coordinator
3849 Cartwright Road
Missouri City, Texas 77459
Telephone: 281-403-4370
email address:trameka.jewett@missouricitytx.gov

Alternate Point of Contact

Matt Rios, Assistant Chief- Fire Marshal
3849 Cartwright Road
Missouri City, Texas 77459
Telephone: 281-403-4309
email address:mrios@missouricitytx.gov

16.2 JURISDICTION PROFILE

16.2.1 Location

The City of Missouri City is located on the east side of Fort Bend County, and a small portion of the city is located within the southern portion of Harris County. The total square miles located within the city limits is 30.3. The City of Missouri City's Fire and Rescue Services also responds to a portion of our Extra-Territorial Jurisdiction, located within Fort Bend County, which is the city's unincorporated limits.

The current boundaries generally extend west of the eastern City of Sugar Land's city limits along Hwy 6 to the western city limit of Arcola. The City of Missouri City's northern borders abut the southern edges of the City of Stafford and portions of Harris County. The southern portion of our city limits currently abuts the Fort Bend County limits encompassing an area of approximately 30 square miles.

16.2.2 History

The City of Missouri City was incorporated in February of 1956 and had an approximate city population of 75,000 as of 2017. In October of 1894, Missouri City was officially registered in the records of Harris County clerk and September of 1895 in Fort Bend County, thus marking the first beginnings of Missouri City. Since this time, Missouri City has grown, not only in its small 600 citizen population at the time of registration but also in its land use. Long gone are the days of farmers and ranchers that settled the land in the early 1800s, the city now boasts 488 miles of streets and roads, 35 parks and undeveloped areas that cover almost 920 acres, as well as an above the state average for median household income.

16.2.3 Climate

The climate in the City of Missouri City typically have summers that are long, hot, and oppressive; the winters are short, cold, and windy; and it is wet and partly cloudy year-round. Over the year, the temperature typically varies from 45°F to 93°F and is rarely below 33°F or above 98°F.

16.2.4 Governing Body Format

The City of Missouri City is governed as a general law city with a Mayor, Mayor Pro-Tem, and five City Council Members. These elected officials are supported by a City Manager, Assistant City Managers, City Secretary, Fire and Police Chiefs, Human Resources Director, Municipal Court Director, and Public Works Director.

The City Council assumes responsibility for the adoption of this plan; City Manager will oversee its implementation. Development of this annex was carried out by the members of the local mitigation planning team, whose members are listed in Table 1-1.

Table 16-1. Local Mitigation Planning Team Members

Name	Title
Eugene Campbell, Jr.	Fire Chief
Shashi Kumar	Public Works Director
Matt Rios	Assistant Chief- Fire Marshal

16.3 CURRENT TRENDS

16.3.1 Population

According to the U.S. Census, the population of the City of Missouri City as of July 2017 was 74,497. Since April 2010, the population has grown at an average annual rate of 11.7 percent.

1.3.2 Development

Table 16-2 summarizes development trends in the performance period since the preparation of the previous hazard mitigation plan, as well as expected future development trends.

Table 16-2. Recent and Expected Future Development Trends

Criterion	Response
Has your jurisdiction annexed any land since the preparation of the previous hazard mitigation plan? • If yes, give the estimated area annexed and estimated number of parcels or structures.	NO
Is your jurisdiction expected to annex any areas during the performance period of this plan? • If yes, describe land areas and dominant uses. • If yes, who currently has permitting authority over these areas?	NO
Are any areas targeted for development or major redevelopment in the next five years? • If yes, briefly describe, including whether any of the areas are in known hazard risk areas	Yes The Texas Parkway corridor is undergoing revitalization efforts and is not in any known hazard risk areas

Criterion	Response					
	2014	2015	2016	2017	2018	
How many permits for new construction were issued in your jurisdiction since the preparation of the previous hazard mitigation plan?	Single Family	333	303	251	331	501
	Multi-Family	312	29	215	0	0
	Other (commercial, mixed use, etc.)	307	448	315	385	692
	Total	952	753	781	716	1193
Provide the number of new-construction permits for each hazard area or provide a qualitative description of where development has occurred.	<ul style="list-style-type: none"> • Special Flood Hazard Areas: # 0 • Landslide: # 0 • High Liquefaction Areas: # 0 • Tsunami Inundation Area: # 0 • Wildfire Risk Areas: # 0 					
Describe the level of build out in the jurisdiction, based on your jurisdiction's buildable lands inventory. If no such inventory exists, provide a qualitative description.	<p>Currently, there several areas of land that are being developed for commercial use as well as residential construction. The Hwy 90A and Beltway 8 area are scheduled to build an estimated 1.5 to 3 million square feet of warehouse/ office building in the next two years alone. Hwy 6 south is also developing additional commercial retail areas with the majority of the new construction near the Fort Bend Toll road area. Along the Fort Bend Toll Road area, a large amount of new residential construction is developing along with a new 270,000 sf power center and mixture of commercial small retail shops intermingled within the new subdivisions and commercial space..</p>					

16.4 CAPABILITY ASSESSMENT

The City of Missouri City performed an assessment of its existing capabilities for implementing hazard mitigation strategies. The introduction at the beginning of this volume of the hazard mitigation plan describes the components included in the capability assessment and their significance for hazard mitigation planning. This section summarizes the following findings of the assessment:

- An assessment of legal and regulatory capabilities is presented in Table 16-3.
- Development and permitting capabilities are presented in Table 16-4.
- An assessment of fiscal capabilities is presented in Table 16-5.
- An assessment of administrative and technical capabilities is presented in Table 16-6.
- An assessment of education and outreach capabilities is presented in Table 16-7.
- Information on National Flood Insurance Program (NFIP) compliance is presented in Table 16-8.
- Classifications under various community mitigation programs are presented in Table 16-9.
- The community's adaptive capacity for the impacts of climate change is presented in Table 16-10.

Findings of the capability assessment were reviewed to identify opportunities to expand, initiate or integrate capabilities to further hazard mitigation goals and objectives. Where such opportunities were identified and determined to be feasible, they are included in the action plan. The "Analysis of Mitigation Actions" table included in the action plan for this annex identifies these as community capacity building mitigation actions.

Table 16-3. Legal and Regulatory Capability

	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
Codes, Ordinances, & Requirements				
Building Code <i>Comment: International Building Code (03-02-2015, Ordinance O-15-08)</i>	Yes	No	No	No
Zoning Code <i>Comment: Zoning Ordinance (01-19-1981, Ordinance O-81-1)</i>	Yes	No	Yes	No
Subdivisions <i>Comment: Subdivision Ordinance (03-18-1974, Ordinance No. 158)</i>	Yes	No	Yes	Yes
Stormwater Management <i>Comment: Updated May 2014</i>	Yes	Yes	Yes	Yes
Post-Disaster Recovery <i>Comment:</i>	No	No	No	No
Real Estate Disclosure <i>Comment:</i>	No	No	No	No
Growth Management <i>Comment:</i>	Yes	Yes	No	Yes
Site Plan Review <i>Comment: See Building Code, Zoning Ordinance, Subdivision Ordinance above</i>	Yes	Yes	Yes	Yes
Environmental Protection <i>Comment:</i>	No	No	No	No
Flood Damage Prevention <i>Comment:</i>	Yes	Yes	Yes	Yes
Emergency Management <i>Comment:</i>	Yes	Yes	Yes	Yes
Climate Change <i>Comment:</i>	No	No	No	No
Planning Documents				
General Plan <i>Comment: 2017 Missouri City Comprehensive Plan (06-19-2017, Ordinance O-17-16)</i>	Yes	No	Yes	Yes
Capital Improvement Plan <i>How often is the plan updated? Annually</i> <i>Comment:</i>	Yes	No	No	Yes
Disaster Debris Management Plan <i>Comment:</i>	No	No	No	No
Floodplain or Watershed Plan <i>Comment:</i>	Yes	Yes	No	Yes
Stormwater Plan <i>Comment:</i>	Yes	Yes	Yes	Yes
Urban Water Management Plan <i>Comment:</i>	No	No	No	No
Habitat Conservation Plan <i>Comment:</i>	No	No	No	No
Economic Development Plan <i>Comment: City plan</i>	Yes	No	No	No
Shoreline Management Plan <i>Comment:</i>	No	No	No	No

	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
Community Wildfire Protection Plan <i>Comment:</i>	Yes	Yes	No	No
Forest Management Plan <i>Comment:</i>	No	No	No	No
Climate Action Plan <i>Comment:</i>	No	No	No	No
Comprehensive Emergency Management Plan <i>Comment: Annex in Fort Bend Co. Plan</i>	Yes	Yes	No	No
Threat & Hazard Identification & Risk Assessment (THIRA) <i>Comment:</i>	Yes	Yes	No	No
Post-Disaster Recovery Plan <i>Comment: Fort Bend Co. Annex</i>	Yes	Yes	No	No
Continuity of Operations Plan <i>Comment:</i>	Yes	Yes	No	No
Public Health Plan <i>Comment: Fort Bend Co. Annex</i>	Yes	Yes	No	No

