

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, September 21, 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**
 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 September 8, 2020. *(Proposed presenter: City Secretary Maria Jackson)*
- (b) Consider an ordinance authorizing the extension of the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) to 2049; and consider the ordinance on the second and final reading. *(Proposed presenter: Assistant City Manager Bill Atkinson)*
- (c) Consider an ordinance authorizing an amendment to the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) Project and Financing Plan; and consider the ordinance on the second and final reading. *(Proposed presenter: Assistant City Manager Bill Atkinson)*
- (d) Consider an ordinance amending the City of Missouri City Personnel Policy; amending drug testing policies for certain employees; and consider the ordinance on the second and final reading. *(Proposed presenter: Director of Human Resources and Organizational Development Martin Russell)*
- (e) Consider an ordinance authorizing the crediting of updated service credits in the Texas Municipal Retirement System for certain City of Missouri City employees; providing for increased annuities for certain City of Missouri City retirees and beneficiaries of deceased retirees; and consider the ordinance on the second and final reading. *(Proposed presenter: Director of Financial Services Allena Portis)*
- (f) Consider authorizing the renewal of a depository contract. *(Proposed presenter: Director of Financial Services Allena Portis)*
- (g) Consider authorizing a request for the waiver of penalty and interest. *(Proposed presenter: Director of Financial Services Allena Portis)*

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Consider an ordinance for a specific use permit authorizing the use of an approximate 20-acre tract of land zoned as SD suburban district to provide for the development of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and consider a related ordinance on the second and final reading. The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of Elkins High School and east of the Creekstone Village at Riverstone residential subdivision. *(Proposed presenter: Planning Manager Jennifer Thomas Gomez)*

(b) Public Hearings and related actions

- (1) Public hearing on the approval and adoption of the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021; and consider a related ordinance

on the first and final reading. *(Proposed presenter: Director of Financial Services Allena Portis)*

- (2) Public hearing to receive comments for or against an amendment to the strategic partnership agreements between the City of Missouri City, Texas, and Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively, to provide for fire protection services. *(Proposed presenter: City Attorney E. Joyce Iyamu)*
- (3) Public hearing to receive comments for or against an annexation for the limited purpose of providing fire protection services to Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively. *(Proposed presenter: City Attorney E. Joyce Iyamu)*

8. APPOINTMENTS

- (a) Consider nominating and casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees. *(Proposed presenter: City Secretary Maria Jackson)*

9. AUTHORIZATIONS

- (a) Consider authorizing the corridor enhancements monument signs construction contract. *(Proposed presenter: Director of Public Works Shashi Kumar)*
- (b) Consider authorizing the purchase of air regulators. *(Proposed presenter: Fire Chief Eugene Campbell)*
- (c) Consider authorizing the negotiation and execution of a bed maintenance contract. *(Proposed presenters: Director of Parks and Recreation Jason Mangum and City Forester/Horticulturist Paul Wierzbicki)*

10. ORDINANCES

- (a) Consider an ordinance providing for the assessment, levy, and collection of ad valorem taxes for the City of Missouri City, Texas, for the tax year 2020 and for each year thereafter until otherwise provided; providing the date on which such taxes shall be due and timely paid; and authorizing an additional penalty for the collection of delinquent ad valorem taxes in lieu of recovering attorneys' fees; and consider the ordinance on the first and final reading. *(Proposed presenter: Director of Financial Services Allena Portis)*

11. RESOLUTIONS

- (a) Consider a resolution establishing certain programs to address the COVID-19 pandemic; authorizing the use of city funds for such programs. *(Proposed presenter: Assistant City Manager Bill Atkinson)*
- (b) Consider a resolution amending the utility schedule of fees. *(Proposed presenters: Utilities Manager Todd Hoover and Director of Public Works Shashi Kumar)*
- (c) Consider a resolution authorizing the city manager to negotiate and execute licenses for locating mobile food units (food trucks) on certain City of Missouri property. *(Proposed presenter: Assistant City Manager Glen Martel)*

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

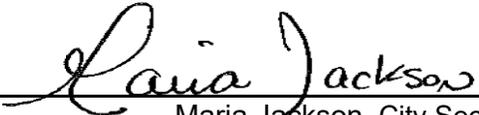
Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

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 September 21, 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 September 17, 2020, at 4:00 p.m.



Maria Jackson, City Secretary



**Council Agenda Item
September 21, 2020**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS

An opportunity for the public to address City Council on agenda items or concerns not on the agenda-- those wishing to speak must complete the orange comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a three-minute time limit.

5. STAFF REPORTS

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



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

CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, September 8, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 p.m.** to consider the following.

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

1. CALL TO ORDER

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

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; 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 Public Works Kumar, Fire Chief Campbell, Emergency Management Coordinator Jewett, and Utilities Manager Hoover. Also present: Spurgeon Robinson of MPACT Strategic Consulting, LLC and John Hightower.

Councilmember Maroulis moved to take the closed executive session items out of order. 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

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 5:33 p.m.

(a) Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: Brazoria-Fort Bend Counties Municipal Utility District (MUD) No. 3.

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

4. RECONVENE

At 6:41 p.m., City Council reconvened into open session.

2. DISCUSSION/POSSIBLE ACTION

- (a) Discuss staff's recommendation and seek authorization from City Council to negotiate a contract for an operator for the Mustang Bayou and Steep Bank Service Areas, respectively.

Director of Public Works Kumar stated the item was to solicit a new operator for the Mustang Bayou and Steep Bank Service Areas; and, he provided an overview on the background on the project. Utilities Manager Hoover presented on how they arrived on their recommendations.

Councilmember Edwards moved to authorize the City Manager or his representative to negotiate a revised contract with Quail Valley Utility District to continue the operation and maintenance of the Mustang Bayou Service Area. 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) Presentation on the proposed Interfund Loan Policy.

Director of Financial Services Portis presented on the proposed Interfund Loan Policy. Mayor Ford asked the reason this had not been done before. Portis stated she did not know; however, when she came onboard, she reviewed polices and believed they should have an Interfund Loan Policy to guide them in the future if needed. Ford asked about the \$420,000. Portis stated it pertained to expenditures that exceeded the revenue during the last two-three fiscal years. City Manager Jones explained it was due to the deficit from the Missouri City Recreation and Leisure Local Government Corporation (LGC). He noted he prefers they establish an effective policy so that everyone understands the guidelines. Ford asked why the funds were transferred over to close the gap. Portis stated prior to 2017, the City transferred over funds to the LGC to be able to pay costs associated with maintenance. Ford asked for the balance sheet from 2017 for LGC and to email them to City Council.

Councilmember Sterling asked if they had an ethics policy relating to finance. Jones stated internally they did not have a policy and were operating under the statutory guidelines. City Attorney Iyamu noted the City does have a misconduct policy as it related to financial improprieties. Iyamu stated she would email Sterling what the City has.

Councilmember Emery commented on the LGC and noted they were trying to cover 97-98% of the funds due to COVID. He noted there were a number of expenses paid by the LGC as it pertained to property that belonged to the City. Emery noted the intent was to break even in profits. Portis noted an LGC meeting was scheduled for September 21 and they would review the agreement with the LGC. Ford asked that during the meeting they should also define the LGC, look into how it was formed and what was legally associated with the LGC. Jones noted they might want to also discuss the contrasting differences with the LGC and the City.

Councilmember Boney asked if by having the policy, would it ensure they address the issues of the LGC or were they just stating the policy was needed. Jones stated the policy would allow them to establish how to officially conduct business between the two.

At 7:17 p.m., City Council recessed the special meeting for the regular meeting.

At 9:04 p.m., City Council reconvened into the special meeting.

- (c) Presentation of the Missouri City CARES Act survey.

Fire Chief Campbell presented a CARES Act updated. Emergency Management Coordinator Jewett presented on the Missouri City CARES Act survey results. Spurgeon Robinson presented on the RMU prioritizations and what was needed in order to begin these programs in the City. Mayor Ford wants them to make sure they were targeting Missouri City residents that fall within city limits.

- (d) Consider a report relating to the misuse of public, educational, and government (“PEG”) funds from the period of October 2018, through February 2019.

City Manager Jones presented a report relating to the misuse of public, educational, and government (“PEG”) funds from the period of October 2018, through February 2019. Jones stated he brought forth this agenda item as an item of concern. Mayor Ford asked how much was spent on travel and to where. Jones stated he would report to City Council once the investigation was complete but it was approximately \$20,000, at this time, but may be more.

Councilmember Emery asked if the investigation would reveal if the City received services that were paid for with the PEG funds. Jones stated the information he has seen so far were that PEG funds were used for travel expenses.

Councilmember Maroulis asked who tipped them to this particular finding. Jones stated it popped up and they started reviewing such documents.

Councilmember Boney asked why the documents could not be reviewed now. City Attorney Iyamu stated records could be turned over to City Council depending on what the records were. She noted if records had been turned over to the district attorney, they could be deemed confidential.

Councilmember Boney asked how they decided on the consultant reviewing the documents and if the consultant position went out to bid. Jones stated he and Director Portis reviewed consultants and decided the one chosen was the best fit.

Councilmember Emery stated he would also like to review the documents provided to the district attorney’s office. City Attorney Iyamu stated she would follow up.

Mayor Ford asked if something could be put in place so that if staff was aware of something they were able to inform Council anonymously. City Manager Jones stated he would come back to City Council with the measures on how to move funds from the general fund back to the PEG funds to ensure compliance with federal law.

- (e) Discuss a proposed ordinance relating to the use of City resources by councilmembers.

City Attorney Iyamu stated Councilmember Boney requested the agenda item and she outlined the proposed ordinance as followings:

- A prohibition on Councilmembers from granting or influencing the granting of any special consideration, advantage or favor to any person when acting in the official’s official capacity;
- A prohibition on Councilmembers from making or using staff, vehicles, equipment, materials or property of the city in a manner that could violate V.T.C.A., Penal Code § 39.02(a)(2); and
- Establishes an ethics commission to review complaints against Councilmembers.

Councilmember Boney stated he felt the ordinance was needed to make sure the people who elect them into office also had a voice. Councilmember Sterling would like staff to reach out to the Texas Municipal League on how other cities were doing this.

Mayor Ford stated the county had an integrity unit to whom you may submit issues to; and she felt such services would be duplicated with the ordinance.

Councilmember Sterling asked if anyone in the community could file a complaint. Iyamu stated the complaint would have to be based on the items listed specifically for utilizing or influencing due to the capacity of the individual.

Mayor Pro Tem Preston asked if the item could go to the Ordinances, Resolutions, Elections and Council Governance Review Committee for discussion so it could be flushed out more and get a better understanding. Councilmember Boney encouraged everyone on City Council to read it and make those recommendations known.

Councilmember Sterling stated she would do her due diligence and would do a comparison analysis. Jones noted internal staff was not currently looking into anything dealing with City Council.

Councilmember Emery stated they should look at what they have and do some research on other cities were doing. He believed an external entity was needed to review City operations, Mayor and Council and appointed officials. Iyamu stated she would send out the policies and procedures from other cities to City Council.

3. ADJOURN

The special City Council meeting adjourned at 10:53 p.m.

Minutes PASSED AND APPROVED this the 21st day of September 2020.

Maria Jackson, City Secretary

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



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

CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Tuesday, September 8, 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 7:18 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 Assistant City Manager Atkinson.

3. **PRESENTATIONS AND RECOGNITIONS**

Mayor Pro Tem Preston proclaimed the month of September as "Cancer Awareness Month" in Missouri City, Texas. Mayor Ford proclaimed the month of September as "National Preparedness Month" in Missouri City, Texas.

4. **PUBLIC COMMENTS**

Bruce Zaborowski, 7915 Chancel, welcomed Odis Jones and Todd Hoover to Missouri City. He addressed concerns regarding the MUDs and would like to know what was going on with the bridge in Fonmeadow.

Zelda Dashiell, 1239 Birchstone Drive, addressed concerns regarding the CARES Act funds and how it would be distributed to residents.

Traci Garner, 12811 Laleu Lane, discussed cancer awareness month and emergency preparedness. She also discussed concerns with Laleu Lane and requested speed bumps, street lights, and child safety signs.

There were no **STAFF REPORTS**.

6. **CONSENT AGENDA**

- (a) Consider approving the minutes of the special and regular City Council meetings of August 17, 2020.
- (b) 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 second and final reading.

- (c) Consider authorizing the City Manager to approve a contract for city-wide fire protection equipment services.
- (d) Consider authorizing an interlocal agreement with the North Central Texas Council of Governments for cooperative purchasing.

Mayor Pro Tem Preston moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Edwards seconded. **MOTION PASSED UNANIMOUSLY.**

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

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request for a specific use permit authorizing the use of an approximate 20-acre tract of land zoned as SD suburban district to provide for the development of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and consider a related ordinance on the first of two readings. The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of FBISD Elkins High School and east of Creekstone Village at Riverstone residential subdivision.

Planning Manager Thomas Gomez presented an overview on the request for a specific use permit authorizing the use of an approximate 20-acre tract of land zoned as SD suburban district to provide for the development of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site. Councilmember Maroulis spoke over parking and traffic concerns on Knights Road. He also noted they needed to reach out to the residents nearby.

Councilmember Maroulis moved to open the public hearing at 7:57 p.m. 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

Councilmember Emery expressed parking and traffic concerns. Mayor Ford asked if staff could address these concerns. Director of Public Works Kumar stated they asked for and received a traffic impact analysis and staff were reviewing it. Kumar stated they were also looking at future growth and potential traffic in the area. He added they would also look into the sidewalk issue or the lack thereof.

Councilmember Maroulis asked if they could look into opening up the notification process to expand the 250-foot radius therefore capturing more residents. Gomez stated the City does not provide notification outside of the city limits and that was what happened with this request. Councilmember Maroulis would like to see the City do something beyond their means. Gomez stated they would look into how it could be accomplished.

Councilmember Emery stated he noticed architectural samples and asked if these were to blend in well to the adjacent properties. Gomez stated they would not enforce much on materials, and from what was presented, the structure should be comparable with what currently exists in the area.

Mayor Ford stated the City received a request to speak before City Council for agenda item 7a1.

Kali Shiller, 4607 Red Hawk Court, spoke about traffic concerns brought up during the August 12, 2020, Planning and Zoning Commission meeting.

Timothy Barnes, the architect of Design Team, addressed the traffic concerns and recognized the challenges. He noted the proposal would make the traffic come in through Thompson Ferry and wrap around the school, allowing more stacking to take place onsite and not on the street. Councilmember Maroulis asked if they anticipated stacking on the street during pick-up times. Barnes stated the design would accommodate double stacking along the circular drive with the intent to get them off Thompson Ferry as fast as possible.

Mahesh Dutta, the engineer of Design Team, also addressed the double stacking. He stated the stacking length required was 900 feet but the double stacking would double the length. In addition, Dutta noted they would have an exclusive left turn lane on Thompson Ferry. Maroulis asked what the measurements pertained to. Dutta stated they pertained to the length of the roadway.

Mayor Ford asked how many cars would be able to be double stacked in the winding roadway. Kiran Ravi, with Design Team, stated they count the number of cars they anticipate for the PQ lane and multiply by 15-20 feet depending on the car storage length.

Director of Public Works Kumar stated staff would research the number of cars that can be stack and provide it to City Council in an email later this week. Maroulis addressed the opportunity to improve the corridor. Dutta stated they could accommodate 80 cars double stacked.

Councilmember Edwards moved to close the public hearing at 8:15 p.m. 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

Councilmember Emery moved to approve the ordinance. 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

(b) Public Hearings and related actions

- (1) Public hearing to receive comments for or against the extension of the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) to 2049; and consider a related ordinance on the first of two readings.

Assistant City Manager Atkinson presented on the New Quest Development agreement. The public hearing was to consider extending the life of the term with Reinvestment Zone Number Two (TIRZ 2) to 2049.

Councilmember Maroulis moved to open the public hearing at 8:18 p.m. 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

With no public comments, Councilmember Maroulis moved to close the public hearing at 8:19 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 Boney moved to approve the ordinance. 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

- (2) Public hearing to receive comments for or against an amendment to the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) Project and Financing Plan; and consider a related ordinance on the first of two readings.

Councilmember Edwards moved to open the public hearing at 8:21 p.m. 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

With no public comments, Councilmember Edwards moved to close the public hearing at 8:21 p.m. 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

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

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

Nays: None

There were no **APPOINTMENTS.**

9. **AUTHORIZATIONS**

- (a) Consider authorizing the purchase of four new police vehicles.