Table 16-4. Development and Permitting Capability

Criterion	Response
Does your jurisdiction issue development permits? • If no, who does? If yes, which department?	Yes Development Services
Does your jurisdiction have the ability to track permits by hazard area?	No
Does your jurisdiction have a buildable lands inventory?	Yes

Table 16-5. Fiscal Capability

Financial Resource	Accessible or Eligible to Use?
Community Development Block Grants	Yes
Capital Improvements Project Funding	Yes
Authority to Levy Taxes for Specific Purposes	Yes
User Fees for Water, Sewer, Gas or Electric Service	Yes (water and sewer)
Incur Debt through General Obligation Bonds	Yes
Incur Debt through Special Tax Bonds	No
Incur Debt through Private Activity Bonds	No
Withhold Public Expenditures in Hazard-Prone Areas	No
State-Sponsored Grant Programs	Yes
Development Impact Fees for Homebuyers or Developers	Yes

Table 16-6. Administrative and Technical Capability

Staff/Personnel Resource	Available?	Department/Agency/Position
Planners or engineers with knowledge of land development and land management practices	Yes	Development Services; Public Works/City of Missouri City/Director, Assistant Director, Manager
Engineers or professionals trained in building or infrastructure construction practices	Yes	Public Works Director and Building Officials office
Planners or engineers with an understanding of natural hazards	No	
Staff with training in benefit/cost analysis	Yes	Finance Director/ Department
Surveyors	No	Contracted out
Personnel skilled or trained in GIS applications	Yes	Public Works/City of Missouri City/GIS Division
Scientist familiar with natural hazards in local area	No	
Emergency manager	Yes	Fire Department/ EMC
Grant writers	No	

Table 16-7. Education and Outreach Capability

Criterion	Response
Do you have a public information officer or communications office?	Yes
Do you have personnel skilled or trained in website development?	Yes
Do you have hazard mitigation information available on your website? • If yes, briefly describe.	Yes The Fort Bend County Hazard mitigation plan that our city has an annex in is available on the city's website.
Do you use social media for hazard mitigation education and outreach? • If yes, briefly describe.	Yes Through messages and information on our, City maintained website
Do you have any citizen boards or commissions that address issues related to hazard mitigation? • If yes, briefly describe.	No
Do you have any other programs already in place that could be used to communicate hazard-related information? • If yes, briefly describe.	Yes We have a "Missouri City Ready" website, specifically for Emergency Management communications.
Do you have any established warning systems for hazard events? • If yes, briefly describe.	Yes Alert Center through City website through email and cell phone options.

Table 16-8. National Flood Insurance Program Compliance

Criterion	Response
What local department is responsible for floodplain management?	Public Works
Who is your floodplain administrator? (department/position)	Public Works/ Director
Are any certified floodplain managers on staff in your jurisdiction?	Public Works/ City Engineer
What is the date that your flood damage prevention ordinance was last amended?	March 3 rd , 2014
Does your floodplain management program meet or exceed minimum requirements? • If exceeds, in what ways?	Exceeds the requirement that lowest finished flows be elevated 12 inches above base flood elevation
When was the most recent Community Assistance Visit or Community Assistance Contact?	Scheduled August 15 th , 2019
Does your jurisdiction have any outstanding NFIP compliance violations that need to be addressed? • If so, state what they are.	No
Are any RiskMAP projects currently underway in your jurisdiction? • If so, state what they are.	No
Do your flood hazard maps adequately address the flood risk within your jurisdiction? • If no, state why.	Yes However, backwater impacts are not mapped
Does your floodplain management staff need any assistance or training to support its floodplain management program? • If so, what type of assistance/training is needed?	Yes Financial Assistance
Does your jurisdiction participate in the Community Rating System (CRS)? • If yes, is your jurisdiction interested in improving its CRS Classification? • If no, is your jurisdiction interested in joining the CRS program?	Yes Yes
How many flood insurance policies are in force in your jurisdiction? ^a • What is the insurance in force? • What is the premium in force?	Approximately 4,000 \$Unknown \$Unknown
How many total loss claims have been filed in your jurisdiction? ^a • How many claims are still open or were closed without payment? • What were the total payments for losses?	120 116 \$1,992,728

a. According to FEMA statistics as of December 2018

Table 16-9. Community Classifications

	Participating?	Classification	Date Classified
Community Rating System	Yes	7	October 1 st , 2017
Building Code Effectiveness Grading Schedule	Yes	ISO 1	August 1 st , 2016
Public Protection	No	N/A	
Storm Ready	No	N/A	
Firewise	No	N/A	

Table 16-10. Adaptive Capacity for Climate Change

Criterion	Jurisdiction Rating
Technical Capacity	
Jurisdiction-level understanding of potential climate change impacts <i>Comment:</i>	Low
Jurisdiction-level monitoring of climate change impacts <i>Comment:</i>	Low
Technical resources to assess proposed strategies for feasibility and externalities <i>Comment:</i>	Low
Jurisdiction-level capacity for development of greenhouse gas emissions inventory <i>Comment:</i>	Low
Capital planning and land use decisions informed by potential climate impacts <i>Comment:</i>	Low
Participation in regional groups addressing climate risks <i>Comment:</i>	Low
Implementation Capacity	
Clear authority/mandate to consider climate change impacts during public decision-making processes <i>Comment:</i>	Low
Identified strategies for greenhouse gas mitigation efforts <i>Comment:</i>	Low
Identified strategies for adaptation to impacts <i>Comment:</i>	Low
Champions for climate action in local government departments <i>Comment:</i>	Low
Political support for implementing climate change adaptation strategies <i>Comment:</i>	Low
Financial resources devoted to climate change adaptation <i>Comment:</i>	Low
Local authority over sectors likely to be negative impacted <i>Comment:</i>	Low
Public Capacity	
Local residents knowledge of and understanding of climate risk <i>Comment:</i>	Low
Local residents support of adaptation efforts <i>Comment:</i>	Low
Local residents' capacity to adapt to climate impacts <i>Comment:</i>	Low
Local economy current capacity to adapt to climate impacts <i>Comment:</i>	Low
Local ecosystems capacity to adapt to climate impacts <i>Comment:</i>	Low

- a. High = Capacity exists and is in use; Medium = Capacity may exist, but is not used or could use some improvement;
 Low = Capacity does not exist or could use substantial improvement; Unsure= Not enough information is known to assign a rating.

16.5 INTEGRATION WITH OTHER PLANNING INITIATIVES

For hazard mitigation planning, “integration” means that hazard mitigation information is used in other relevant planning mechanisms, such as general planning and capital facilities planning, and that relevant information from those sources is used in hazard mitigation. This section identifies where such integration is already in place, and where there are opportunities for further integration in the future. Resources listed in this annex were used to provide information on integration. The progress reporting process described in Volume 1 will document the progress of hazard mitigation actions related to integration and identify new opportunities for integration.

16.5.1 Existing Integration

Some level of integration has already been established between local hazard mitigation planning and the following other local plans and programs:

- Fort Bend County Hazard Mitigation Plan

16.5.2 Opportunities for Future Integration

The capability assessment presented in this annex identified the following plans and programs that do not currently integrate hazard mitigation information but provide opportunities to do so in the future:

- **City of Missouri City Comprehensive Plan:** As the City continues to grow, issues such as an aging infrastructure, the preservation of neighborhoods, encouraging economic development and strategic investments continue to emerge as challenges which the community must address. This Plan is provided to assist all members of the community in responding to these challenges ahead and to build upon the City’s reputation as an inclusive, beautiful, safe, enjoyable and overall great place to live.
- **City of Missouri City Subdivision Ordinance:** All subdivisions in the city and in its extraterritorial jurisdiction shall be platted in conformance with the comprehensive plan of the city.

16.6 JURISDICTION-SPECIFIC NATURAL HAZARD EVENT HISTORY

Table 16-11 lists past occurrences of natural hazards for which specific damage was recorded in Missouri City. Other hazard events that broadly affected the entire planning area, including Missouri City, are listed in the risk assessments in Volume 1 of this hazard mitigation plan.

16.7 HAZARD RISK RANKING

Table 16-12 presents a local ranking for Missouri City of all hazards of concern for which this hazard mitigation plan provides complete risk assessments. This ranking summarizes how hazards vary for this jurisdiction. As described in detail in Volume 1, the ranking process involves an assessment of the likelihood of occurrence for each hazard, along with its potential impacts on people, property and the economy. Mitigation actions target hazards with high and medium rankings.

16.8 JURISDICTION-SPECIFIC VULNERABILITIES

Volume 1 of this hazard mitigation plan provides complete risk assessments for each identified hazard of concern. This section provides information on a few key vulnerabilities for the jurisdiction. Available jurisdiction-specific risk maps of the hazards are provided at the end of this annex.

Table 16-11. Past Natural Hazard Events

Type of Event	FEMA Disaster #	Date	Damage Assessment
Rain event/ flooding	N/A	5-7-19	Unknown, street flooding in multiple areas
Hurricane Harvey	DR-4332	8/23/17	\$Unknown
Rain/ Flooding event	DR-4269	4/18/16	\$Unknown
Wind/ Thunderstorm	DR-4272	5/29/15	\$2,000
Wind/ Thunderstorm	N/A	5/18/15	\$50,000
Rain/ Flooding	N/A	4/28/09	Unknown
Wildfire	N/A	5/26/06	303 Acres burned
Hail	N/A	4/11/04	\$15,000
Hail	N/A	4/7/03	\$5,000
Hail	N/A	3/30/02	\$Unknown
Rain/ Tropical Storm	N/A	6/7/01	\$Unknown
Hail	N/A	4/16/01	\$2,000,000
Hail	N/A	7/17/98	\$5,000
Rain/ Tropical Storm	N/A	7/29/95	Unknown
Tornado	N/A	4/7/93	\$50,000

Table 16-12. Hazard Risk Ranking

Rank	Hazard Type	Risk Rating Score (Probability x Impact)	Category
1	Severe Weather	48	High
2	Hurricane	35	High
3	Flood	32	High
4	Dam/Levee Failure	18	Medium
5	Drought	15	Medium
6	Earthquake	14	Low
7	Wildfire	6	Low
7	Mass Movements	6	Low
8	Coastal Erosion	0 (No Exposure)	None
8	Tsunami	0 (No Exposure)	None

NOTE: The process used to assign risk ratings and rankings for each hazard is described in Volume 1 of this hazard mitigation plan.

16.8.1 Repetitive Loss Properties

Repetitive loss records are as follows:

- Number of FEMA-identified Repetitive-Loss Properties: 48
- Number of FEMA-identified Severe-Repetitive-Loss Properties: 5
- Number of Repetitive-Loss Properties or Severe-Repetitive-Loss Properties that have been mitigated: 2

16.8.2 Other Noted Vulnerabilities

No jurisdiction-specific issues were identified from a review of the results of the risk assessment and other available resources.

16.9 STATUS OF PREVIOUS PLAN ACTIONS

Table 16-13 summarizes the actions that were recommended in the previous version of the hazard mitigation plan and their implementation status at the time this update was prepared.

Table 16-13. Status of Previous Plan Actions

Action Item from Previous Plan	Completed	Removed; No Longer Feasible	Carried Over to Plan Update	
			Check if Yes	Action # in Update
1. Detention Area Outfall and Levee Improvements <i>Comment: At Kitty Hollow Lake, Vicksburg Diversion Channel, Weir Enlargement, and channel improvements for the Vicksburg Diversion Channel</i>	No		x	MSS16
2. Channel Improvements <i>Comment: Along Mustang Bayou Diversion Channel from the confluence with the old channel to Kitty Hollow Lake Detention area</i>	No		x	MSS17
3. Replace Culvert <i>Comment: Replacement of the Watts-Plantation Road Culvert with appropriately sized box culverts</i>	No		x	MSS18
4. Channel Improvements <i>Comment: Mustang Bayou Channel from the GCWA Canal through Thunderbird North Subdivision including the reconstruction of the bridge at Turtle Creek Dr.</i>	Ongoing		x	MSS19
5. Channel Improvements <i>Comment: Along Mustang Bayou from the Thunderbird North Subdivision to the confluence with old channel; including pipeline relocations and a sheet pile structure.</i>	Yes		x	MSS20
6. Extend Canal Flume <i>Comment: Extend Briscoe Canal Flume over Lower Oyster Creek</i>	No		x	MSS21
7. Channel Improvements <i>Comment: Along Long Point Creek Overflow Channel upstream of the Brisco Canal Flume</i>	No		x	MSS22
8. Promote Flood Insurance <i>Comment: Providing information about the National Flood Insurance Program</i>	Ongoing		x	MSS23
9. Improve NFIP CRS Rating <i>Comment: Evaluate ways to improve the City's Community Rating System (CRS) to reduce the Flood Insurance Premium</i>	Ongoing		x	MSS24
10. Understanding Dam/Levee Failure Risks <i>Comment: Engage with County and State Floodplain Managers, Engineers and Emergency Managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures</i>	No		x	MSS25
11. Evacuation Plans <i>Comment: Engage with County and State Floodplain Managers, Engineers and Emergency Managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures. This will allow for a more comprehensive evacuation plan, routes, and at-risk areas that will need to be focused on in the event of an evacuation notice.</i>	Ongoing		x	MSS26
12. Upgrades to At-Risk Public Structures <i>Comment: Initiate upgrades to at-risk public facilities that includes structurally fortifying facilities, impact resistant film or glass, surge protection systems, mandate freeboard for new development, etc. Mitigates specific risks to structures, people, and operations.</i>	No		x	MSS27

16.10 HAZARD MITIGATION ACTION PLAN AND EVALUATION OF RECOMMENDED ACTIONS

Table 16-14 lists the actions that make up the hazard mitigation action plan for this jurisdiction. Table 16-15 identifies the priority for each action. Table 16-16 summarizes the mitigation actions by hazard of concern and mitigation type.

Table 16-14. Hazard Mitigation Action Plan Matrix

Applies to New or Existing Assets	Objectives Met	Lead Agency	Support Agency	Estimated Cost	Sources of Funding	Timeline ^a
Action MSS1 — Integrate the hazard mitigation plan into other plans, ordinances and programs that dictate land use decisions within the community of Missouri City.						
<i>Hazards Mitigated:</i> Levee failure, drought, flooding, wildfire						
New	9, 10, 11, 14	City Administration	TBD	Low	Staff Time, General Funds	Ongoing
Action MSS2 — Actively participate in the plan maintenance protocols outlined in Volume 1 of this hazard mitigation plan.						
<i>Hazards Mitigated:</i> Severe Weather, Hurricane, Flood, Dam/Levee Failure, Drought, Earthquake, Wildfire, Mass Movements						
New and Existing	9, 10, 11, 14	City Administration	TBD	Low	Staff Time, General Funds	Short-term
Action MSS3 — Continue to maintain good standing and compliance under the NFIP through <u>implementation</u> of floodplain management programs that, at a minimum, meet the NFIP requirements:						
<ul style="list-style-type: none"> • Enforce the flood damage prevention ordinance. • Participate in floodplain identification and mapping updates. • Provide public assistance/information on floodplain requirements and impacts. 						
<i>Hazards Mitigated:</i> Levee failure, flooding, severe weather, hurricane						
New and Existing	3, 10, 11, 14	City Administration	TBD	Low	Staff Time, General Funds	Ongoing
Action MSS4 — Detention Area Outfall and Levee Improvements (At Kitty Hollow Lake, Vicksburg Diversion Channel, Weir Enlargement, and channel improvements for the Vicksburg Diversion Channel)						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS5 — Channel Improvements along Mustang Bayou Diversion Channel from the confluence with the old channel to Kitty Hollow Lake Detention area						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS6 — Replacement of the Watts-Plantation Road Culvert with appropriately sized box culverts						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
New	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS7 — Channel improvements along Mustang Bayou Channel from the GCWA Canal through Thunderbird North Subdivision including the reconstruction of the bridge at Turtle Creek Dr.						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
New and Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS8 — Channel improvements along Mustang Bayou from the Thunderbird North Subdivision to the confluence with old channel; including pipeline relocations and a sheet pile structure.						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
New and Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS9 — Extend Briscoe Canal Flume over Lower Oyster Creek						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
New and Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS10 — Channel improvements along Long Point Creek Overflow Channel upstream of the Briscoe Canal Flume						
<i>Hazards Mitigated:</i> Flooding, Severe Weather, Hurricane						
New and Existing	7, 11	City Administration	TBD	High	General and/or Grant funds	Long term