Captain Poulton presented on the purchase of four new police vehicles. Councilmember Edwards asked about the lifespan for a vehicle utilized by the Police Department. Poulton stated they last about seven years, depending on wear and tear.

Councilmember Emery moved authorize to the purchase of four new police vehicles. Councilmember Maroulis. **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 replacement of two totaled patrol vehicles.

Fleet Superintendent Tubbs presented on the replacement of two totaled patrol vehicles. He noted the accidents were not the fault of the city, which were then reimbursed through the Texas Municipal League.

Councilmember Emery moved to authorize the replacement of two totaled patrol vehicles. 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 authorizing the execution of an amendment to the participation agreement with Fort Bend County for City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2).

Assistant City Manager Atkinson presented on the New Quest Development agreement.

Councilmember Boney moved to authorize the execution of an amendment to the participation agreement with Fort Bend County for City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2). 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

- (d) Consider authorizing the acceptance of a deed conveying certain land for the construction, maintenance and operation of Fire Station No. 6 from Palmetto/WIHA FB107, LP, a Texas limited partnership, pursuant to the grantor's development agreement with the City.

Director of Public Works/City Engineer Kumar stated the deed pertained to Fire Station No. 6 and the developer would dedicate land with no cost pursuant to an existing agreement.

Councilmember Emery moved to authorize the acceptance of a deed conveying certain land for the construction, maintenance and operation of Fire Station No. 6 from Palmetto/WIHA FB107, LP, a Texas limited partnership, pursuant to the grantor's development agreement with the City. 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

- (e) Consider authorizing the city manager to execute the CARES Act Interlocal Agreement with Harris County.

Fire Chief Campbell presented on the CARES Act Interlocal Agreement with Harris County. Councilmember Emery requested the amount Harris County was allotting to the City. Campbell stated it was \$345,015. Councilmember Boney asked if there were any restrictions on the funds. Campbell stated they could be used for PPE, mortgage rental assistance program and a couple more that they would present during the survey presentation.

Councilmember Edwards moved to authorize the city manager to execute the CARES Act Interlocal Agreement with Harris County. 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

- (f) Consider authorizing the city manager to negotiate and execute an agreement for grant program services.

Assistant City Manager Atkinson presented on the grant program services.

Councilmember Edwards moved to authorize city manager to negotiate and execute an agreement for grant program services. 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

10. ORDINANCES

- (a) Consider an ordinance amending the City of Missouri City Personnel Policy; amending drug testing policies for certain employees; and consider the ordinance on the first of two readings.

Director of Human Resources and Organizational Development Russell stated the amendment would enhance the program they have. Councilmember Maroulis asked the reason for the amendment. Russell stated the amendment should have been in the policy and by not having it made the policy outdated.

Councilmember Maroulis 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

- (b) Consider an ordinance authorizing the crediting of updated service credits in the Texas Municipal Retirement System for certain City of Missouri City employees; providing for

increased annuities for certain City of Missouri City retirees and beneficiaries of deceased retirees; and consider the ordinance on the first of two readings.

Councilmember Edwards 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 granting consent to Brazoria-Fort Bend Counties Municipal Utility District No. 3 to annex approximately 96.11 acres of land situated, in part, within the extraterritorial jurisdiction of the City of Missouri City.

Councilmember Edwards moved to approve the resolution. 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

- (b) Consider a resolution amending the City's Financial Policy by adding an interfund loan policy.

Director of Financial Services Portis presented on the transferring of funds in an interfund loan policy.

Councilmember Edwards moved to approve the resolution. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

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

- (c) Consider a resolution authorizing the city manager to execute a contract with Valley View Consulting for investment advisory services.

Councilmember Edwards 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

Mayor Pro Tem Preston thanked City Council for the opportunity to proclaim September as "Cancer Awareness Month" and thanked MD Anderson and Dr. Greg Kaufman for participating. He also thanked the City's frontline workers for their dedication and improving the quality of life for Missouri City's residents.

Councilmember Edwards thanked Mayor Pro Tem Preston for bringing awareness. She reminded everyone to volunteer for Park Clean-up Day at Hunters Glen Park on September 12.

Councilmember Sterling thanked Mayor Pro Tem Preston for bringing awareness. She thanked Mayor Ford, City Manager Jones, Mayor Pro Tem Preston, the Communications Department, and Harvest market for the partnership during the market mobile in District A.

Councilmember Boney stated he participated in a prayer walk for peace this past Sunday.

Councilmember Maroulis reminded everyone to remember all those impacted by September 11.

Councilmember Emery sent prayers to the families affected by September 11.

Mayor Ford thanked Harvest Market for responding to the pandemic and issues of availability of food to certain areas of the City. She noted they would resume activities after November 3 and would visit other districts in the City.

13. ADJOURN

The regular City Council meeting adjourned at 9:04 p.m.

Minutes PASSED AND APPROVED this the 21st day of September 2020.

Maria Jackson, City Secretary



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council

Agenda Items: 6(b) Consider an ordinance authorizing the extension of the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) to 2049; and consider a related ordinance on the second and final reading.

Submitted by: Bill Atkinson, Assistant City Manager

SYNOPSIS

Consider an ordinance authorizing the extension of the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) to 2049; and consider a related ordinance on the second and final reading.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

The City has been working with the NewQuest Properties on the development Fort Bend Town Center II at the intersection of Fort Bend Toll Road and Highway 6 for nearly two years. The city, the TIRZ and developer have entered into a number of related incentive agreements in furtherance of this project. As a part of this effort, the city and developer anticipated modifying the existing TIRZ project plan and plan of finance as well as extending the life of the TIRZ until 2049. Fort Bend County and the board of TIRZ #2 have already taken their necessary actions to approve amendments to the project plan and plan of finance as we extend the life of the TIRZ.

The city is required to hold a public hearing as a part of their approval of amending the project plan and plan of finance as well as extending the life of the TIRZ. The purpose of this agenda item is to hold the required public hearing relating to the extension of the life of the TIRZ and consider approval of the ordinance.

BUDGET/FISCAL ANALYSIS

During FY 2020 (as of September 1, 2020), TIRZ 2 received \$2,775,721 in tax increment revenue. This includes \$769,201 from Fort Bend County and \$2,006,521 from the City of Missouri City. Assuming assessed values and tax rates remain the same throughout the life of the TIRZ, the 20-year period covered by the extension will provide at least \$55 million in tax increment revenue to be utilized within the zone.

Purchasing Review: N/A

Financial/Budget Review: Allena Portis, Director of Financial Services

SUPPORTING MATERIALS

1. Ordinance

STAFF'S RECOMMENDATION

Staff recommends approval of ordinance extending the life of TIRZ #2 until 2049.

Director Approval: Bill Atkinson

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

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, EXTENDING THE TERM OF REINVESTMENT ZONE NUMBER TWO, CITY OF MISSOURI CITY, TEXAS; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Missouri City ("City") pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone Number Two, City of Missouri City, Texas (the "Zone") by Ordinance No. O-99-43, adopted on August 2, 1999; and

WHEREAS, Ordinance No. O-99-43 provides that the Zone will terminate on December 31, 2029; and

WHEREAS, the City may extend the term of the Zone pursuant to Section 311.007 of the Texas Tax Code; and

WHEREAS, on August 10, 2020, the Board of Directors for the Zone met and recommended approving agreements that contemplate the extension of the term of the Zone; and

WHEREAS, the City Council finds that extending the term of the Zone is in the best interest of the Zone and will provide sufficient time for the completion and financing of the improvements proposed in the Zone's project plan and financing plan (the "Plan"); and

WHEREAS, after public notice thereof was given in accordance with the law, on September 8, 2020, the City Council conducted a public hearing, at which property owners and other interested persons were allowed to speak, on the extension of the term of the Zone; and

WHEREAS, evidence was received and presented at the public hearing on extending the term of the Zone; and

WHEREAS, the City Council further finds that extending the term of the Zone is in accordance with Chapter 311 of the Texas Tax Code and the Zone's plan; and

WHEREAS, the City now desires to extend the term of the Zone; now, therefore,

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

Section 1. The findings and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

Section 2. The City, acting under and in accordance with the provisions of Chapter 311, Texas Tax Code, including Section 311.007, hereby extends the term of Reinvestment Zone Number Two, City of Missouri City, Texas, to December 31, 2049.

Section 3. The term of the Zone shall be extended as of the effective date of this Ordinance.

Section 4. *Repeal.* Any ordinance or any part of an ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 5. *Severability.* If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason be held to be unconstitutional, void or invalid, the validity of the remaining provisions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionally, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public for the time required by law preceding this meeting, as required by the Open Meetings Law, TEX. GOV'T CODE ANN., Ch. 551; and that this meeting was open to the public as required by law, during which time, this Ordinance and the subject matter thereof was discussed, considered and acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED and APPROVED on first reading this 8th day of September, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council

Agenda Items: 6(c) Consider an ordinance authorizing an amendment to the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) Project and Financing Plan; and consider a related ordinance on the second and final reading.

Submitted by: Bill Atkinson, Assistant City Manager

SYNOPSIS

Consider an ordinance authorizing an amendment to the City of Missouri City, Texas Reinvestment Zone Number Two (TIRZ 2) Project and Financing Plan; and consider a related ordinance on the second and final reading.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

The City has been working with the NewQuest Properties on the development Fort Bend Town Center II at the intersection of Fort Bend Toll Road and Highway 6 for nearly two years. The city, the TIRZ and developer have entered into a number of related incentive agreements in furtherance of this project. As a part of this effort, the city and developer anticipated modifying the existing TIRZ project plan and plan of finance as well as extending the life of the TIRZ until 2049. Fort Bend County and the board of TIRZ #2 have already taken their necessary actions to approve amendments to the project plan and plan of finance as we extend the life of the TIRZ.

The city is required to hold a public hearing as a part of their approval of amending the project plan and plan of finance as well as extending the life of the TIRZ. The purpose of this agenda item is to hold the required public hearing relating to the amendment to the TIRZ project plan and plan of finance and consider approval of the associated ordinance.

BUDGET/FISCAL ANALYSIS

During FY 2020 (as of September 1, 2020), TIRZ 2 received \$2,775,721 in tax increment revenue. This includes \$769,201 from Fort Bend County and \$2,006,521 from the City of Missouri City. Assuming assessed values and tax rates remain the same throughout the life of the TIRZ, the 20-year period covered by the extension will provide at least \$55 million in tax increment revenue to be utilized for projects included in the zone's project plan.

Purchasing Review: N/A

Financial/Budget Review: Allena Portis, Director of Financial Services

SUPPORTING MATERIALS

1. Ordinance

STAFF'S RECOMMENDATION

Staff recommends approving amendment to the TIRZ #2 project plan and plan of finance.

Director Approval: Bill Atkinson

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

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING THE SECOND AMENDED AND RESTATED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER TWO, CITY OF MISSOURI CITY; AUTHORIZING THE CITY SECRETARY TO DISTRIBUTE SUCH PLAN; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR REPEAL; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Missouri City (“City”) pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone Number Three, City of Missouri City (the “Zone”) by Ordinance No. O-99-43, adopted on August 2, 1999; and

WHEREAS, the Board of Directors of the Zone adopted and recommended and the City approved the Project Plan and Reinvestment Zone Financing Plan (the “Plan”) for the Zone by Ordinance No. O-99-49, adopted on August 16, 1999; and

WHEREAS, the Board of Directors of the Zone adopted and recommended and the City approved amendments to the Plan for the Zone by Ordinance No. O-08-47, adopted on August 18, 2008; and

WHEREAS, on August 10, 2020, the Board of Directors of the Zone adopted the Second Amended and Restated Plan for the Zone (the “Second Amended and Restated Plan”) and recommended the approval of the Second Amended and Restated Plan by the City Council; and

WHEREAS, after public notice thereof was given in accordance with the law, the City Council conducted a public hearing on the proposed Second Amended and Restated Plan, at which property owners and other interested persons were allowed to speak; and

WHEREAS, Chapter 311 of the Texas Tax Code authorizes amendments to the Plan; and

WHEREAS, the City now desires to amend the Plan by the adoption of the Second Amended and Restated Plan; now, therefore,

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

Section 1. The findings and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

Section 2. The Plan is hereby amended to reflect the Second Amended and Restated Plan shown as Exhibit "A" attached hereto. The Second Amended and Restated Plan is determined to be feasible and is approved. The appropriate officials of the City are authorized to take all steps reasonably necessary to implement the Second Amended and Restated Plan.

Section 3. The City Secretary is directed to provide copies of the Second Amended and Restated Plan to each taxing unit levying ad valorem taxes in Reinvestment Zone Number Two.

Section 4. *Repeal.* All ordinances and resolutions or parts of ordinances and resolutions, if any, in conflict herewith, shall be and are hereby expressly repealed to the extent of such conflict only.

Section 5. *Severability.* If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason be held to be unconstitutional, void or invalid, the validity of the remaining provisions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionally, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

PASSED and APPROVED on first reading this 8th day of September, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Exhibit "A"

REINVESTMENT ZONE NUMBER TWO,
CITY OF MISSOURI CITY, TEXAS

SECOND AMENDED AND RESTATED PROJECT

PLAN
AND

REINVESTMENT ZONE FINANCING PLAN

August 10, 2020

1999 Plan Prepared by:
Hawes Hill Calderon, LLP
Staff of the City of Missouri City

Executive Summary

This Second Amended and Restated Project Plan and Reinvestment Zone Financing Plan (the "Plan") has been prepared to provide for the proposed extension of the duration of Reinvestment Zone Number Two, City of Missouri City, Texas (the "Zone"), and to address future development that may be located in the Zone. The Zone includes areas slated for future commercial development along State Highway 6 in order to assist those areas with public infrastructure costs.



The plan adopted in 1999 is contained within this amended plan. If an extension of the Zone is authorized, the Zone will terminate in 2049. The City of Missouri City currently participates at 100% of its tax rate for the full term of the Zone, and Fort Bend County participates at 50% of a portion of its tax rate until termination. The Fort Bend Independent School District does not currently participate in the Zone, but FBISD has been included in the Plan should it desire to participate in the future.

PROJECT PLAN

OVERVIEW

The City of Missouri City created Reinvestment Zone Number Two, City of Missouri City, Texas (Vicksburg Reinvestment Zone - the "Zone"). This document constitutes the Project Plan and Reinvestment Zone Financing Plan as required by Chapter 311, Texas Tax Code. The purpose of the Zone is to provide for the design and construction of regional water, wastewater, drainage facilities and other specific public improvement project costs in order to facilitate the development of new residential and commercial properties where such infrastructure is absent and where residential and commercial development would not occur "but for" the creation of such a zone.

Based on the City's analysis, the Zone meets the criteria for designation as a tax increment reinvestment zone, under Chapter 311, Texas Tax Code. Use of a zone for the Zone's projects will help to level the playing field with extraterritorial ("ETJ") MUDs and will encourage in-fill growth within the City's fringe areas, for the reasons listed below:

- If the City fails to provide alternative infrastructure financing, it will continue to lose growth in the tax base it would otherwise enjoy; and
- Parts of the Zone consist of predominantly vacant and open property and are void of any substantial supporting infrastructure that would support development in the area.

The property in the Zone will not reach its highest and best use because of the above prevailing conditions. The City believes that a public/private partnership is necessary because development in the Zone will not occur through private investment in the reasonably foreseeable future without the funding options afforded by the Zone.

Creation of the Zone accommodates and promotes long-term comprehensive and regional infrastructure planning that will affect a much larger area than property located within the Zone.

In addition, the Zone can assist the city to promote and affect long-term comprehensive regional urban/land planning. This master plan concept would facilitate a higher and better use of the land through planned development resulting in higher property values and higher tax revenues on an accelerated basis.

ZONE AREA

The City of Missouri City enlarged the Zone in 2004 by Ordinance No. O-04-46, in 2005 by Ordinance No. O-05-39, in 2008 by Ordinance No. O-08-47, and in 2011 by Ordinance No. O-11-10 in accordance with Chapter 311, Texas Tax Code (the "Enlargement Area").

Exhibit "A"

OVERVIEW OF NEW PROJECT

With the proposed extension of the Zone until 2049, the Zone intends to provide reimbursement opportunities for the development of public infrastructure for commercial developments, such as the Fort Bend Parkway – Highway 6 Theater and Retail Center (the “FBP Project”).

EXISTING USES AND CONDITIONS

The Zone includes approximately 2,412 acres. Parts of the Zone are vacant and open property and are void of any substantial supporting infrastructure that would support development in the area.