Applies to New or Existing Assets	Objectives Met	Lead Agency	Support Agency	Estimated Cost	Sources of Funding	Timeline ^a
Action MSS11 — Promote Flood Insurance						
<i>Hazards Mitigated:</i> Flooding						
New and Existing	9	City Administration	TBD	Low	Staff Time, General Funds	Short term
Action MSS12 — Improve NFIP CRS Rating						
<i>Hazards Mitigated:</i> Flooding						
New and Existing	9	City Administration	TBD	Low	Staff Time, General Funds	Short term
Action MSS13 — Engage with County and State Floodplain Managers, Engineers and Emergency Managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures						
<i>Hazards Mitigated:</i> Dam and Levee Failure						
Existing	3,7,9,11	City Administration	High	Low	Staff Time, General Funds	Short term
Action MSS14 — Develop evacuation plans in the event of dam and/or levee failures						
<i>Hazards Mitigated:</i> Dam and Levee Failure						
Existing	9,10	City Administration	TBD	Low	Staff Time, General Funds	Short term
Action MSS15 — Initiate upgrades to at-risk public facilities that includes structurally fortifying facilities, impact resistant film or glass, surge protection systems, mandate freeboard for new development, etc. Mitigates specific risks to structures, people, and operations						
<i>Hazards Mitigated:</i> Severe Weather, Hurricane, Flooding, Earthquake, Wildfire						
Existing	11,13	City Administration	TBD	High	General and/or Grant funds	Long term
Action MSS16 — Detention Area Outfall and Levee Improvements. At Kitty Hollow Lake, Vicksburg Diversion Channel, Weir Enlargement, and channel improvements for the Vicksburg Diversion Channel						
<i>Hazards Mitigated:</i> Flood, Severe Weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS17 — Channel Improvements. Along Mustang Bayou Diversion Channel from the confluence with the old channel to Kitty Hollow Lake Detention area						
<i>Hazards Mitigated:</i> Flood, Severe Weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS18 — Culvert Replacement. Replacement of the Watts-Plantation Road Culvert with appropriately sized box culverts						
<i>Hazards Mitigated:</i> Flood, Severe Weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS19 — Channel Improvements. Mustang Bayou Channel from the GCWA Canal through Thunderbird North Subdivision including the reconstruction of the bridge at Turtle Creek Dr.						
<i>Hazards Mitigated:</i> Flood, Severe Weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS20 — Channel improvements. Along Mustang Bayou from the Thunderbird North Subdivision to the confluence with old channel; including pipeline relocations and a sheet pile structure.						
<i>Hazards Mitigated:</i> Flood Severe weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS21 — Extend Briscoe Canal Flume over Lower Oyster Creek						
<i>Hazards Mitigated:</i> Flood, Severe Weather						
New	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term

Applies to New or Existing Assets	Objectives Met	Lead Agency	Support Agency	Estimated Cost	Sources of Funding	Timeline ^a
Action MSS22 — Channel Improvements. Along Long Point Creek Overflow Channel upstream of the Brisco Canal Flume						
Hazards Mitigated: Flood, Severe Weather						
Existing	11,13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS23 — Promote Flood Insurance. Providing information about the National Flood Insurance Program						
Hazards Mitigated: Flood, Severe Weather						
New and Existing	3,9,10	Public Works	HCFCD	Low	General Fund	Ongoing
Action MSS24 — Improve CRS rating. Evaluate ways to improve the City's Community Rating System (CRS) to reduce the Flood Insurance Premium						
Hazards Mitigated: Flood, Severe Weather						
New and Existing	3,9,10	Public Works	TBD	Low	General Fund	Ongoing
Action MSS25 — Engage with County and State Floodplain Managers, Engineers and Emergency Managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures						
Hazards Mitigated: Dam/Levee failure Flood , Severe Weather						
Existing	11,13,15	Public Works	HCFCD	High	General and/or Grant funds	Short Term
Action MSS26 — Engage with County and State Floodplain Managers, Engineers and Emergency Managers to ensure that local officials have a detailed understanding of potential risks to the community from dam and/or levee failures. This will allow for a more comprehensive evacuation plan, routes, and at-risk areas that will need to be focused on in the event of an evacuation notice.						
Hazards Mitigated: Dam/Levee failure Flood , Severe Weather						
New and Existing	1,3,7,9,10,15	Emergency Management	Public Works	High	General and/or Grant funds	Short Term
Action MSS27 — Initiate upgrades to at-risk public facilities that includes structurally fortifying facilities, impact resistant film or glass, surge protection systems, mandate freeboard for new development, etc. Mitigates specific risks to structures, people, and operations						
Hazards Mitigated: Hurricane, Severe Weather, Flood						
Existing	13,15	City Administration	TBD	High	General and/or Grant funds	Short Term
Action MSS28 — Actively participate in and support the implementation of the six area-wide actions identified in Volume 1 of this plan.						
<i>Hazards Mitigated:</i> Severe Weather, Hurricane, Flood, Dam/Levee Failure, Drought, Earthquake, Wildfire, Mass Movements						
New and Existing	1, 3, 4, 5, 9, 10, 11, 15	City Administration	HCOHSEM	Low	General Funds	Ongoing

a. Short-term = Completion within 5 years; Long-term = Completion within 10 years; Ongoing= Continuing new or existing program with no completion date

See the introduction to this volume for [a lists of acronyms used here.](#)

Table 16-15. Mitigation Action Priority

Action #	# of Objectives Met	Benefits	Costs	Do Benefits Equal or Exceed Costs?	Is Project Grant-Eligible?	Can Project Be Funded Under Existing Programs/Budgets?	Implementation Priority ^a	Grant Pursuit Priority ^a
MSS1	4	High	Low	Yes	No	Yes	High	Low
MSS2	4	Medium	Low	Yes	No	Yes	High	Low
MSS3	4	Low	Low	Yes	No	Yes	High	Low
MSS4	2	High	High	Yes	Yes	No	High	High
MSS5	2	High	High	Yes	Yes	No	High	High
MSS6	2	High	High	Yes	Yes	No	High	High
MSS7	2	High	High	Yes	Yes	No	High	High
MSS8	2	High	High	Yes	Yes	No	High	High
MSS9	2	High	High	Yes	Yes	No	High	High
MSS10	2	High	High	Yes	Yes	No	High	High
MSS11	1	Medium	Low	Yes	No	Yes	Medium	Low
MSS12	1	Medium	Low	Yes	No	Yes	Medium	Low
MSS13	4	Medium	Low	Yes	No	Yes	Medium	Low
MSS14	2	Medium	Low	Yes	No	Yes	Medium	Low
MSS15	2	High	High	Yes	Yes	No	High	High
MSS16	3	High	High	Yes	Yes	No	Medium	High
MSS17	3	High	High	Yes	Yes	No	Medium	High
MSS18	3	High	High	Yes	Yes	No	Medium	High
MSS19	3	High	High	Yes	Yes	No	Medium	High
MSS20	3	High	High	Yes	Yes	No	Medium	High
MSS21	3	High	High	Yes	Yes	No	Medium	High
MSS22	3	High	High	Yes	Yes	No	Medium	High
MSS23	3	Medium	Low	Yes	No	Yes	High	None
MSS24	3	Medium	Low	Yes	No	Yes	High	None
MSS25	3	High	High	Yes	Yes	No	Medium	High
MSS26	6	High	High	Yes	Yes	No	Medium	High
MSS27	2	High	High	Yes	Yes	No	Medium	High
MSS28	8	Medium	Low	Yes	Yes	Yes	High	High

a. See the introduction to this volume for explanation of priorities.

Table 16-16. Analysis of Mitigation Actions

Hazard Type	Action Addressing Hazard, by Mitigation Type ^a							
	Prevention	Property Protection	Public Education & Awareness	Natural Resource Protection	Emergency Services	Structural Projects	Climate Resilient	Community Capacity Building
High-Risk Hazards								
Hurricanes/ Coastal Storms	MSS4,5,6,7,8,9,15,28	MSS3,15,27	MSS28		MSS25,28	MSS4,5,6,7,8,9,10,15		MSS2,3,25,28
Flood	MSS1,4,5,6,7,8,9,10,15,24,28	MSS3,15,23,24,27	MSS11,23,24,28	MSS1,24	MSS24,25,28	MSS4,5,6,7,8,9,10,15,16,17,18,19,20,21,22,24	MSS11,24	MSS1,2,3,11,12,24,25,28
Severe Weather	MSS4,5,6,7,8,9,10,15,28	MSS3,15,27	MSS28		MSS25,28	MSS4,5,6,7,8,9,10,15,16,17,18,19,20,21,22		MSS2,3,25,28
Medium-Risk Hazards								
Dam/ Levee Failure	MSS1,13,14,238	MSS3	MSS13,28	MSS1	MSS28			MSS1,2,3,13,14,28
Drought	MSS1,28		MSS28	MSS1	MSS28			MSS1,2,289
Low-Risk Hazards								
Wildfire	MSS1,15,28	MSS15	MSS28	MSS1	MSS28	MSS15		MSS1,2,28
Mass Movements	MSS28		MSS28		MSS28			MSS2,28
Earthquake	MSS15,28	MSS15	MSS28			MSS15		MSS2,28

a. See the introduction to this volume for explanation of mitigation types.