The boundaries of the Zone are shown on the attached map. The Zone encompasses the north and south sides of Highway 6, with a majority of the land being on the north side. The Zone also encompasses the Fort Bend Toll Road.

MAPS

Map 1 - Initial boundary of the Zone

Map 2 - Initial existing uses and conditions of the property located within the Zone

Map 3 - Initial proposed land uses within the Zone

Map 4 - Initial proposed public improvements to the property within the Zone

Map 1.A - 2008 boundaries of the Zone

Map 2.A - Enlargement Area

Map 3.A - 2008 land use of the property within the Zone

Map 4.A - Proposed land uses within the Zone in 2008

Map 1.B - Current 2020 boundary of the Zone

Map 2.B - Current 2020 existing uses and conditions of the property located within the Zone

Map 3.B - Proposed land uses within the Zone

Map 4.B - Proposed public improvements to the FBP Project property within the Zone

Exhibit "A"

I. PROPOSED CHANGES OF ZONING ORDINANCES , THE MASTER PLAN OF THE CITY, BUILDING CODES, AND OTHER MUNICIPAL ORDINANCES

All construction shall be done in conformance with existing building code regulations of the City of Missouri City. There are no proposed changes of any city ordinance, master plan, or building codes.

II. LIST OF ESTIMATED NON-PROJECT COST ITEMS

Zone non-project costs include those development items that will be funded by a Public Improvement District (PID) and the Developer for which no tax increment reimbursement is expected. These non- project development items and their associated costs are shown in Table A, A.1, A.2. The FBP Project will not receive PID funding.

Table A
Non-Project Costs Through 2008

Non-Project Items	Estimated Cost
PID COSTS	
Water, Wastewater, Storm Sewer	\$18,400,000
Detention	2,600,000
Public Entryways	600,000
Landscape/Streetscape	750,000
Sub-total PID Costs	\$22,350,000
Developers	
Street Paving	\$7,360,000
Development Costs	920,000
Design & Contingency	1,840,000
Fees	650,000
Sub-total Developer Costs	\$10,770,000
Total Non- Project Costs	\$33,120,000

Exhibit "A"

Table A.1
Enlargement Area Non-Project Costs

Non-Project Items	Estimated Cost
PID COSTS	
Water, Wastewater, Storm Sewer Detention	\$6,080,000
Engineering and Contingency	1,216,000
Capacity Charges	1,920,000
Sub-total PID Costs	\$9,216,000
Developers	
Street Paving	\$5,120,000
Landscaping	600,000
Design & Contingency	1,144,000
Sub-total Developer Costs	\$6,864,000
Total Non- Project Costs	\$16,080,000

Table A.2
FBP Project Non-Project Costs

Non-Project Items	Estimated Cost
PID COSTS	
N/A	
Sub-total PID Costs	\$0
Developer	
Civil Design Fees, Geotechnical, Materials Testing, and Engineering	\$767,637
Legal	65,000
Consulting	75,000
Financial Advising	10,000
Easements and Right of Way Dedication	400,000
Sub-total Developer Costs	\$1,317,617
Total Non- Project Costs	\$1,317,617

Exhibit "A"

III. STATEMENT OF METHOD OF RELOCATING PERSONS TO BE DISPLACED
AS A RESULT OF IMPLEMENTING THE PLAN

The subject property is vacant and there will be no displacement of residents.

REINVESTMENT ZONE FINANCING PLAN

- I. A DETAILED LIST DESCRIBING THE ESTIMATED PROJECT COSTS OF THE ZONE, INCLUDING ADMINISTRATIVE EXPENSES AND A STATEMENT LISTING THE KIND, NUMBER, AND LOCATION OF ALL PROPOSED PUBLIC WORKS OR PUBLIC IMPROVEMENTS IN THE ZONE

Table B lists the initial estimated project costs for the Zone. It is anticipated that the Developers will advance funds for the public improvements and will be reimbursed as provided in separate agreements and other documentation between the Developers, the City, the Development Authority and the Zone.

It is anticipated that the total project costs will include financing costs associated with the projects. Line item amounts may be adjusted with approval of the Zone Board of Directors, as long as total project costs do not exceed the Financing Plan Budget.

It was initially anticipated that the Fort Bend Independent School District (the "District") would expend approximately \$106 million for education related project costs.

TABLE B
Initial Estimated Zone Project Costs

Non – Education Project Items	Estimated Costs
Public Works To Support Business Development	
Water Sewage and Drainage	
Paving and Sidewalks	\$9,585, 000
Street Lighting	6,390,000
Landscape/Streetscape	250,000
Related Improvements	1,200,000
Engineering Design & Contingency	1,742,000
	2,400,000
Sub-total	\$21,567,000
Trammel- Fresno (Hillcroft to City Limits)	
Water Sewer and Drainage	\$1,159,000
Paving and Sidewalks	1,357,000
Street Lighting	32,000
Landscape/ Streetscape	139,000
Related Improvements	63,000
Engineering Design & Contingency	687,000
Sub-total	\$3,437,000
Hillcroft Extension (To Lake Olympia Parkway)	
Water Sewer and Drainage	\$623,000
Paving and Sidewalks	810,000
Street Lighting	17,000

Exhibit "A"

Landscape/Streetscape	74,000
Related Improvements	62,000
Engineering Design & Contingency	476,000
Sub-Total	\$2,062,000
Lake Olympia Parkway Extension (Village Brook to Proposed Tollway)	
Water Sewer and Drainage	\$775,000
Paving and Sidewalks	1,008,000
Street Lighting	22,000
Landscape/Streetscape	93,000
Related Improvements	67,000
Engineering Design & Contingency	732,000
Sub-Total	\$2,697,000
Business Park Road (Hillcroft to Proposed FT. Bend Tollway)	
Water Sewer and Drainage	
Paving and Sidewalks	\$643,000
Street Lighting	731,000
Landscape/Streetscape	18,000
Related Improvements	77,000
Engineering Design & Contingency	46,000
Sub-Total	379,000
	\$1,894,000
Connector to Highway 6	
Water Sewer and Drainage	\$367,000
Paving and Sidewalks	452,000
Street Lighting	10,000
Landscape/Streetscape	41,000
Related Improvements	48,000
Engineering Design & Contingency	382,000
Sub-Total	\$1,300,000
Other Project Costs	
Financing Costs	\$37,901,000
Creation and Administration Costs for the Life of the Zone	162,000
Sub-Total	\$38,063,000
Total	\$70,858,000

<u>Education Project Items</u>	<u>Estimated Costs</u>
Costs associated with the construction, reconstruction, repair or renovation of educational facilities	\$106,009, 865
TOTAL	\$106,009, 865

Exhibit "A"

I.A A DETAILED LIST DESCRIBING THE ESTIMATED PROJECT COSTS OF THE ZONE, INCLUDING ADMINISTRATIVE EXPENSES AND A STATEMENT LISTING THE KIND, NUMBER, AND LOCATION OF ALL PROPOSED PUBLIC WORKS OR PUBLIC IMPROVEMENTS IN THE ENLARGEMENT AREA

Table B.1 lists the estimated project costs for the Enlargement Area. It is anticipated that developers will advance funds for the public improvements and will be reimbursed as provided in separate agreements and other documentation between the developers, the City, the Development Authority and the Zone.

It is anticipated that the total project costs will include financing costs associated with the projects. Line item amounts may be adjusted with approval of the Zone Board of Directors, as long as total project costs do not exceed the Financing Plan Budget.

It was anticipated that the District would expend approximately \$23.7 million for education related project costs. The District would retain that portion of its tax rate levied for debt service.

TABLE B.1
Estimated Zone Project Costs for the Enlargement Area

Non- Education Project Items	Estimated Cost
Public Works To Support Business Development	
Water Sewage and Drainage	\$2,355,612
Thoroughfare Paving	640,036
Landscape/Streetscape	250,000
Engineering Design & Contingency	649,130
Capacity Charges	1,931,338
Sub-Total	\$5,826,116
Other Project Costs	
Financing Costs	\$6,292,205
Creation and Administration Costs for the Life of the Zone	100,000
Sub-Total	\$6,392,205
TOTAL	\$12,218,321
Education Project Items	Estimated Cost
Costs associated with the construction, reconstruction, repair or renovation of educational facilities	\$23,729,648
TOTAL	\$23,729,648

Exhibit "A"

I.B A DETAILED LIST DESCRIBING THE ESTIMATED PROJECT COSTS OF THE ZONE, INCLUDING ADMINISTRATIVE EXPENSES AND A STATEMENT LISTING THE KIND, NUMBER, AND LOCATION OF ALL PROPOSED PUBLIC WORKS OR PUBLIC IMPROVEMENTS FOR THE FBP PROJECT

Table B.2 lists the estimated project costs for the FBP Project. It is anticipated that Developers will advance funds for the public improvements and will be reimbursed as provided in separate agreements between the developers, the City, the Development Authority and the Zone.

Line item amounts may be adjusted with approval of the Zone Board of Directors, as long as total project costs do not exceed the Financing Plan Budget for the FBP Project.

It is anticipated that the District will not expend any funds for education related project costs.

TABLE B.2
Estimated Zone Project Costs for the Fort Bend Parkway – Highway 6 Theater and Retail Center Project (“FBP Project”)

Non- Education Project Items	Estimated Cost
Public Works To Support Business Development	
Public Water, Fire Loop for Public Infrastructure, Sanitary Sewer, And Drainage Related Items	\$2,650,547
Thoroughfare Paving and Access Drives to Public Facilities	420,000
Engineering Design, Materials Inspection, & Construction Services	767,637
Capacity Charges	800,000
Sub-Total	\$4,638,184 ¹

II. THE INITIAL ESTIMATED AMOUNT OF BONDED INDEBTEDNESS TO BE INCURRED

The initial estimated amount of bonded indebtedness to be incurred by the Zone, including both principal and interest, was approximately \$70.9 million.

¹ The estimated public construction costs for the FBP Project exceed the maximum amount authorized by the City for reimbursement. Notwithstanding the actual amount of the cost for public construction, the maximum amount that may be provided by the City and the Zone shall be the amount set forth in a separate agreement between the developer, the City, the Development Authority, and the Zone.

Reinvestment Zone Number Two Project Plan and Reinvestment Zone Financing Plan
Hawes Hill & Associates, ILP
August 9, 1999
Amended May 16, 2006; August 18, 2008; and August 10, 2020

Exhibit "A"

II.A. THE ESTIMATED AMOUNT OF BONDED INDEBTEDNESS TO BE INCURRED FOR THE ENLARGEMENT AREA

The estimated amount of bonded indebtedness to be incurred by the Zone for the Enlargement Area, including both principal and interest, was approximately \$12.2 million.

II.B THE ESTIMATED AMOUNT OF BONDED INDEBTEDNESS TO BE INCURRED FOR THE FBP PROJECT

The estimated amount of bonded indebtedness to be incurred by the Zone for the FBP Project, including both principal, and, if applicable, interest, is approximately \$0. The Zone and the City intend to reimburse the developer utilizing a combination of sales tax revenue and the Zone's net tax increment (the annual collections of the tax increment attributable to the Project, less any amount from an existing tenant or anticipated to be required for the administration and operation of the Zone, including a reasonable operating reserve) attributable to the Project as funds become available.

III. THE TIME WHEN RELATED COSTS OR MONETARY OBLIGATIONS ARE TO BE INCURRED

The time when related costs or monetary obligations are to be incurred is a function of the availability of Zone revenues. Schedule B shows the time when Zone funds are expected to be available to pay project costs for initial Zone projects. Schedule B.1 shows the time when Zone funds are expected to be available to pay project costs for the Enlargement Area. Schedule B.2 shows the time when Zone funds are expected to be available to pay project costs for the FBP Project.

IV. A DESCRIPTION OF THE METHODS OF FINANCING ALL ESTIMATED PROJECT COSTS AND THE EXPECTED SOURCES OF REVENUE TO FINANCE OR PAY PROJECT COSTS, INCLUDING THE PERCENTAGE OF TAX INCREMENT TO BE DERIVED FROM THE PROPERTY TAXES OF EACH TAXING UNIT THAT LEVIES TAXES ON REAL PROPERTY IN THE ZONE

A. Description of the Methods of Financing

In accordance with 311.015 of the Tax Increment Financing Act (the "Act") , the City may issue tax increment bonds or notes, the proceeds of which may be used to pay project costs on behalf of the Zone. Upon creation of a Development Authority for the Zone, the Authority may be authorized to incur debt and issue debt or obligations to satisfy developer reimbursements for eligible project costs outlined in this Plan. When appropriate, Developers will advance project-related costs and may be reimbursed through the issuance of tax increment bonds or from increment revenues of the Zone.

Exhibit "A"

No bonds will be issued until adequate tax increment has been created in the Zone to support bond debt service. Tax increment revenue will be applied to pay or reimburse all debt service on the Zone's bonds. This approach protects the City and other taxing jurisdictions from development financing risks.

B. Initial Expected Sources of Revenue to Finance or Pay Project Costs

It is projected that the initial development projects identified in this Plan will increase taxable property values in the Zone by approximately \$700,000,000. Schedule A lists the expected sources of appraised value to finance or pay initial project costs in the Zone.

Table C
Percentage of Increment Dedicated to the Zone

TAXING UNIT PARTICIPATION	CURRENT TAX RATE	% OF
Missouri City	\$0.55238/\$100 valuation	100%
Fort Bend County	\$0.62410/ \$100 valuation	100%
Fort Bend I.S.D.	\$1.32700/\$100 valuation	100% of M&O Rate

C. Expected Sources of Revenue to Finance or Pay Projecy Costs For the Enlargement Area

It is projected that development projects identified in this Plan located within the Enlargement Area will increase taxable property values in the Zone by approximately \$142,000,000. Schedule A.1 lists the expected sources of appraised value to finance or pay project costs in the Enlargement Area.

Table C.1
Percentage of Increment Dedicated to the Enlargement Area

TAXING UNIT	CURRENT TAX RATE	% OF PARTICIPATION
Missouri City	\$0.49800/\$100 valuation	100 %
Fort Bend County	\$0.51674/\$100 valuation	100% for 7 years/50% for 15 years
Fort Bend I.S.D.	\$1.50000/\$100 valuation	100% of M&O Rate

D. Expected Sources of Revenue to Finance or Pay Projecy Costs For the FBP Project

It is projected that the FBP Project will increase taxable property values in the Zone by approximately \$54,385,745 by 2030. Schedule A.2 lists the expected sources of appraised value to finance or pay project costs for the FBP Project.

Exhibit "A"

Table C.2
Percentage of Increment Dedicated to the FBP Project

TAXING UNIT	CURRENT TAX RATE	% OF PARTICIPATION
Missouri City	\$0.63000/\$100 valuation	100%
Fort Bend County	\$0.18650/ \$100 valuation	50%

Tax Increment Fund

The City will create and establish a Tax Increment Fund for the Zone, which may be divided into sub-accounts as authorized by subsequent ordinances. A separate sub-account may be created for the property of each Developer. All tax increments, as described by applicable contracts, from a Developer's property will be deposited in the related sub-account of the Tax Increment Fund. The Tax Increment Fund and each account shall be maintained at the depository bank of the City of Missouri City and shall be secured in the manner prescribed by law for the funds of Texas cities. The annual tax increment shall equal the property taxes levied by the City or any other taxing unit participating in the Zone for that year on the captured appraised value, as defined by Chapter 311, Texas Tax Code, of real property located in the Zone that is taxable by the City or any other taxing unit participating in the Zone, less any amounts that are to be allocated from the tax increment pursuant to Chapter 311, Texas Tax Code, or applicable agreements.

All revenues from the sale of any tax increment bonds, notes, or other obligations hereafter issued by the City for the benefit of the Zone, if any; revenues from the sale of property acquired as part of the project plan and reinvestment zone financing plan, if any; and other revenues to be used in the Zone shall be deposited into the Tax Increment Fund. Tax Increment revenues derived from a Developer's property and proceeds of bonds issued to reimburse a Developer will be deposited to the related account in the Tax Increment Fund. Prior to termination of the Zone, money shall be disbursed from each account within the Tax Increment Fund in accordance with Chapter 311, Texas Tax Code.

V. THE TOTAL APPRAISED VALUE OF TAXABLE REAL PROPERTY IN THE ZONE

A. Total Appraised Value of Initial Taxable Real Property

The total appraised value of taxable real property in the Zone at the Zone's inception was \$2,474,190.

B. Total Appraised Value of Taxable Real Property in the Enlargement Area

The total appraised value of taxable real property in the Enlargement Area was \$3,875,220 when such land was added to the Zone.

Exhibit "A"

C. Total Appraised Value of Taxable Real Property for the FBP Project

The current total appraised value of taxable real property for the FBP Project is \$5,086,670.

VI. THE ESTIMATED CAPTURED APPRAISED VALUE OF THE ZONE DURING EACH YEAR OF ITS EXISTENCE

Schedules A and B show the estimated initial annual captured appraised value of the Zone and the expected revenue during each year of its existence. Schedules A.1 and B.1 show the estimated annual captured appraised value of the Enlargement Area and the expected revenue during each year of its existence. Schedules A.2 and B.2 show the estimated annual captured appraised value of the FBP Project in the Zone and the expected revenue during each year of its existence.

VII. DURATION OF THE ZONE

The Zone took effect upon creation by City Council on August 2, 1999, and termination of the operation of the Zone shall occur on December 31, 2029, or, if extended, 2049. The Zone may terminate at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of proposed revenue bonds, notes, or other obligations, if any, that all project costs, bonds, and interest on bonds have been paid in full.

SCHEDULES

Initial Plan Schedules

SCHEDULE A	BUILDOUT AND ASSESSED VALUATION
SCHEDULE B	REVENUE SCHEDULE
SCHEDULE C	FBISD PRESENT VALUE OF SCHOOL TIRZ CASH FLOW

Schedule for Enlargement Area

Schedule A.1	BUILDOUT SCHEDULE
Schedule B.1	ASSESSED VALUATIONS
Schedule C.1	REVENUE SCHEDULE

Schedule for FBP Project

Schedule A.2 and B.2	BUILDOUT AND ASSESSED VALUATION
Schedule C.2	REVENUE SCHEDULE

Exhibit "A"

Schedule A
Proposed Reinvestment Zone Number Two Assessed Valuations

Tax Roll Jan 1	Residential Incremental Assessed Valuation	City/County/ FBISD Cumulative Incremental Assessed Valuation	County 20% Homestead Exemption	FBISD \$15,000 Homestead Exemption	No. of Homes Added	Cumulative Number of Homes	Senior/Disabled Citizens Exemption			Projected Commercial Valuation for Taxing Units	Projected Taxable Valuation for City Tax	Projected Taxable Valuation for County Tax	Projected Taxable Valuation for FBISD Tax
							Number of Eligible Homes (1)	City Exemption Amount (2)	County Exemption Amount (3)				
2000													
2001	21,025,000	21,025,000	(4,205,000)	(2,175,000)	145	145	7	(108,750)	(725,000)		\$ 20,916,250	\$ 16,095,000	\$ 18,850,000
2002	36,250,000	57,275,000	(11,455,000)	(5,925,000)	250	395	20	(296,250)	(1,975,000)		\$ 56,978,750	\$ 43,845,000	\$ 51,350,000
2003	36,250,000	93,525,000	(18,705,000)	(9,875,000)	250	645	32	(483,750)	(3,225,000)	17,750,000	\$ 110,791,250	\$ 71,595,000	\$ 101,600,000
2004	36,250,000	129,775,000	(25,955,000)	(13,426,000)	250	895	45	(871,250)	(4,476,000)	35,500,000	\$ 184,803,750	\$ 99,345,000	\$ 151,850,000
2005	36,250,000	166,025,000	(33,205,000)	(17,175,000)	250	1,145	57	(858,750)	(5,725,000)	53,250,000	\$ 218,418,250	\$ 127,095,000	\$ 202,100,000
2006	36,250,000	202,275,000	(40,455,000)	(20,925,000)	250	1,395	70	(1,046,250)	(6,976,000)	71,000,000	\$ 272,228,750	\$ 154,845,000	\$ 252,350,000
2007	36,250,000	238,525,000	(47,705,000)	(24,675,000)	250	1,645	82	(1,233,750)	(8,225,000)	88,750,000	\$ 326,041,250	\$ 182,595,000	\$ 302,600,000
2008	36,250,000	274,775,000	(54,955,000)	(28,425,000)	250	1,895	95	(1,421,250)	(9,475,000)	106,500,000	\$ 379,853,750	\$ 210,345,000	\$ 352,850,000
2009	36,250,000	311,025,000	(62,205,000)	(32,175,000)	250	2,145	107	(1,808,750)	(10,725,000)	124,250,000	\$ 433,668,250	\$ 238,095,000	\$ 403,100,000
2010	36,250,000	347,275,000	(69,455,000)	(36,925,000)	250	2,395	120	(1,796,250)	(11,975,000)	142,000,000	\$ 487,478,750	\$ 285,845,000	\$ 453,350,000
2011	34,510,000	381,785,000	(76,357,000)	(39,495,000)	238	2,633	132	(1,974,750)	(13,165,000)	159,750,000	\$ 539,560,250	\$ 292,263,000	\$ 502,040,000
2012								(1,974,750)	(13,165,000)	177,500,000	\$ 557,310,250	\$ 310,013,000	\$ 519,790,000
2013								(1,974,750)	(13,165,000)	195,250,000	\$ 575,060,250	\$ 327,763,000	\$ 537,540,000
2014								(1,974,750)	(13,165,000)	213,000,000	\$ 592,810,250	\$ 346,513,000	\$ 555,290,000
2015								(1,974,750)	(13,165,000)	230,750,000	\$ 610,560,250	\$ 363,263,000	\$ 573,040,000
2016								(1,974,750)	(13,165,000)	248,500,000	\$ 628,310,250	\$ 381,013,000	\$ 590,790,000
2017								(1,974,750)	(13,165,000)	266,250,000	\$ 646,060,250	\$ 398,763,000	\$ 608,540,000
2018								(1,974,750)	(13,165,000)	284,000,000	\$ 663,810,250	\$ 416,513,000	\$ 626,290,000
2019								(1,974,750)	(13,165,000)	301,750,000	\$ 681,560,250	\$ 434,263,000	\$ 644,040,000
2020								(1,974,750)	(13,165,000)	319,500,000	\$ 699,310,250	\$ 452,013,000	\$ 661,790,000
	381,785,000					2,633							

Exhibit "A"

Schedule B
Proposed Reinvestment Zone Number Two Revenue Schedule

Tax Year	Coll. Year	Non-Ed. City Tax Rate	Non-Ed. County Tax Rate	Non-Ed. FBISD Tax Rate	Education FBISD Tax Rate	Non-Ed. City Zone	Non-Ed. County Zone	Non-Ed. FBISD Zone	Education FBISD Zone	Total Non-Ed. Rev. Available	Cumulative Rev. Available for Non-Ed Projects
2001	2002	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 115,637	\$ 100,449	\$ 108,067	\$ 142,072	\$ 324,053	\$ 324,053
2002	2003	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 314,739	\$ 273,637	\$ 294,390	\$ 387,026	\$ 882,785	\$ 1,206,819
2003	2004	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 611,989	\$ 446,824	\$ 582,473	\$ 785,759	\$ 1,641,286	\$ 2,848,104
2004	2005	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 909,238	\$ 620,012	\$ 870,556	\$ 1,144,493	\$ 2,399,806	\$ 5,247,911
2005	2006	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 1,206,468	\$ 793,200	\$ 1,158,839	\$ 1,523,228	\$ 3,158,327	\$ 8,406,238
2006	2007	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 1,503,737	\$ 966,368	\$ 1,446,723	\$ 1,901,962	\$ 3,916,847	\$ 12,323,085
2007	2008	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 1,800,987	\$ 1,139,575	\$ 1,734,806	\$ 2,280,698	\$ 4,675,368	\$ 16,998,453
2008	2009	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 2,098,236	\$ 1,312,783	\$ 2,022,889	\$ 2,659,430	\$ 5,433,886	\$ 22,432,341
2009	2010	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 2,395,486	\$ 1,485,951	\$ 2,310,972	\$ 3,038,165	\$ 6,192,409	\$ 28,624,750
2010	2011	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 2,692,735	\$ 1,659,139	\$ 2,599,058	\$ 3,416,899	\$ 6,950,929	\$ 35,575,679
2011	2012	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 2,990,423	\$ 2,060,423	\$ 2,676,195	\$ 3,783,875	\$ 7,662,632	\$ 43,258,311
2012	2013	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,078,470	\$ 1,934,791	\$ 2,979,956	\$ 3,917,857	\$ 7,993,218	\$ 51,251,529
2013	2014	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,176,618	\$ 2,046,589	\$ 3,081,717	\$ 4,061,439	\$ 8,303,804	\$ 59,555,332
2014	2015	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,274,665	\$ 2,156,347	\$ 3,183,478	\$ 4,165,221	\$ 8,614,389	\$ 68,169,722
2015	2016	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,372,613	\$ 2,267,124	\$ 3,285,238	\$ 4,319,002	\$ 8,924,975	\$ 77,094,697
2016	2017	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,470,660	\$ 2,377,902	\$ 3,386,999	\$ 4,462,784	\$ 9,236,561	\$ 86,330,258
2017	2018	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,568,708	\$ 2,488,680	\$ 3,488,760	\$ 4,586,566	\$ 9,546,147	\$ 95,876,406
2018	2019	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,666,755	\$ 2,599,468	\$ 3,590,621	\$ 4,720,348	\$ 9,856,733	\$ 105,733,139
2019	2020	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,764,803	\$ 2,710,235	\$ 3,692,281	\$ 4,854,129	\$ 10,167,319	\$ 115,900,458
2020	2021	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 126,378,363
2021	2022	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 136,856,266
2022	2023	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 147,334,174
2023	2024	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 157,812,079
2024	2025	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 168,289,984
2025	2026	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 178,767,889
2026	2027	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 189,245,794
2027	2028	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 199,723,699
2028	2029	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 210,201,605
2029	2030	\$ 0.55238	\$ 0.62410	\$ 0.57330	\$ 0.75370	\$ 3,862,850	\$ 2,821,013	\$ 3,794,042	\$ 4,987,911	\$ 10,477,905	\$ 220,679,510
						\$ 82,631,186	\$ 57,412,188	\$ 80,636,136	\$ 106,009,866	\$ 220,679,510	

1. Non-Ed. Refers to the revenue available to fund non-education project costs

Exhibit "A"

SCHEDULE C

FORT BEND I.S.D.—Present Value of School/TIRZ Cash Flow—Zone Two

Date	Local Maintenance \$1,3270	Present Value On 03.01.02	Non-Education Project Cost \$0.5733	Present Value On 03.01.02	Education Project Cost \$0.7537	Present Value On 03.01.02	Debt Service Tax Rate \$0.2500	Present Value On 03.01.02	Present Value Factor @ 6.2500%
03.01.02	250,139.50	250,139.50	108,087.05	108,087.05	142,072.45	142,072.45	47,125.00	47,125.00	1.0000000
03.01.03	681,414.50	641,331.29	294,389.55	277,072.52	387,024.95	364,258.76	128,375.00	120,823.53	0.9411786
03.01.04	1,348,232.00	1,194,281.83	582,472.80	515,862.07	785,759.20	678,319.57	254,000.00	224,898.54	0.8858131
03.01.05	2,015,049.50	1,679,959.85	870,556.05	725,786.23	1,144,483.45	954,171.82	379,825.00	316,485.83	0.8337066
03.01.06	2,661,867.00	2,104,386.99	1,158,639.30	909,143.63	1,523,227.70	1,196,223.38	505,250.00	398,451.98	0.7848649
03.01.07	3,348,684.50	2,473,030.87	1,446,722.56	1,068,416.43	1,901,961.95	1,404,814.45	630,875.00	485,906.34	0.7385082
03.01.08	4,015,902.00	2,791,040.99	1,734,805.80	1,205,805.42	2,280,696.20	1,586,236.56	758,500.00	525,817.82	0.6900685
03.01.09	4,662,318.50	3,083,080.94	2,022,869.05	1,323,334.07	2,659,430.45	1,738,748.88	862,125.00	577,088.75	0.6541803
03.01.10	5,349,137.00	3,293,456.82	2,310,972.30	1,422,863.47	3,038,164.70	1,870,585.15	1,007,750.00	620,470.73	0.6158991
03.01.11	6,015,954.55	3,486,134.17	2,599,035.55	1,508,104.53	3,416,899.00	1,990,029.85	1,133,375.00	658,789.81	0.5794816
03.01.12	6,662,070.32	3,633,456.33	2,876,185.32	1,569,751.39	3,783,675.00	2,063,703.94	1,256,100.00	684,524.41	0.5453643
03.01.13	6,887,813.07	3,540,628.85	2,979,958.07	1,529,948.12	3,917,857.00	2,010,981.54	1,299,475.00	687,036.51	0.5133123
03.01.14	7,133,156.82	3,446,152.14	3,061,718.82	1,488,831.21	4,051,438.00	1,957,320.83	1,343,850.00	640,237.40	0.4831175
03.01.15	7,388,698.57	3,350,538.31	3,183,477.57	1,447,523.39	4,185,221.00	1,903,014.82	1,388,225.00	631,224.22	0.4548984
03.01.16	7,604,240.32	3,254,248.34	3,285,236.32	1,405,823.85	4,318,002.00	1,848,324.88	1,432,800.00	613,083.75	0.4279618
03.01.17	7,839,783.07	3,157,893.44	3,388,989.07	1,364,209.27	4,452,784.00	1,793,484.17	1,478,875.00	594,883.28	0.4027782
03.01.18	8,075,325.82	3,061,237.57	3,488,798.82	1,322,537.87	4,588,588.00	1,738,889.89	1,521,380.00	578,721.47	0.3790853
03.01.19	8,310,868.57	2,965,203.17	3,590,520.57	1,281,048.17	4,720,348.00	1,684,165.00	1,565,725.00	558,629.06	0.3567862
03.01.20	8,546,410.32	2,869,674.09	3,682,281.32	1,239,863.53	4,854,129.00	1,630,010.86	1,610,100.00	540,889.90	0.3367986
03.01.21	8,781,953.07	2,775,500.28	3,794,042.07	1,199,091.45	4,987,911.00	1,578,408.83	1,654,475.00	498,217.55	0.3180459
03.01.22	8,781,953.07	2,612,235.96	3,794,042.07	1,128,568.86	4,987,911.00	1,483,878.90	1,654,475.00	441,327.86	0.2974650
03.01.23	8,781,953.07	2,458,574.85	3,794,042.07	1,062,170.87	4,987,911.00	1,398,403.67	1,654,475.00	390,933.84	0.2796576
03.01.24	8,781,953.07	2,313,952.81	3,794,042.07	999,890.33	4,987,911.00	1,314,282.28	1,654,475.00	348,294.34	0.2634885
03.01.25	8,781,953.07	2,177,837.75	3,794,042.07	940,895.01	4,987,911.00	1,238,982.73	1,654,475.00	308,752.08	0.2479801
03.01.26	8,781,953.07	2,049,729.85	3,794,042.07	885,538.84	4,987,911.00	1,164,190.81	1,654,475.00	271,726.02	0.2334025
03.01.27	8,781,953.07	1,928,157.31	3,794,042.07	833,448.32	4,987,911.00	1,085,709.00	1,654,475.00	240,897.80	0.2198729
03.01.28	8,781,953.07	1,815,877.47	3,794,042.07	784,421.85	4,987,911.00	1,031,255.83	1,654,475.00	213,213.10	0.2087510
03.01.29	8,781,953.07	1,708,872.92	3,794,042.07	738,279.48	4,987,911.00	978,993.44	1,654,475.00	188,888.97	0.1945882
03.01.30	8,781,953.07	1,608,380.99	3,794,042.07	694,851.27	4,987,911.00	913,499.71	1,654,475.00	167,300.84	0.1831427
	186,645,886.83	71,705,746.09	80,836,135.69	30,978,838.09	108,009,861.05	40,728,917.99	35,183,180.00	12,533,276.03	

Exhibit "A"

**SCHEDULE A.1
REINVESTMENT ZONE NUMBER TWO
Buildout Schedule**

Project Description	2001		2002		2003		2004		2005		2006		2007		2008		2009		2010		2011		2012	
	Home Construction	Captured Value (K)																						
Residential																								
NEW HOMES											92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	88	\$13,200
RESIDENTIAL SUBTOTAL	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	92	\$13,800	88	\$13,200
Commercial																								
NEW DEVELOPMENT												\$6,593		\$6,593		\$6,593		\$6,593		\$6,593		\$6,593		\$6,593
COMMERCIAL SUBTOTAL		\$0		\$0		\$0		\$0		\$0		\$6,593		\$6,593		\$6,593		\$6,593		\$6,593		\$6,593		\$6,593
Total Home Sales	0		0		0		0		0		92		92		92		92		92		92		88	
Total Captured Value		\$0		\$0		\$0		\$0		\$0		\$20,393		\$20,393		\$20,393		\$20,393		\$20,393		\$20,393		\$19,793
																								\$96,000
																								\$48,160
																								640
																								\$142,160

Note:

1. Captured value is presented in thousands of dollars.
2. Home construction in calendar year results in captured appraised value in the following tax year.