16.11 REVIEW AND INCORPORATION OF INFORMATION FOR THIS ANNEX

The following technical reports, plans, and regulatory mechanisms were reviewed to provide information for this annex.

- **Municipal Code** — The municipal code was reviewed for the full capability assessment and for identifying opportunities for action plan integration.
- **Flood Damage Prevention Ordinance** — The flood damage prevention ordinance was reviewed for compliance with the National Flood Insurance Program.
- **Fort Bend County Hazard Mitigation Plan-** Reviewed Missouri City’s Annex for data to complete Phase 2 document

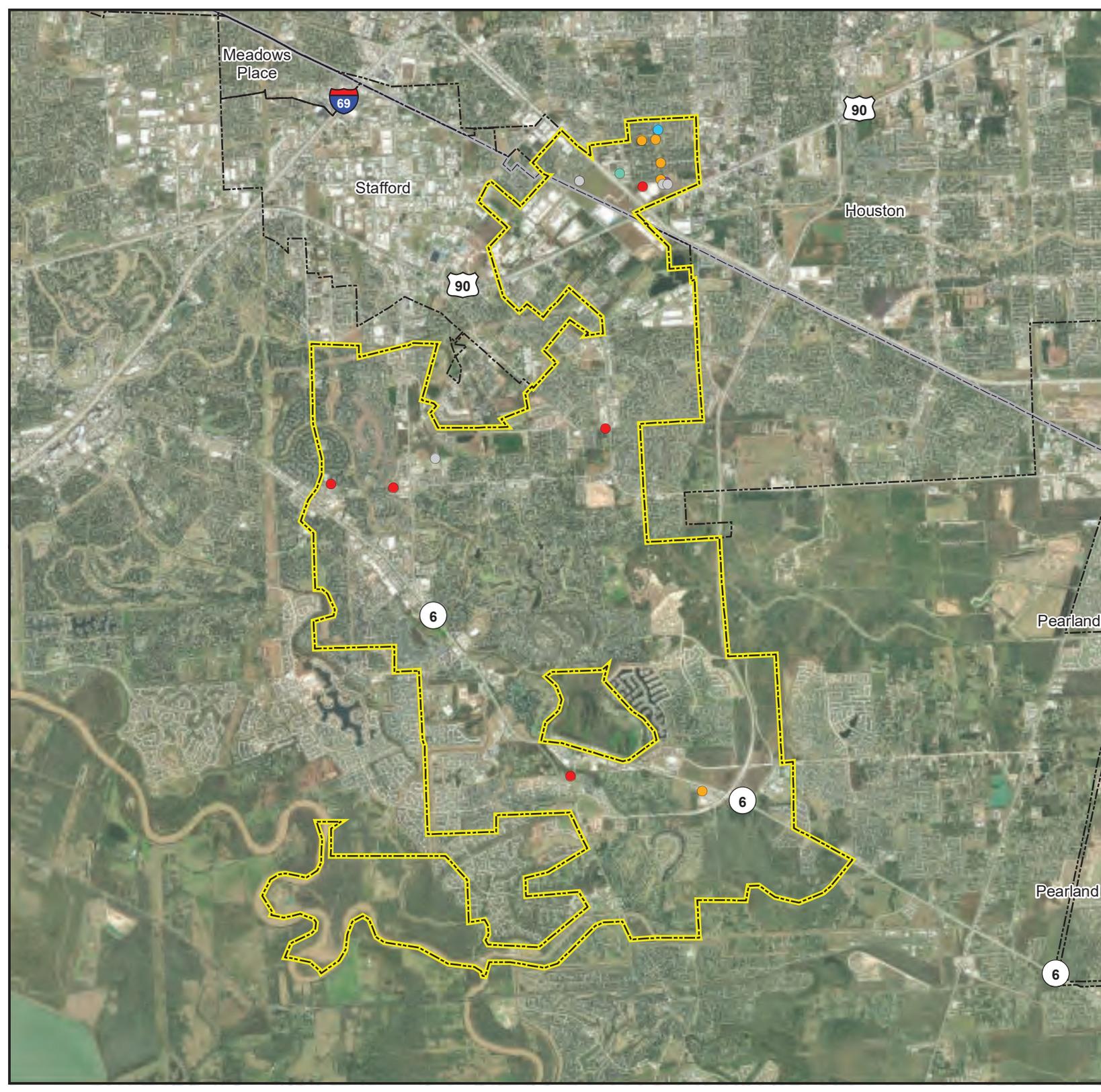
The following outside resources and references were reviewed:

- **Hazard Mitigation Plan Annex Development Toolkit** — The toolkit was used to support the identification of past hazard events and noted vulnerabilities, the risk ranking, and the development of the mitigation action plan.

Missouri City

Critical Facilities

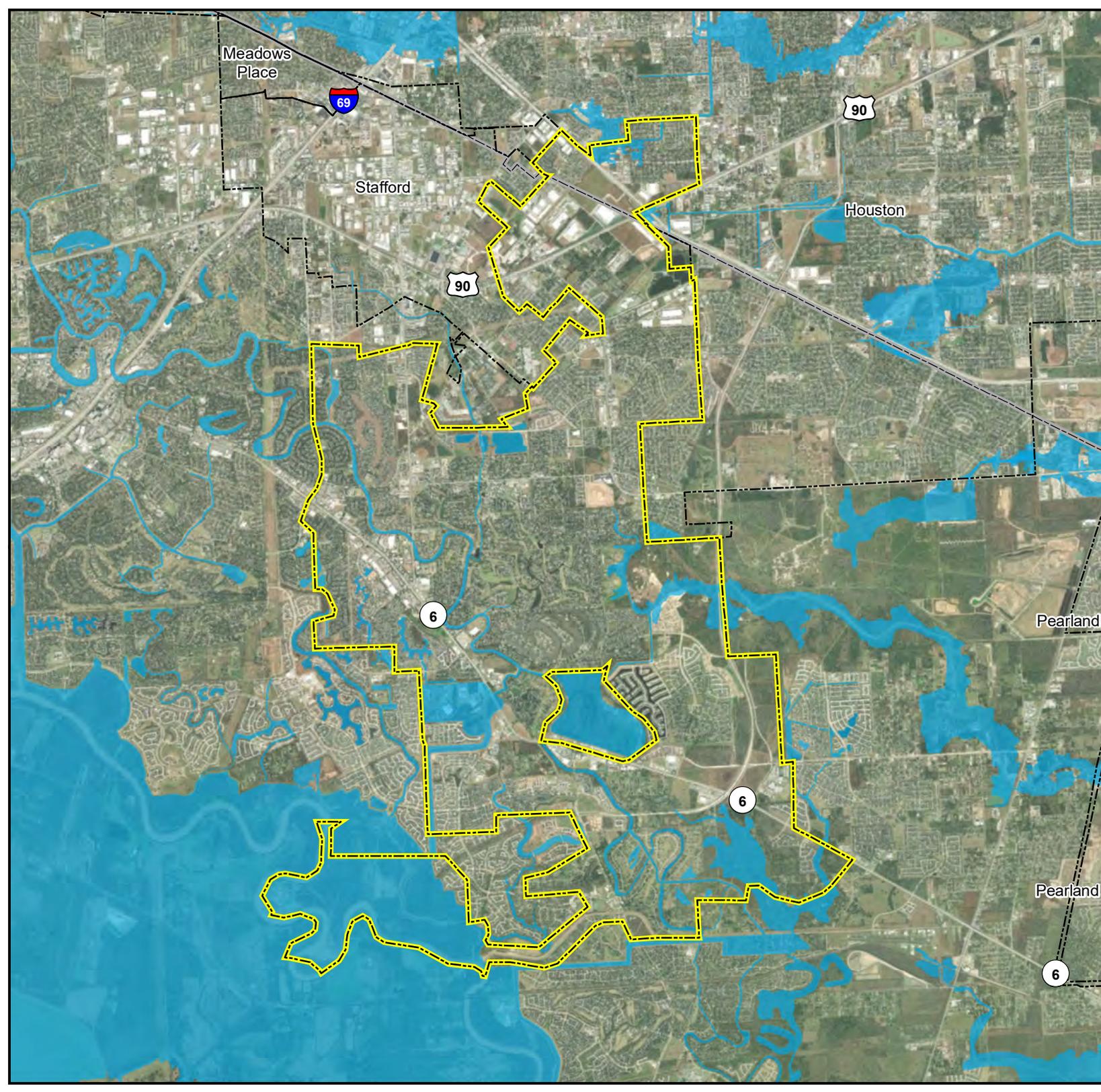
- Education Facilities
- Emergency Services
- Government Facilities
- Hazardous Material Sites
- Health and Medical Facilities
- Historical and Cultural Sites
- Transportation Systems
- Utility Systems
- ▭ Incorporated Cities
- ▭ Harris County



Missouri City

FEMA Flood Hazard

-  1% Annual Chance Flood (100-yr)
-  Incorporated Cities
-  Harris County



Missouri City

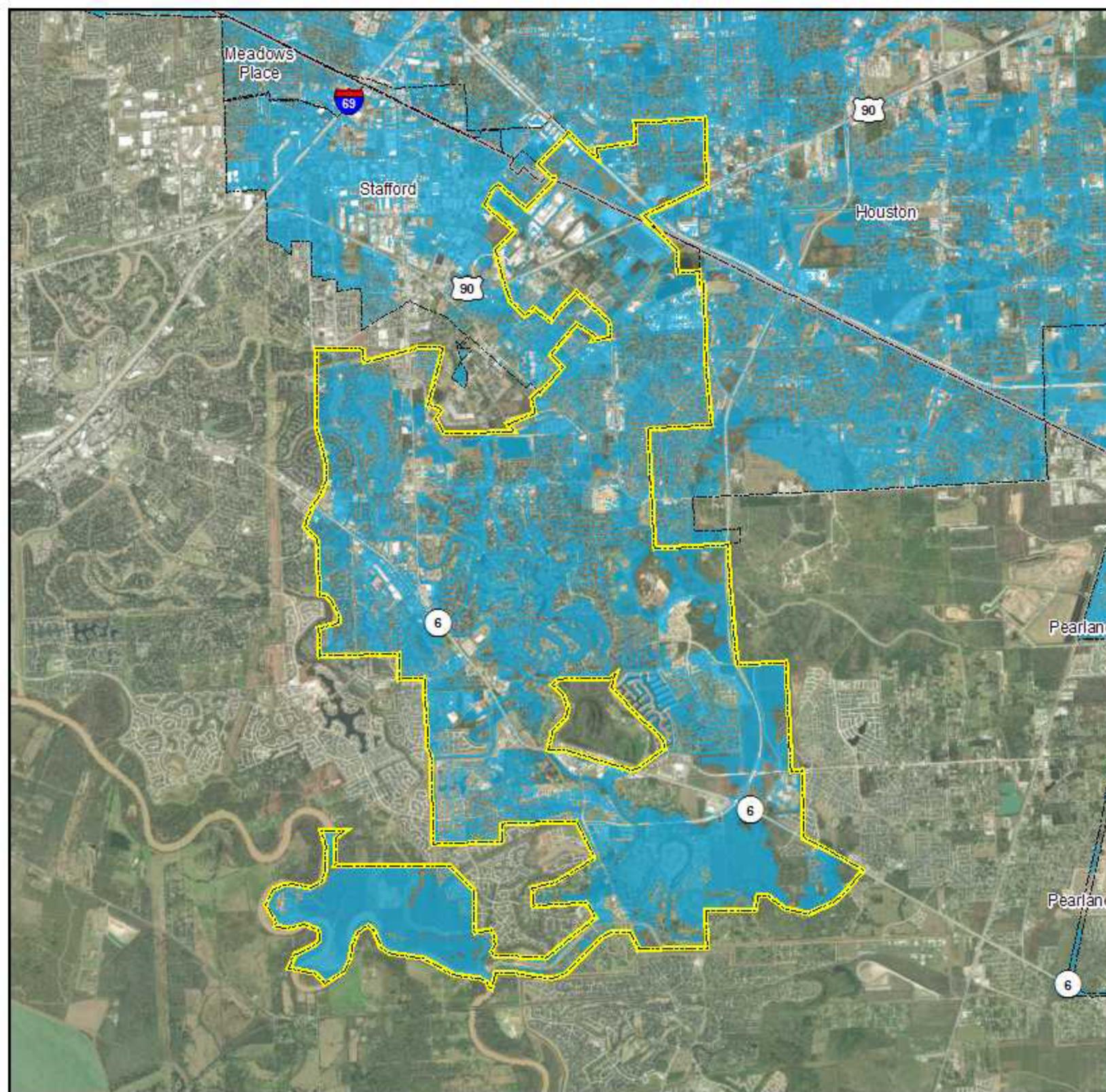
Flood Hazard Hurricane Harvey

-  Flooding Extent
-  Incorporated Cities
-  Harris County

Note: Flooding extent shown for Hazard Mitigation Plan planning area only.



0 0.475 0.95 1.9 Miles



Missouri City

Hurricane Alicia (1983)

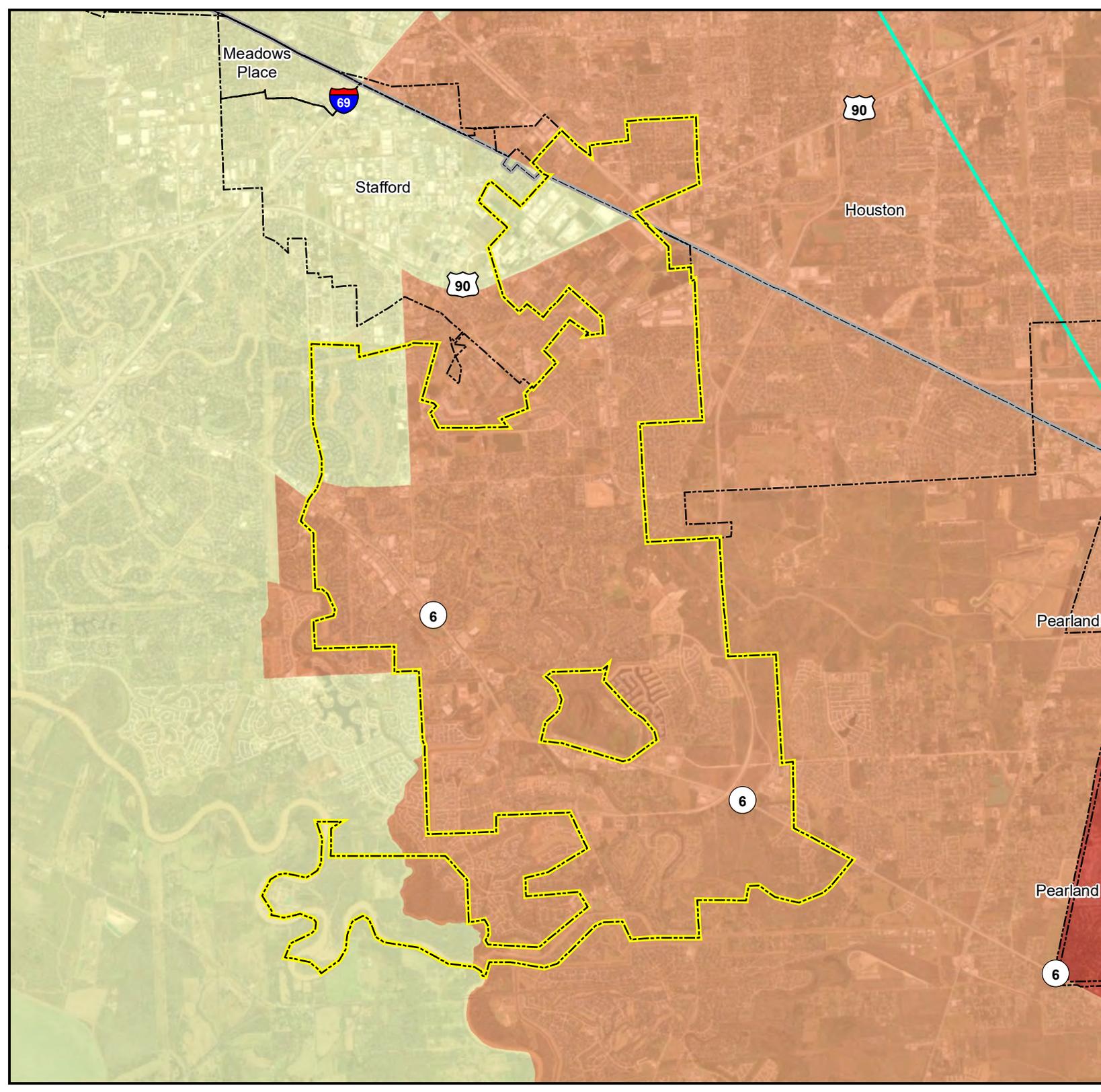
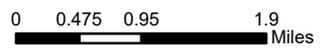
Peak Wind Gust (mph)