Reinvestment Zone Number Two Assessed Valuations

Tax Roll Jan 1	Residential		County 20% Homestead Exemption	FBISD \$15,000 Homestead Exemption	No. of Homes Added	Cumulative Number of Homes	Senior/Disabled Citizens Exemption			Projected Commercial Valuation for Taxing Units	Projected Taxable Valuation for City Tax	Projected Taxable Valuation for County Tax	Projected Taxable Valuation for FBISD Tax
	Incremental Assessed Valuation	Cumulative Assessed Valuation					Number of Eligible Homes (1)	City Exemption Amount (2)	County Exemption Amount (3)				
2002	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	
2003	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	
2004	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	
2005	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	
2006	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	
2007	13,800,000	13,800,000	(2,760,000)	(1,380,000)	92	92	5	(89,000)	(460,000)	6,592,857	\$ 20,323,857	\$ 17,172,857	\$ 19,012,857
2008	13,800,000	27,600,000	(5,520,000)	(2,760,000)	92	184	9	(138,000)	(920,000)	13,185,714	\$ 40,647,714	\$ 34,345,714	\$ 38,025,714
2009	13,800,000	41,400,000	(8,280,000)	(4,140,000)	92	276	14	(207,000)	(1,380,000)	19,778,571	\$ 60,971,571	\$ 51,618,571	\$ 57,038,571
2010	13,800,000	55,200,000	(11,040,000)	(5,520,000)	92	368	18	(276,000)	(1,840,000)	26,371,429	\$ 81,295,429	\$ 68,891,429	\$ 76,051,429
2011	13,800,000	69,000,000	(13,800,000)	(6,900,000)	92	460	23	(345,000)	(2,300,000)	32,984,286	\$ 101,619,286	\$ 86,864,286	\$ 95,084,286
2012	13,800,000	82,800,000	(16,560,000)	(8,280,000)	92	552	28	(414,000)	(2,760,000)	39,557,143	\$ 121,943,143	\$ 103,037,143	\$ 114,077,143
2013	13,200,000	96,000,000	(19,200,000)	(9,600,000)	88	640	32	(480,000)	(3,200,000)	46,150,000	\$ 141,670,000	\$ 119,750,000	\$ 132,650,000
<hr/>													
	96,000,000					640							

Schedule C.1
Reinvestment Zone Number Two Revenue Schedule

Tax Year	Coll. Year	Non-Ed. City Tax Rate	Non-Ed. County Tax Rate	Non-Ed. FBISD Tax Rate	Education FBISD Tax Rate	Non-Ed. City Zone	Non-Ed. County Zone	Non-Ed. FBISD Zone	Education FBISD Zone	Total Non-Ed. Rev. Available	Cumulative Rev. Available for Non-Ed Projects
2002	2003	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2003	2004	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2004	2005	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2005	2006	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2006	2007	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2007	2008	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 101,213	\$ 88,739	\$ 123,203	\$ 161,990	\$ 313,155	\$ 313,155
2008	2009	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 202,426	\$ 177,478	\$ 246,407	\$ 323,979	\$ 626,310	\$ 939,465
2009	2010	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 303,638	\$ 266,217	\$ 369,610	\$ 485,969	\$ 939,465	\$ 1,878,931
2010	2011	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 404,851	\$ 354,956	\$ 492,813	\$ 647,958	\$ 1,252,621	\$ 3,131,551
2011	2012	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 506,084	\$ 443,695	\$ 616,017	\$ 809,948	\$ 1,565,776	\$ 4,697,327
2012	2013	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 607,277	\$ 532,434	\$ 739,220	\$ 971,937	\$ 1,878,931	\$ 6,576,258
2013	2014	\$ 0.49800	\$ 0.51674	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 618,796	\$ 858,924	\$ 1,129,326	\$ 2,183,237	\$ 8,759,495
2014	2015	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 10,633,333
2015	2016	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 12,507,172
2016	2017	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 14,381,011
2017	2018	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 16,254,849
2018	2019	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 18,128,688
2019	2020	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 20,002,527
2020	2021	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 21,876,366
2021	2022	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 23,750,204
2022	2023	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 25,624,043
2023	2024	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 27,497,882
2024	2025	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 29,371,720
2025	2026	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 31,245,559
2026	2027	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 33,119,398
2027	2028	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 34,993,236
2028	2029	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 36,867,075
2029	2030	\$ 0.49800	\$ 0.25837	\$ 0.64800	\$ 0.85200	\$ 705,517	\$ 309,398	\$ 858,924	\$ 1,129,326	\$ 1,873,839	\$ 38,740,914
						\$ 14,119,251	\$ 7,432,685	\$ 17,188,978	\$ 22,600,322	\$ 38,740,914	

Exhibit "A"

SCHEDULE A.2 and B.2
 REINVESTMENT ZONE NUMBER TWO
 THE FORT BEND PARKWAY - HWY 6 THEATER AND RETAIL CENTER
 BUILDOUT SCHEDULE AND ASSESSED VALUATIONS

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Project Description	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value
Land	0	\$5,890,479	\$6,067,193	\$6,249,209	\$6,436,685	\$6,629,786	\$6,828,679	\$7,033,540	\$7,244,546	\$7,461,882	\$7,685,739
Improvements	0	\$2,495,216	\$9,980,864	\$19,832,233	\$32,346,567	\$35,502,716	\$36,606,138	\$36,611,897	\$38,621,636	\$38,621,636	\$38,621,636
Personal Property	0	\$0	\$2,958,180	\$4,533,560	\$6,748,760	\$7,396,500	\$7,635,630	\$7,755,630	\$8,078,370	\$8,078,370	\$8,078,370
Total Property Tax Value	0	\$8,385,695	\$19,006,237	\$30,615,002	\$45,532,012	\$49,529,002	\$51,070,447	\$51,401,067	\$53,944,552	\$54,161,888	\$54,385,745

* Years Shown based on Original Termination of TIRZ. A 20-Year TIRZ Extension is Planned

Exhibit "A"

SCHEDULE A.2 and B.2 (MODIFIED WITH 20-YR TIRZ EXTENSION)
 REINVESTMENT ZONE NUMBER TWO
 THE FORT BEND PARKWAY - HWY 6 THEATER AND RETAIL CENTER
 BUILDOUT SCHEDULE AND ASSESSED VALUATIONS

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Project Description	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value	Captured value
Land	0	\$5,890,479	\$6,067,193	\$6,249,209	\$6,436,685	\$6,629,786	\$6,828,679	\$7,033,540	\$7,244,546	\$7,461,882	\$7,685,739
Improvements	0	\$2,495,216	\$9,980,864	\$19,832,233	\$32,346,567	\$35,502,716	\$36,606,138	\$36,611,897	\$38,621,636	\$38,621,636	\$38,621,636
Personal Property	0	\$0	\$2,958,180	\$4,533,560	\$6,748,760	\$7,396,500	\$7,635,630	\$7,755,630	\$8,078,370	\$8,078,370	\$8,078,370
Total Property Tax Value	0	\$8,385,695	\$19,006,237	\$30,615,002	\$45,532,012	\$49,529,002	\$51,070,447	\$51,401,067	\$53,944,552	\$54,161,888	\$54,385,745

20 Year TIRZ Extension - 2031-2050											
	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Project Description	Captured value										
Land	\$7,909,394	\$8,139,557	\$8,376,418	\$8,620,172	\$8,871,019	\$9,129,166	\$9,394,825	\$9,668,214	\$9,949,559	\$10,239,091	\$10,537,049
Improvements	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636
Personal Property	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370
Total Property Tax Value	\$54,609,400	\$54,839,563	\$55,076,424	\$55,320,178	\$55,571,025	\$55,829,172	\$56,094,831	\$56,368,220	\$56,649,565	\$56,939,097	\$57,237,055

	2042	2043	2044	2045	2046	2047	2048	2049	2050
Project Description	Captured value								
Land	\$10,843,677	\$11,159,228	\$11,483,961	\$11,818,145	\$12,162,053	\$12,515,969	\$12,880,183	\$13,254,997	\$13,640,717
Improvements	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636	\$38,621,636
Personal Property	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370	\$8,078,370
Total Property Tax Value	\$57,543,683	\$57,859,234	\$58,183,967	\$58,518,151	\$58,862,059	\$59,215,975	\$59,580,189	\$59,955,003	\$60,340,723

Exhibit "A"

SCHEDULE C.2
 REINVESTMENT ZONE NUMBER TWO
 THE FORT BEND PARKWAY - HWY 6 THEATER AND RETAIL CENTER
 REVENUE SCHEDULE

Tax Year	Coff. Year	Taxable Valuation (City/County 100%)	Non-Ed City Tax Rate	Non-Ed County Tax Rate	FBISD NOT INCLUDED	Non-Ed City Zone Revenue	Non-Ed FB County Revenue	FBISD NOT INCLUDED	Total Non-Ed Rev Available	Cumulative Rev. Available for Non-Ed Projects
2020	2021	-	-	-		-	-		-	-
2021	2022	-	-	-		-	-		-	-
2022	2023	\$8,385,695	\$0.63000	\$0.18650		\$52,830	\$15,639		\$68,469	\$68,469
2023	2024	\$19,006,237	\$0.63000	\$0.18650		\$119,739	\$35,447		\$155,186	\$223,655
2024	2025	\$30,615,002	\$0.63000	\$0.18650		\$192,875	\$57,097		\$249,971	\$473,627
2025	2026	\$45,532,012	\$0.63000	\$0.18650		\$286,852	\$84,917		\$371,769	\$845,395
2026	2027	\$49,529,002	\$0.63000	\$0.18650		\$312,033	\$92,372		\$404,404	\$1,249,800
2027	2028	\$51,070,447	\$0.63000	\$0.18650		\$321,744	\$95,246		\$416,990	\$1,666,790
2028	2029	\$51,401,067	\$0.63000	\$0.18650		\$323,827	\$95,863		\$419,690	\$2,086,480
2029	2030	\$53,944,552	\$0.63000	\$0.18650		\$339,851	\$100,607		\$440,457	\$2,526,937
TOTAL AVAILABLE REVENUE									\$2,526,937	

1. Non-Ed refers to revenue available for non education projects
2. Commercial Value captured in following taxable calendar year
3. Revenue Schedule based on TIRZ Termination - YR 2030. TIRZ Planned to Extend 20-YR
4. Tax rate based on Current Missouri City Rate and Fort Bend County at 50%

Exhibit "A"
 SCHEDULE C.2 (MOD WITH 20-YR TIRZ EXTENSION)
 REINVESTMENT ZONE NUMBER TWO
 THE FORT BEND PARKWAY - HWY 6 THEATER AND RETAIL CENTER
 REVENUE SCHEDULE

	Tax Year	Coff. Year	Taxable Valuation (City/County 100%)	Non-Ed City Tax Rate	Non-Ed County Tax Rate	FBISD NOT INCLUDED	Non-Ed City Zone Revenue	Non-Ed FB County Revenue	FBISD NOT INCLUDED	Total Non-Ed Rev Available	Cumulative Rev. Available for Non-Ed Projects
INITIAL TIRZ TERMINATION-YR 2030	2020	2021	-	-	-		-	-		-	-
	2021	2022	-	-	-		-	-		-	-
	2022	2023	\$8,385,695	\$0.63000	\$0.18650		\$52,830	\$15,639		\$68,469	\$68,469
	2023	2024	\$19,006,237	\$0.63000	\$0.18650		\$119,739	\$35,447		\$155,186	\$223,655
	2024	2025	\$30,615,002	\$0.63000	\$0.18650		\$192,875	\$57,097		\$249,971	\$473,627
	2025	2026	\$45,532,012	\$0.63000	\$0.18650		\$286,852	\$84,917		\$371,769	\$845,395
	2026	2027	\$49,529,002	\$0.63000	\$0.18650		\$312,033	\$92,372		\$404,404	\$1,249,800
	2027	2028	\$51,070,447	\$0.63000	\$0.18650		\$321,744	\$95,246		\$416,990	\$1,666,790
	2028	2029	\$51,401,067	\$0.63000	\$0.18650		\$323,827	\$95,863		\$419,690	\$2,086,480
	2029	2030	\$53,944,552	\$0.63000	\$0.18650		\$339,851	\$100,607		\$440,457	\$2,526,937
20-YR TIRZ EXTENSION 2031-2050	2030	2031	\$54,161,888	\$0.63000	\$0.18650		\$341,220	\$101,012		\$442,232	\$2,969,169
	2031	2032	\$54,385,745	\$0.63000	\$0.18650		\$342,630	\$101,429		\$444,060	\$3,413,228
	2032	2033	\$54,609,400	\$0.63000	\$0.18650		\$344,039	\$101,847		\$445,886	\$3,859,114
	2033	2034	\$54,839,563	\$0.63000	\$0.18650		\$345,489	\$102,276		\$447,765	\$4,306,879
	2034	2035	\$55,076,424	\$0.63000	\$0.18650		\$346,981	\$102,718		\$449,699	\$4,756,578
	2035	2036	\$55,320,178	\$0.63000	\$0.18650		\$348,517	\$103,172		\$451,689	\$5,208,267
	2036	2037	\$55,571,025	\$0.63000	\$0.18650		\$350,097	\$103,640		\$453,737	\$5,662,005
	2037	2038	\$55,829,172	\$0.63000	\$0.18650		\$351,724	\$104,121		\$455,845	\$6,117,850
	2038	2039	\$56,094,831	\$0.63000	\$0.18650		\$353,397	\$104,617		\$458,014	\$6,575,864
	2039	2040	\$56,368,220	\$0.63000	\$0.18650		\$355,120	\$105,127		\$460,247	\$7,036,111
	2040	2041	\$56,649,565	\$0.63000	\$0.18650		\$356,892	\$105,651		\$462,544	\$7,498,655
	2041	2042	\$56,939,097	\$0.63000	\$0.18650		\$358,716	\$106,191		\$464,908	\$7,963,562
	2042	2043	\$57,237,055	\$0.63000	\$0.18650		\$360,593	\$106,747		\$467,341	\$8,430,903
	2043	2044	\$57,543,683	\$0.63000	\$0.18650		\$362,525	\$107,319		\$469,844	\$8,900,747
	2044	2045	\$57,859,234	\$0.63000	\$0.18650		\$364,513	\$107,907		\$472,421	\$9,373,168
	2045	2046	\$58,183,967	\$0.63000	\$0.18650		\$366,559	\$108,513		\$475,072	\$9,848,240
	2046	2047	\$58,518,151	\$0.63000	\$0.18650		\$368,664	\$109,136		\$477,801	\$10,326,040
	2047	2048	\$58,862,059	\$0.63000	\$0.18650		\$370,831	\$109,778		\$480,609	\$10,806,649
	2048	2049	\$59,215,975	\$0.63000	\$0.18650		\$373,061	\$110,438		\$483,498	\$11,290,148
	2049	2050	\$59,955,003	\$0.63000	\$0.18650		\$377,717	\$111,816		\$489,533	\$11,779,680
TOTAL AVAILABLE REVENUE										\$11,779,680	

1. Non-Ed refers to revenue available for non education projects
2. Commercial Value captured in following taxable calendar year
3. Original TIRZ Termination - 2030; 20-Yr Extension, Revised Termination 2050
4. Tax rate based on Current Missouri City Rate and Fort Bend County at 50%

MISSOURI CITY
PROPOSED
TAX INCREMENT REINVESTMENT
ZONE #2

Map 1
Boundary Map

Legend

-  Tax Increment Reinvestment Zone #2
-  Municipal Utility Districts 47 and 48
-  Ft. Bend Tollway
-  Hightower High School

N



2000 0 2000 4000 Feet



Scale: 1" = 2000'



MISSOURI CITY
PROPOSED
TAX INCREMENT REINVESTMENT
ZONE #2

Map 2
Existing Land Use
Map

Legend

-  Tax Increment Reinvestment Zone #2
 -  Municipal Utility Districts 47 and 48
 -  Ft. Bend Tollway
 -  Hightower High School
 -  SD Land Use (Agricultural)
- All non labelled roads within SD area are proposed collectors.