- 87 - 94
- 95 - 98
- 99 - 101
- 102 - 104
- 105 - 110

Storm Track

Incorporated Cities

Harris County



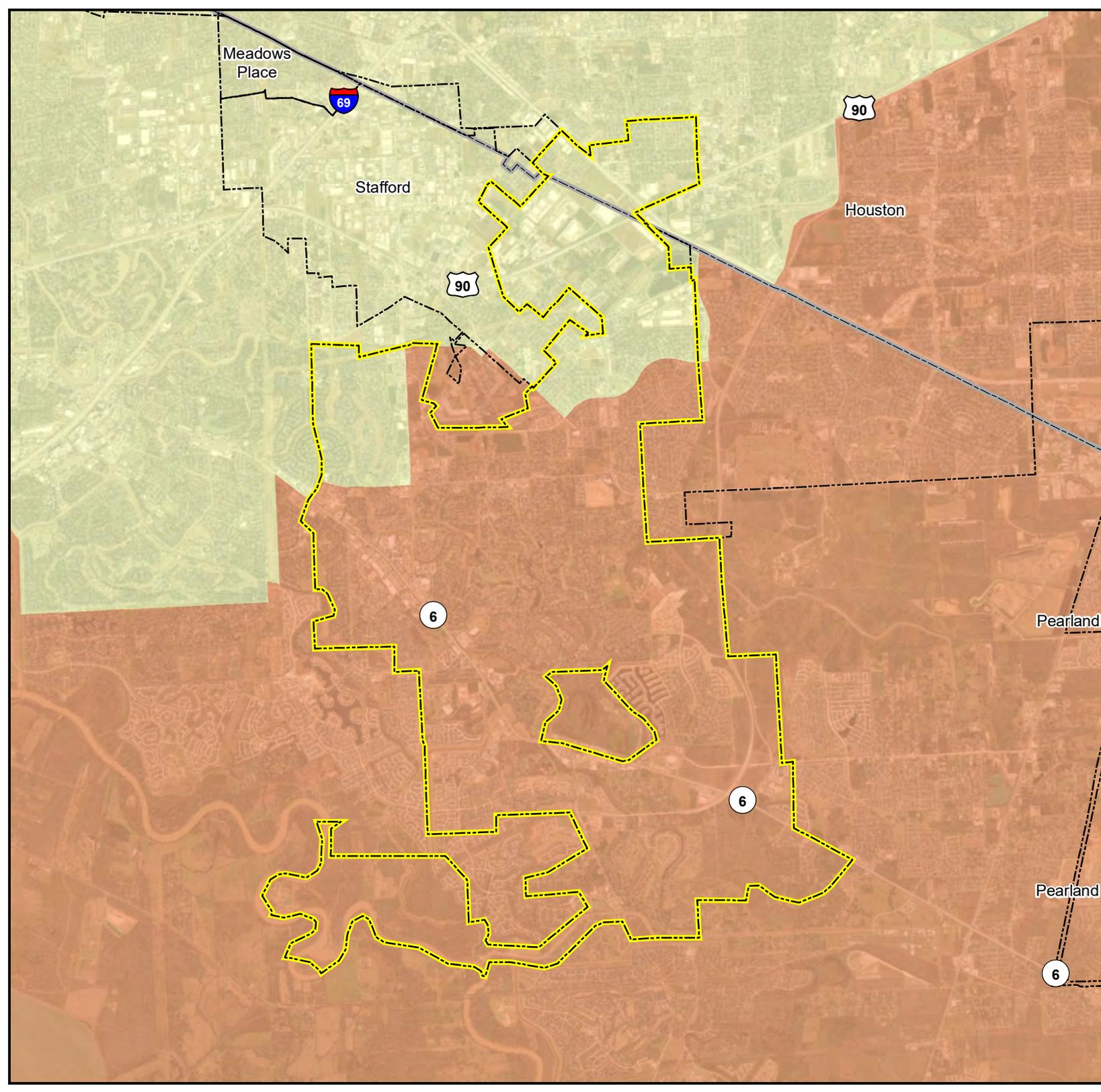
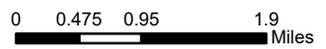
Missouri City

20-year Probabilistic Hurricane

Peak Wind Gust (mph)

- 63 - 71
- 72 - 76
- 77 - 80
- 81 - 84
- 85 - 92

- Incorporated Cities
- Harris County



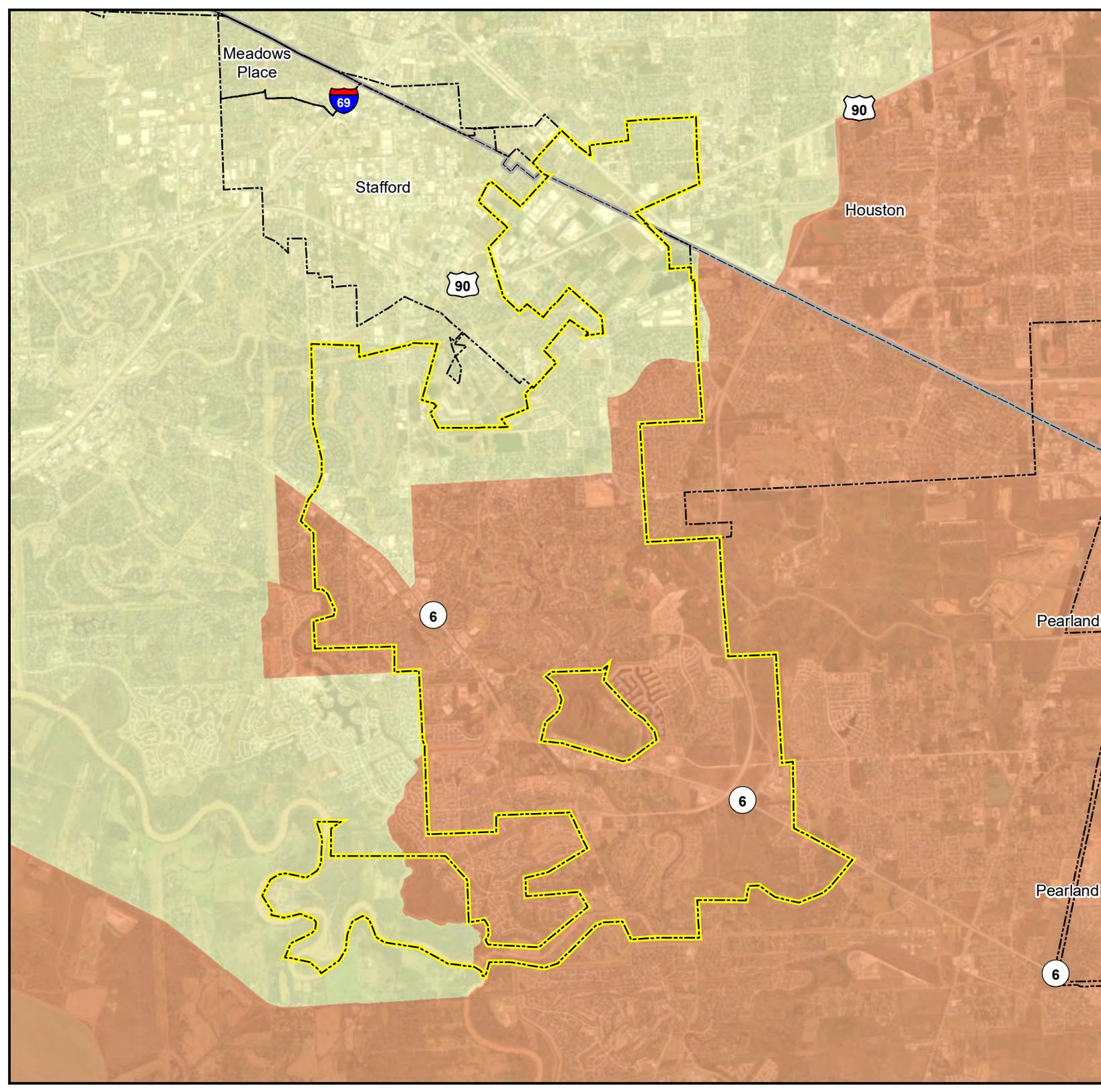
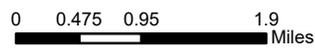
Missouri City

100-year Probabilistic Hurricane

Peak Wind Gust (mph)