MISSOURI CITY
PROPOSED
TAX INCREMENT REINVESTMENT
ZONE #2

Map 3

Proposed
Land Use Map

Legend

-  Tax Increment Reinvestment Zone #2
- Land Uses**
-  Commercial
-  Greenbelt
-  Residential
-  Municipal Utility Districts 47 and 48
-  Ft. Bend Tollway
-  Hightower High School



2000 0 2000 4000 Feet

Scale: 1" = 2000'

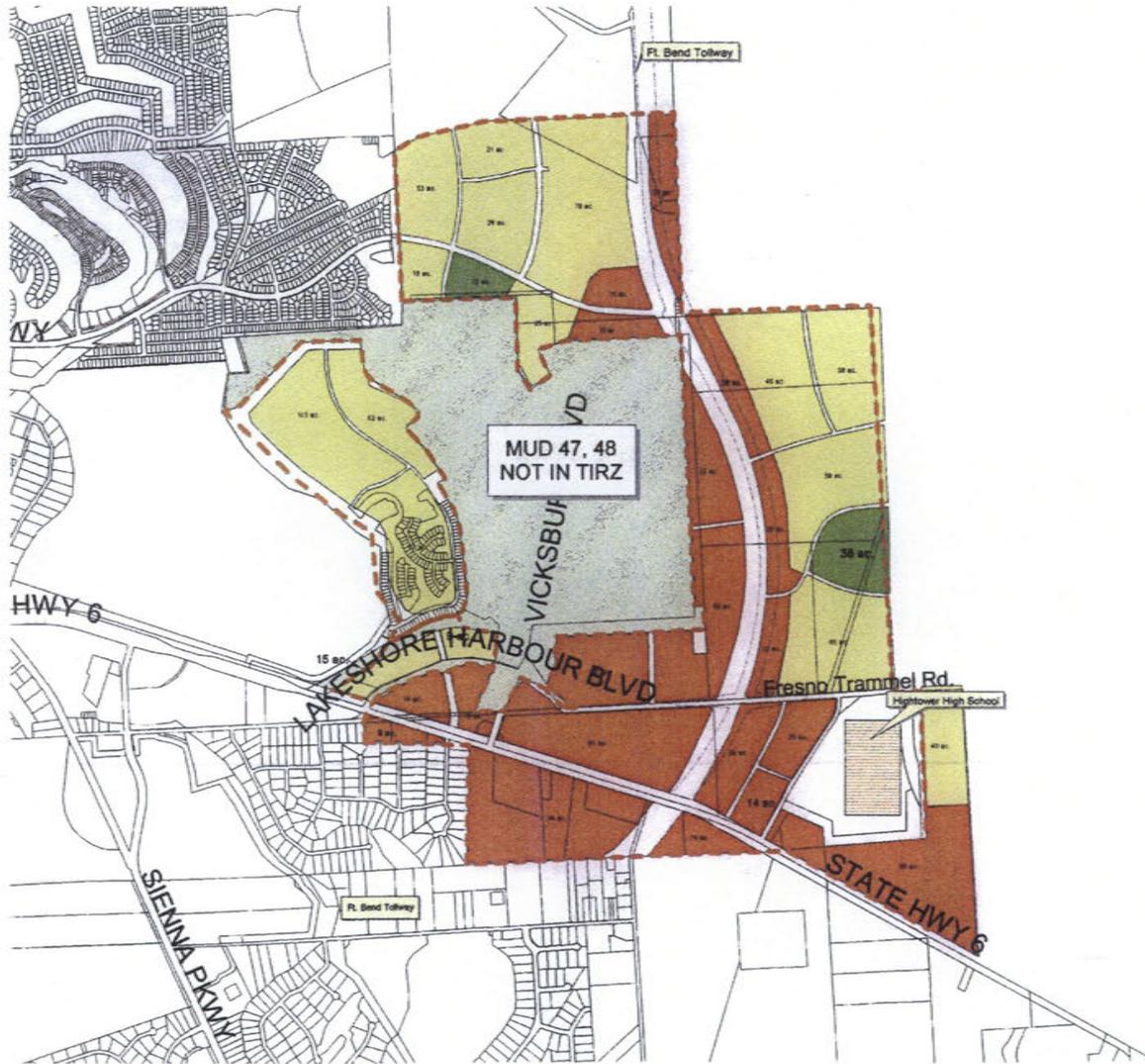


Exhibit "A"

MISSOURI CITY
PROPOSED
TAX INCREMENT REINVESTMENT
ZONE #2

Map 4
Proposed
Public Improvements Map

Legend

-  Tax Increment Reinvestment Zone #2
-  Streets
-  Ft. Bend Tollway
-  Municipal Utility Districts 47 and 48
-  Hightower High School



2000 0 2000 4000 Feet

Scale: 1" = 2000'



Exhibit "A"

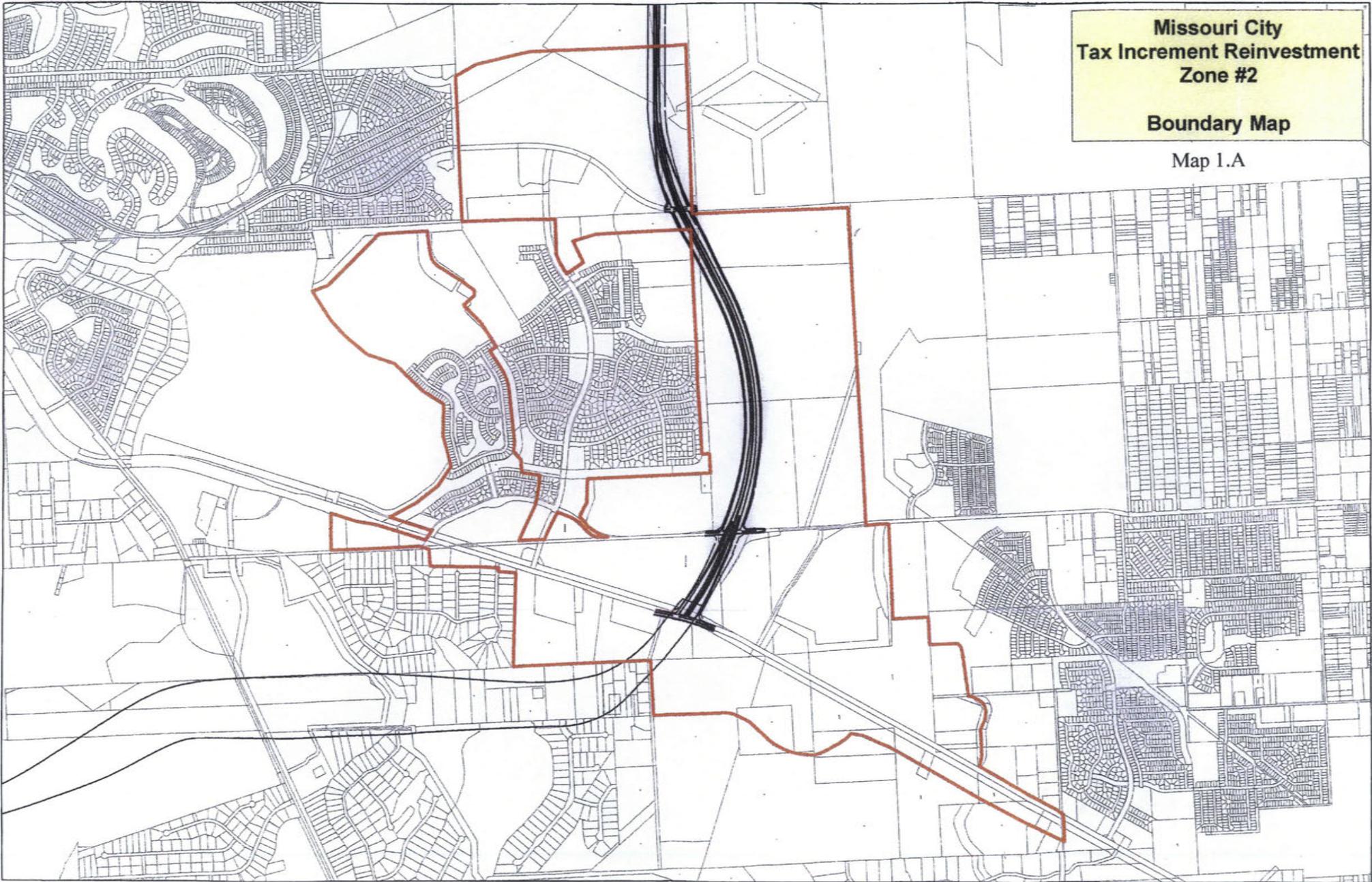


Exhibit "A"

**Missouri City
Tax Increment Reinvestment
Zone #2**

TIRZ #2 Expansion

- TIRZ #2 Boundary
- TIRZ #2 Expansion

Map 2.A

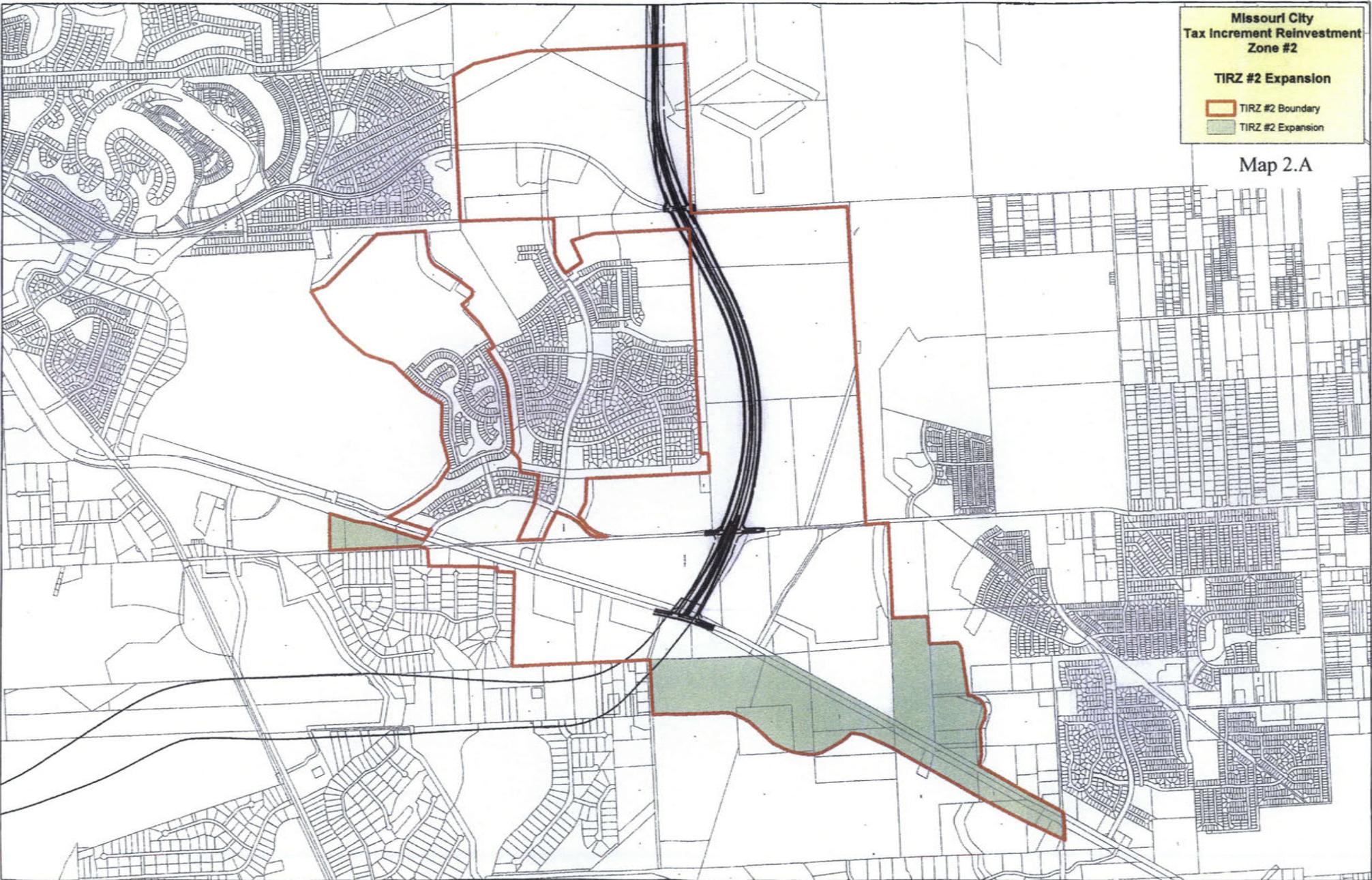


Exhibit "A"

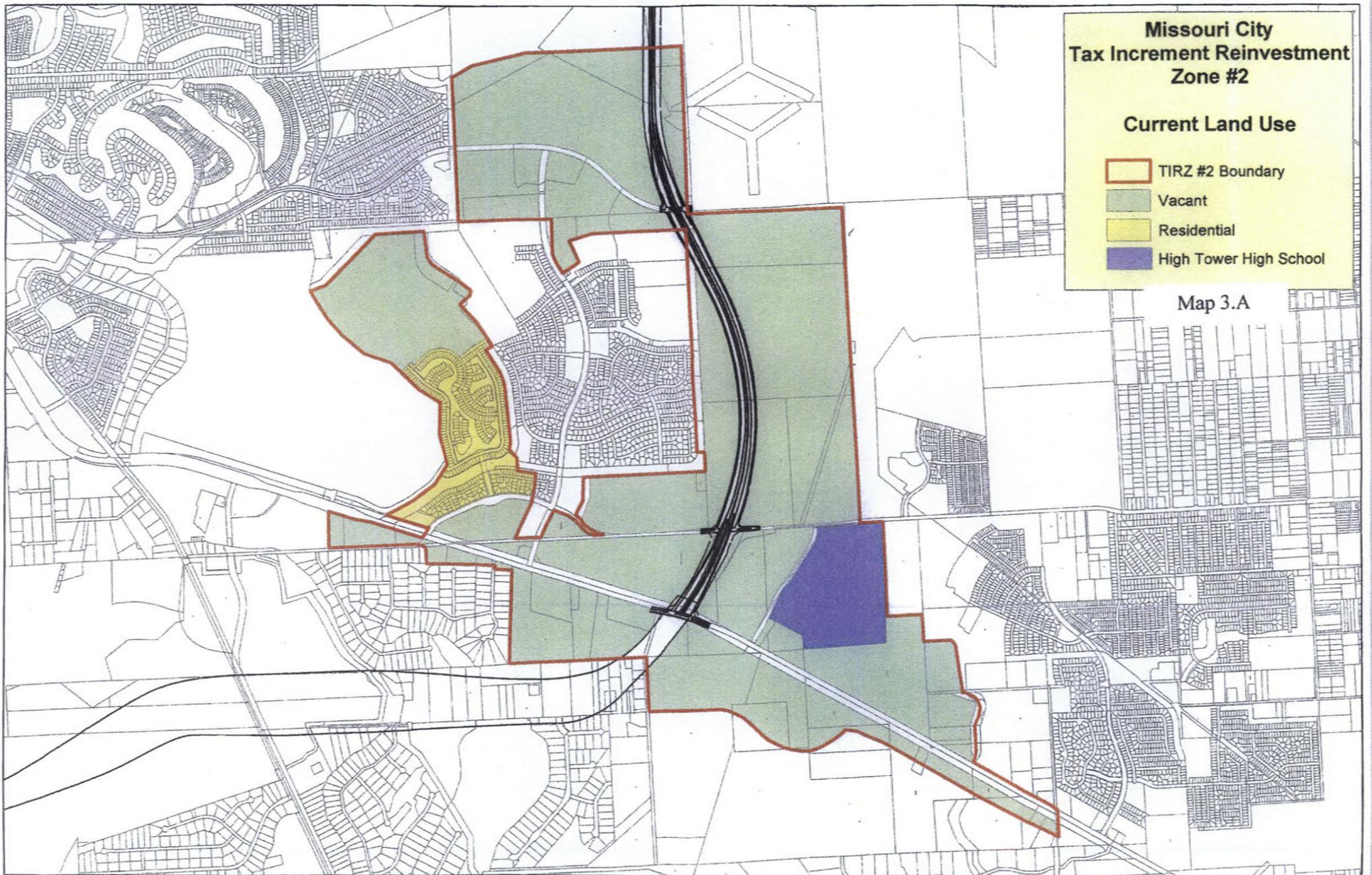


Exhibit "A"

**Missouri City
Tax Increment Reinvestment
Zone #2**

Proposed Land Use

- TIRZ #2 Boundary
- Proposed Commercial
- Proposed Residential

Map 4.A

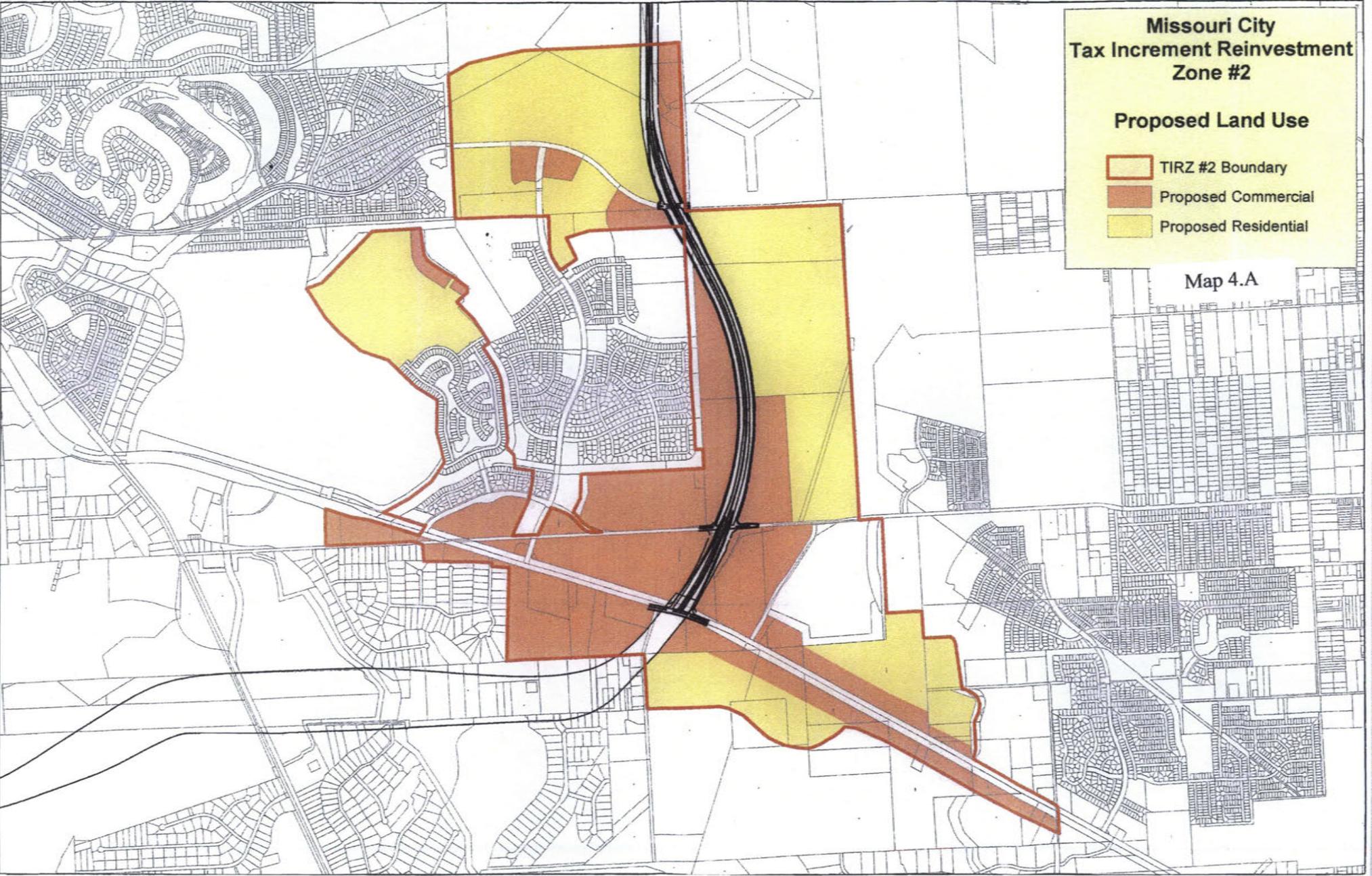
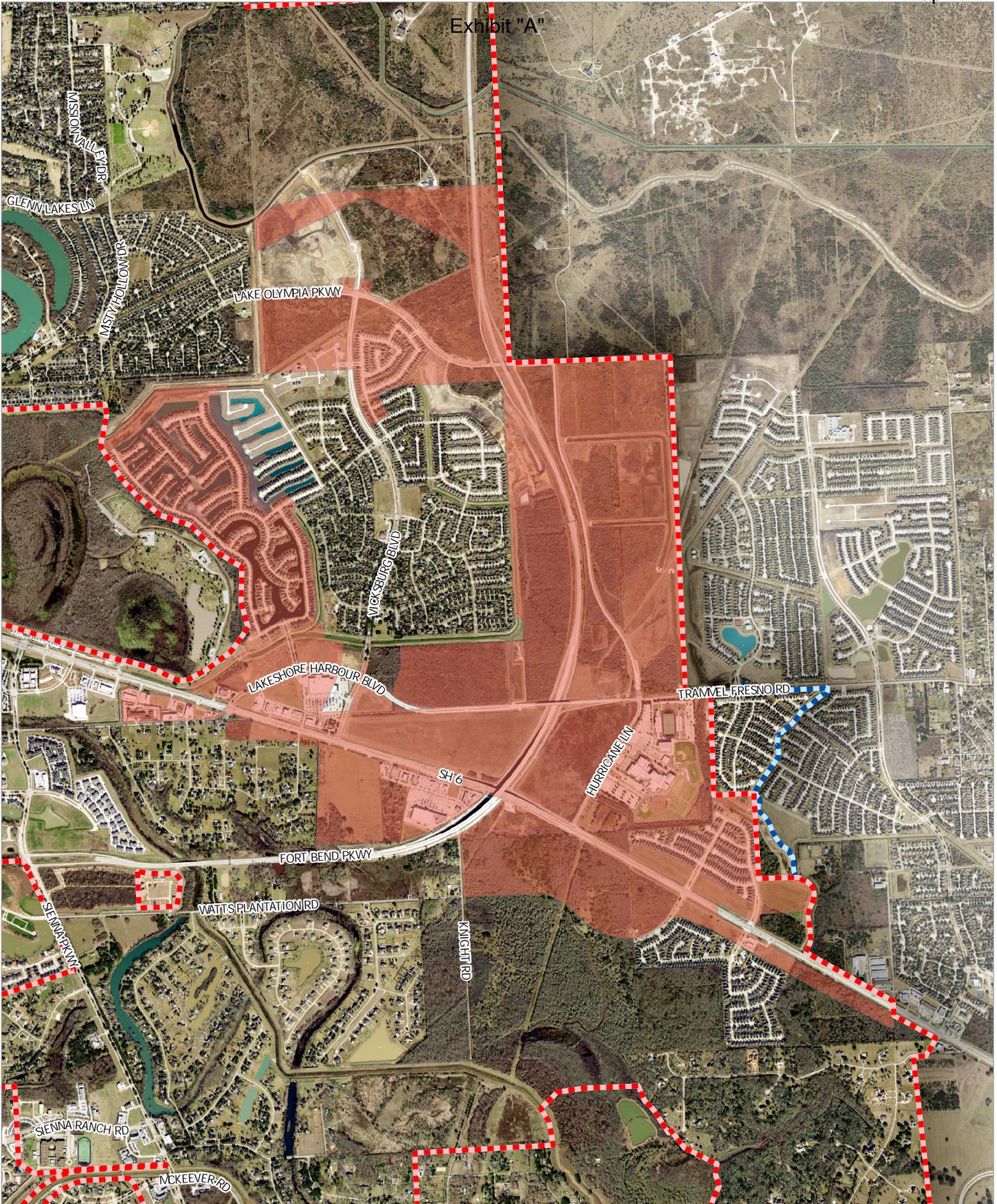


Exhibit "A"



Map By:
GIS Division
July 2020



TIRZ 2

Legend

- TIRZ 2
- ETJ
- City Limits



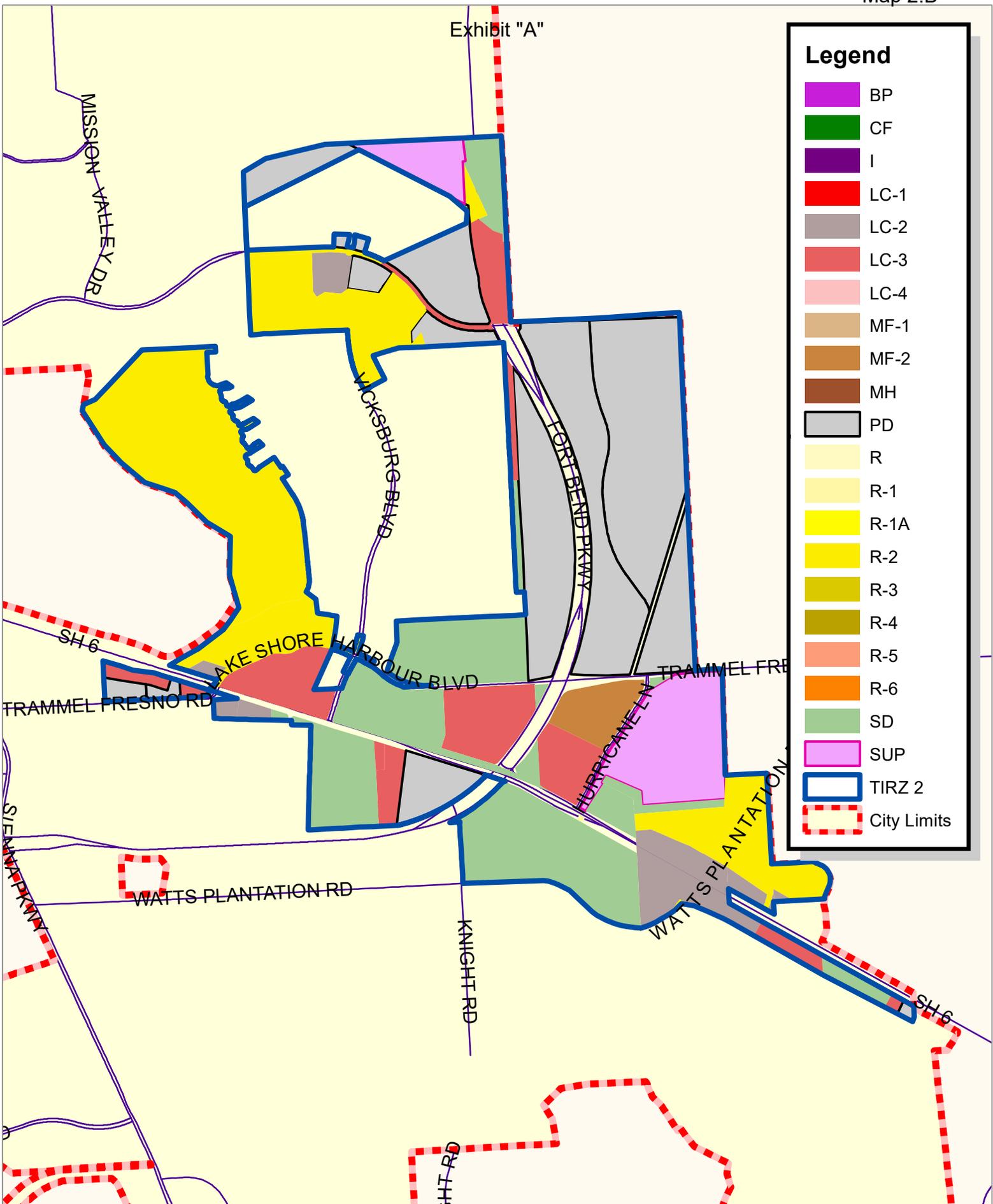
0 0.5 1 Miles
Geographic Coordinate System North American Datum 1983 (NAD83)

The information on this map is provided and maintained by various agencies, including county departments, municipal governments, state and federal agencies. The map is designed to serve as a secondary representation of real property found within this jurisdiction, and is compiled from the recorded deeds, plats, and other public records, which are primary sources for this public information. The data layers do not take the place of a legal survey or other primary source documentation. The City and its vendors assume no legal responsibility for the information on this map.

Exhibit "A"

Legend

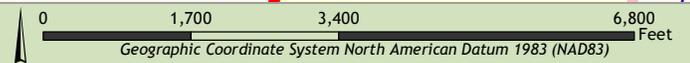
- BP
- CF
- I
- LC-1
- LC-2
- LC-3
- LC-4
- MF-1
- MF-2
- MH
- PD
- R
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- SD
- SUP
- TIRZ 2
- City Limits



Map By:
GIS Division
July 2020



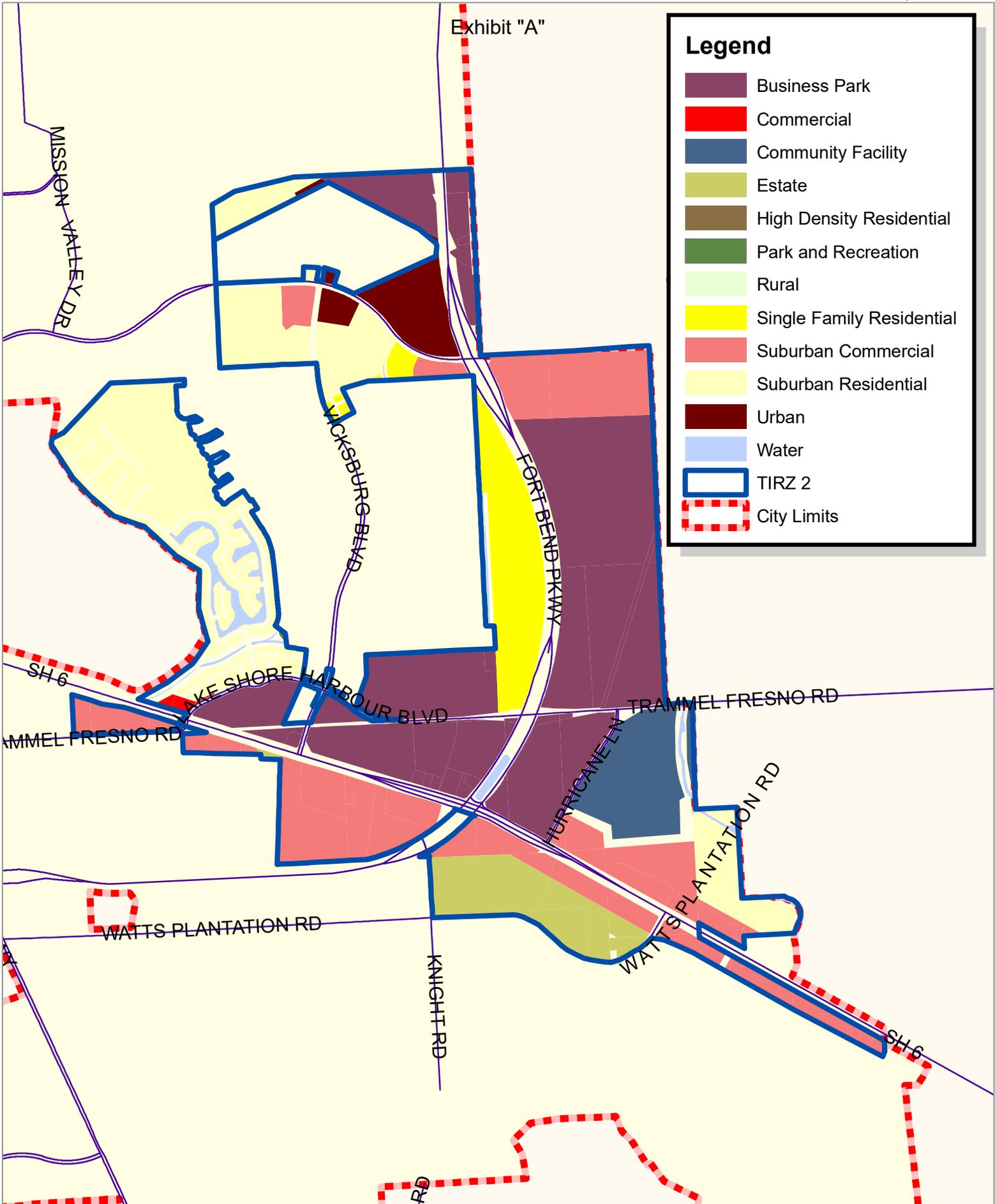
Zone Existing Uses and Condition Map in TIRZ 2