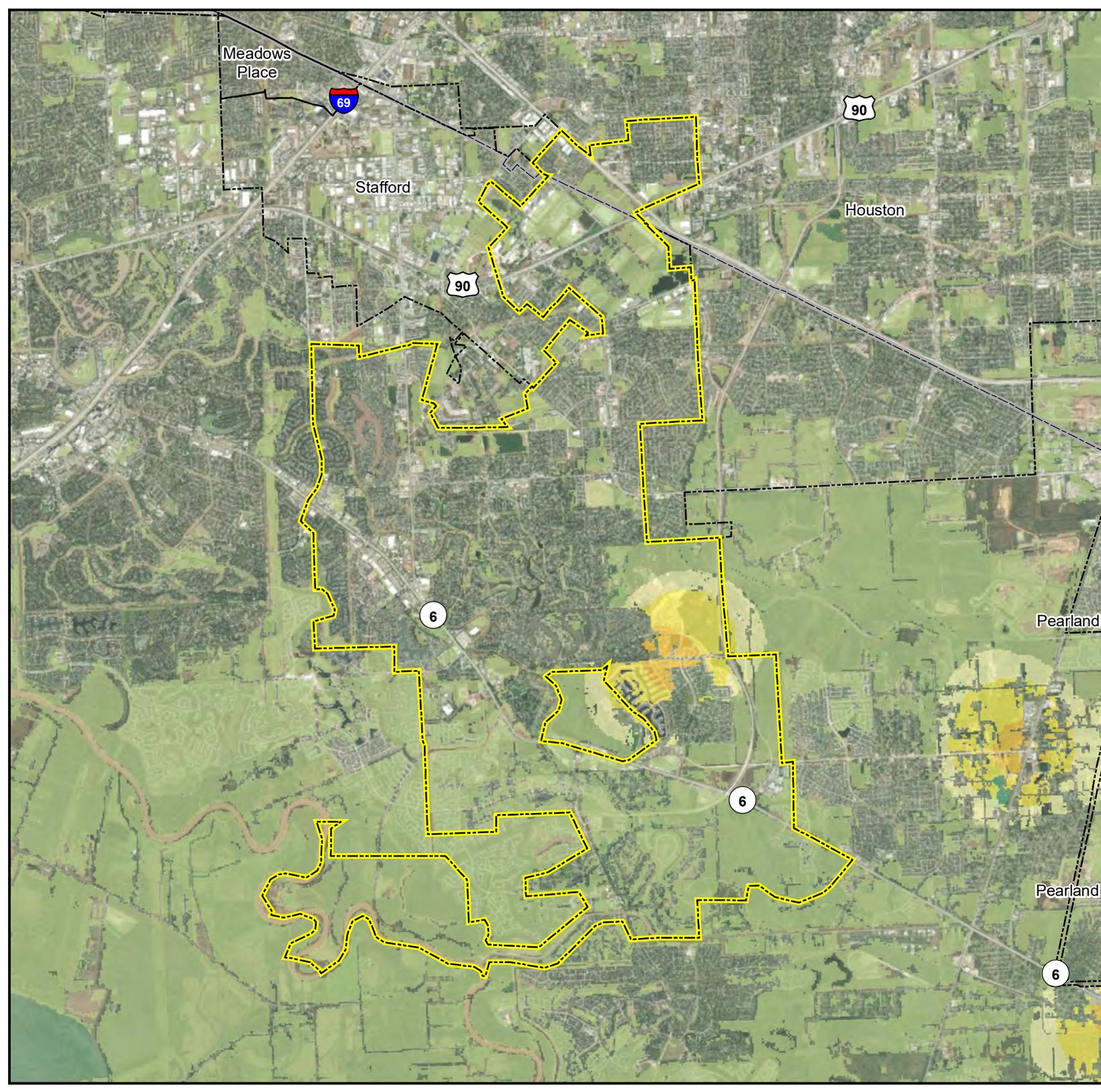
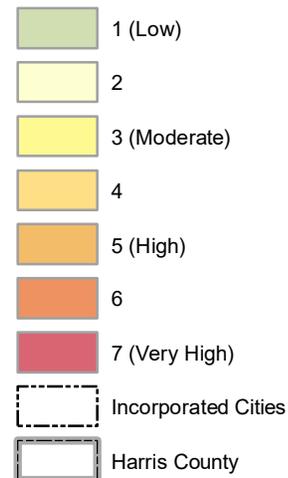
- 89 - 101
- 102 - 106
- 107 - 111
- 112 - 117
- 118 - 128

- Incorporated Cities
- Harris County



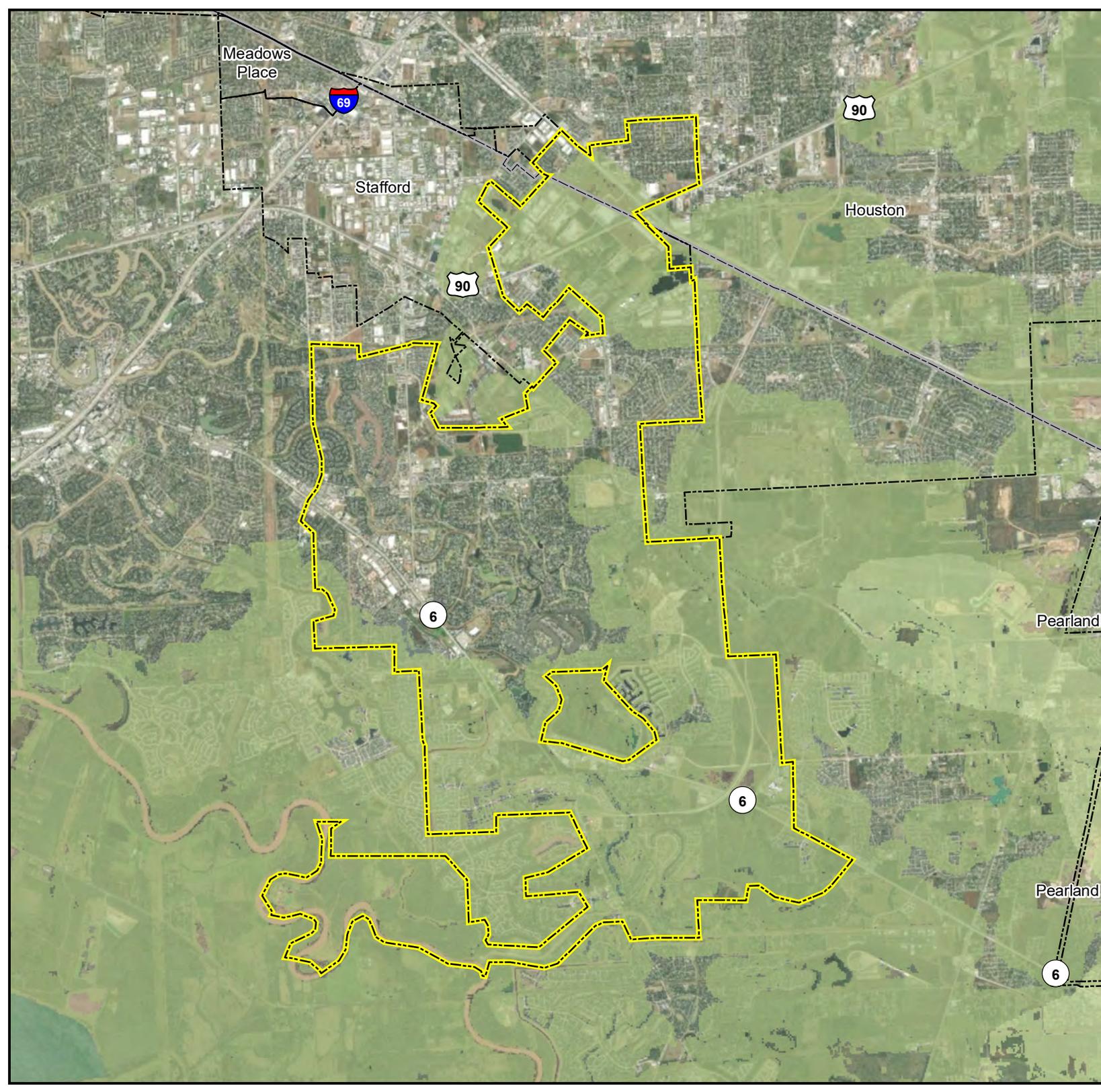
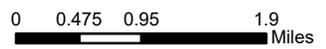
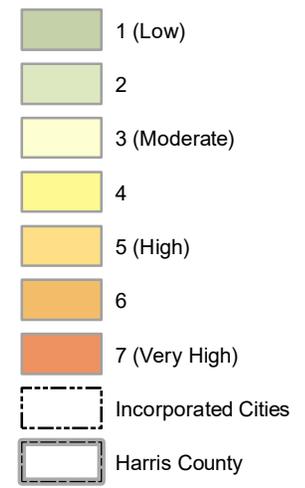
Missouri City

Wildfire Ignition Density



Missouri City

Wildfire Threat





**Council Agenda Item
August 17, 2020**

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