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

Legend

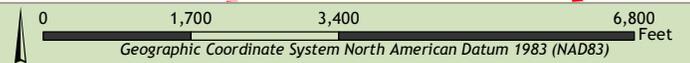
- Business Park
- Commercial
- Community Facility
- Estate
- High Density Residential
- Park and Recreation
- Rural
- Single Family Residential
- Suburban Commercial
- Suburban Residential
- Urban
- Water
- TIRZ 2
- City Limits



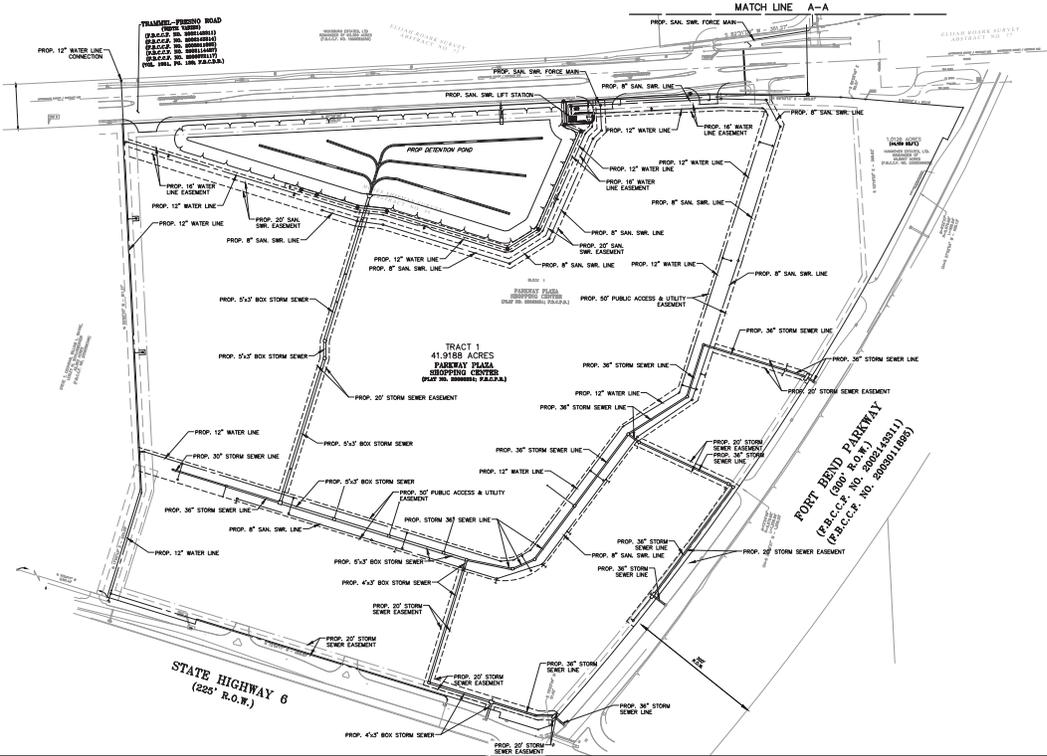
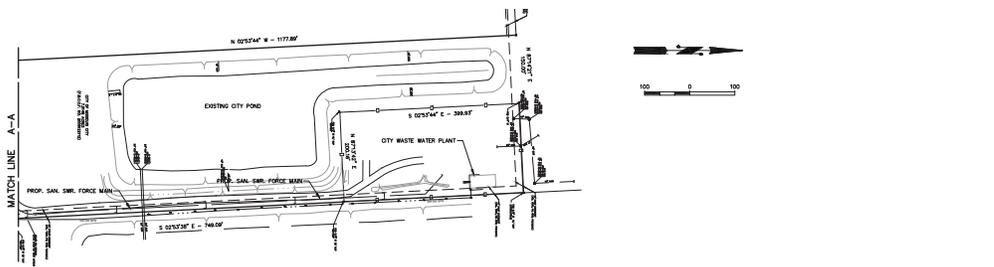
Map By:
GIS Division
July 2020



Zone Proposed Land Use Map in TIRZ 2



Geographic Coordinate System North American Datum 1983 (NAD83)
The information on this map is provided and maintained by various agencies, including county departments, municipal governments, state and federal agencies. No guarantee is given as to the accuracy or currency of any of the data. The map is designed to serve as a secondary representation of real property found within this jurisdiction, and is compiled from the recorded deeds, plats, and other public records, which are primary sources for this public information. Users of this map are hereby notified that these primary sources should be consulted for verification of the information presented here. The data layers do not take the place of a legal survey or other primary source documentation. The city and its vendors assume no legal responsibility for the information on this map.



TERRA ASSOCIATES, INC.
 1445 N. LOOP WEST - SUITE 450
 HOUSTON, TEXAS 77008
 713-993-0333
 TBPE REGISTRATION NO. F-003832

NEW QUEST PROPERTIES FORT BEND TOWN CENTER II	
PUBLIC IMPROVEMENTS	
TERRA ASSOCIATES, INC. CONSULTING ENGINEERS LANDSCAPE ARCHITECTS	1445 N. LOOP WEST - SUITE 450 HOUSTON, TEXAS 77008 713-993-0333 TBPE Registration No.: F-003832

A:\Clients\7662-New Quest Properties\Fort Bend Center\Drawings\Public\Map 4.B Overall Layout.dwg, Jul 21, 2020, 8:26am, Terra Associates, Inc., James A. Sims



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council
Agenda Item: 6(d) Consider an ordinance amending the City's Drug-Free Workplace Policy testing procedures.
Submitted by: Martin Russell, Director of Human Resources

SYNOPSIS

This ordinance will allow the City to randomly, and post-accident drug test employees, in safety impact positions for the presence of drugs or alcohol on an annual basis.

STRATEGIC PLAN 2020 GOALS ADDRESSED

- Develop a high performing City team.

BACKGROUND

Under the current Missouri City Personnel Policy, which was adopted in 2017 and amended thereafter, Random Drug tests were administered to departmental divisions that were subjected to the Omnibus Transportation Act of 1991 (the "Transportation Act") for the presence of drugs or alcohol. Such random testing will be conducted in accordance with the applicable federal rules and regulations pertaining to the Transportation Act. However, nothing in this Section is intended to affect the City's ability to implement other sections of this Policy, except in the case of a direct conflict, in which case the Transportation Act and any rules and regulations relating thereto shall prevail, and then only to the extent of such conflict. The City will require 100% of employees in safety impact positions to be randomly tested for the presence of drugs or alcohol on an annual basis. An employee in a safety impact position shall be notified in writing that the employee is in such a position and is subject to random drug testing. The employee shall acknowledge such notification. The selection of employees for drug testing shall be made by a random computer selection process performed by an outside contractor. Each month the pool shall consist of 100% of all employees eligible for random testing. Thus, an employee may be randomly selected multiple times during any given testing period. Employees selected for random testing shall be notified by the employee's department director or designee to submit to a drug or alcohol test. A selected employee must undergo the City's random testing immediately following such notification. Employees selected for random testing, but who are absent due to vacation, sick leave, other leave, or urgent City business previously approved by their department director, shall not be notified to test until the first day the employee returns to work after random selection, even if the first day back occurs in a subsequent month. Once an employee has been notified to take a test, unless hospitalized, no sick leave, vacation, emergency vacation or other leave may be authorized until the collection process is completed. For the purposes of this section, a "safety impact position" means an employment position involving safety-sensitive job duties, which, if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure, may result in conduct that could present a threat to the personal health or safety of the employee, other employees, or the public, including the following positions:

- 9.3.3.1 All peace officers in the Police Department that are issued one or more firearms;
- 9.3.3.2 The following positions in the Fire Department: Assistant Fire Chief, Battalion Chief, Division Chief, Fire Chief, Fire Inspector, Fire Lieutenant, Fire Marshal, Fire Apparatus Operator or driver, and Firefighter;

ORDINANCE NO. O-20-__

**AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS;
AMENDING THE PERSONNEL POLICY OF THE CITY OF MISSOURI
CITY; AMENDING DRUG TESTING POLICIES FOR CERTAIN
EMPLOYEES; PROVIDING FOR REPEAL; PROVIDING FOR
SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATED
THERETO.**

* * * * *

WHEREAS, Section 4.06.E of the City of Missouri City Charter (“Charter”) provides that the City Manager shall prepare personnel rules and the City Council of the City of Missouri City (“City Council”) will, by ordinance, adopt such rules with or without amendment; and

WHEREAS, certain employees represent a significantly greater threat to the health and safety of themselves and the public than do other employees because they may be required to react to unusual or dangerous circumstances because of their positions and duties; and

WHEREAS, the City Council finds that, as demonstrated in *International Union v. Winters*, 385 F.3d 1003 (6th Cir. 2004), safety impact positions should be subject to random drug and alcohol testing because there is a substantial risk of serious harm to the public, should designated safety impact employees be working under the influence of drugs or alcohol; and

WHEREAS, as found in *International Union v. Winters*, certain public employees who work in safety impact positions have a diminished expectation of privacy; and

WHEREAS, the City Manager has proposed certain revisions to the rules regarding drug testing for such employees; and

WHEREAS, the City Council finds that any random testing is not intended to be overly intrusive and shall be administered in a normal medical setting; and

WHEREAS, the City Council finds that, as demonstrated in *Nat’l Treasury Employees Union v. Von Raab*, 489 U.S. 656 (1989), and *Bailey v. City of Baytown*, 781 F. Supp. 1210 (S.D. Tex. 1991), drug testing employees employed in paramilitary positions, who carry firearms in the course of their work for the City, including police officers, detectives, police lieutenants, police captains, assistant police chiefs, and police chiefs, for the public safety of the employee, the public, and other officers to ensure that they are not under the influence of drugs and alcohol serves a compelling interest of the City and is in the best interest of the City’s residents; and

WHEREAS, the City Council finds that, as demonstrated in *Nat'l Treasury Employees Union v. Von Raab* and *Piroglu v. Coleman*, 25 F.3d 1098 (D.C. Cir. 1994), drug testing firefighters, who are charged with protecting public health and safety and whose work “depends uniquely on their judgment and dexterity,” to ensure that they are not under the influence of drugs and alcohol serves a compelling interest of the City and is in the best interest of the City; and

WHEREAS, the City Council finds that, as demonstrated in *Bryant v. City of Monroe*, 593 Fed. Appx. 291 (5th Cir. 2014), the random drug testing of motor vehicle and motorized equipment operators to ensure public safety on City roads to ensure that they are not under the influence of drugs and alcohol serves a compelling interest of the City and is in the best interest of the City; and

WHEREAS, the City Council of the City of Missouri City now deems it appropriate to consider the City Manager’s proposed revisions and amend the personnel policy; and

WHEREAS, such action furthers Strategic Plan 2019 Goal No. 4 by developing a high performance city team; 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. *Policy amendment, Chapter 9.* Ordinance No. O-17-24, adopted on July 17, 2017, as amended, is hereby amended by amending subsections 9.3.2 and 9.3.3 of Section 9.3 of Chapter 9 of Exhibit “A” thereof, and substituting, therefore, new subsections 9.3.2 and 9.3.3 of Section 9.3 of Chapter 9 to provide as follows:

“Missouri City Personnel Policy

.

CHAPTER 9: DRUG-FREE WORKPLACE

.

9.3 Drug and Alcohol Screening for Current Employees

.

9.3.2 Post-Accident Testing

An employee, other than an employee in a safety impact position, as described in subsection 9.3.3, shall be required to submit to drug or alcohol testing, or both, when he is involved in a work-related accident and there is a reasonable possibility that drug use was a contributing factor or when he receives a citation under state or local law for a moving traffic violation committed while working. An employee in a safety impact position, as described in subsection 9.3.3, shall be required to submit to drug or alcohol

testing, or both, when he or she is involved in a work-related accident. A work-related accident is not limited to a vehicular accident, but may include any occurrence that results in lost time, personal injury or property damage, even if allegedly caused by another employee or contractor. An employee who refuses to consent to a drug and/or alcohol test when required under this Section is subject to disciplinary action up to, and including, dismissal. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

9.3.3 Random Testing

The City may require all of its employees in those departmental divisions that are subject to the Omnibus Transportation Act of 1991 (the "Transportation Act") to be randomly tested for the presence of drugs or alcohol. Such random testing will be conducted in accordance with the applicable federal rules and regulations pertaining to the Transportation Act. However, nothing in this Section is intended to affect the City's ability to implement other sections of this Policy, except in the case of a direct conflict, in which case the Transportation Act and any rules and regulations relating thereto shall prevail, and then, only to the extent of such conflict. The City will require 100% of employees in safety impact positions to be randomly tested for the presence of drugs or alcohol on an annual basis. An employee in a safety impact position shall be notified in writing that the employee is in such a position and is subject to random drug testing. Such notification shall be acknowledged by the employee. The selection of employees for drug testing shall be made by a random computer selection process performed by an outside contractor. Each month the pool shall consist of 100% of all employees eligible for random testing. Thus, an employee may be randomly selected multiple times during any given testing period. Employees selected for random testing shall be notified by the employee's department director or designee to submit to a drug or alcohol test. A selected employee must undergo the City's random testing immediately following such notification. Employees selected for random testing, but who are absent due to vacation, sick leave, other leave, or urgent City business previously approved by their department director, shall not be notified to test until the first day the employee returns to work after random selection, even if the first day back occurs in a subsequent month. Once an employee has been notified to take a test, unless hospitalized, no sick leave, vacation, emergency vacation or other leave may be authorized until the collection process is completed. For the purposes of this section a "safety impact position" means an employment position involving safety-sensitive job duties which, if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure, may result in conduct that could present a threat to the personal health or safety of the employee, other employees, or the public, including the following positions:

- 9.3.3.1 All peace officer positions in the Police Department that are required by the Texas Commission on Law Enforcement to demonstrate weapons proficiency for firearms at least annually;
- 9.3.3.2 The following positions in the Fire Department: assistant fire chief, battalion chief, division chief, fire chief, fire inspector, fire lieutenant, fire marshal, fire apparatus operator or driver, and firefighter;

- 9.3.3.3 All positions that operate City vehicles; and
- 9.3.3.4 All positions that operate motor-driven equipment.”

Section 3. *Policy amendment, Chapter 9.* Ordinance No. O-17-24, adopted on July 17, 2017, as amended, is hereby amended by amending Section 9.8 of Chapter 9 of Exhibit “A” thereof, and substituting, therefore, a new Section 9.8 of Chapter 9 to provide as follows:

“Missouri City Personnel Policy

.
CHAPTER 9: DRUG-FREE WORKPLACE

.
9.8 Consequences of a Confirmed Positive Test Result

If an employee’s positive test result has been confirmed, the employee is subject to disciplinary action, up to, and including, dismissal. Factors to be considered in determining the appropriate disciplinary response include the employee’s work history, length of employment, current job performance, and the existence of past disciplinary actions.

No disciplinary action will be taken against an employee solely for his voluntarily identifying himself as a drug user or alcohol abuser, if such voluntary identification is made prior to and apart from an incident giving rise to a circumstance that would constitute a basis for administration of a drug test, the employee obtains counseling and rehabilitation through an Employee Assistance Program (EAP) approved by the City Manager, consents to a program of random drug and/or alcohol testing, and after such voluntary identification refrains from violating the City’s policy on drug and alcohol abuse. Disciplinary action may, however, be taken against such employee for other reasons. In addition to other testing requirements, an employee who voluntarily identifies him or herself to the City as having a drug or alcohol abuse problem, shall be subject to random follow-up alcohol, drug, or alcohol and drug testing for a minimum of 24 months and a maximum of 60 months from the date the employee is released by the health care provider or an EAP professional overseeing the employee’s rehabilitation to return to work. The actual time period and frequency will be determined by an EAP professional and monitored by the Human Resources and Organizational Department.”

Section 6. *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 7. *Administrative procedures authorized.* The City Manager is hereby authorized to prepare and administer procedures and take such actions as are consistent with the provisions of this Ordinance and the Personnel Policy of the City of Missouri City, Texas.

Section 8. *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 8th day of September, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council

Agenda Item: 6(e) Consider an ordinance authorizing the crediting of updated service credits in the Texas Municipal Retirement System (TMRS) for certain City of Missouri City employees who have membership in such system; providing for increased annuities for certain City of Missouri City employees.

Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

As part of management's evaluation of benefits and how the structuring of the retirement benefits may affect the costs, staff is presenting an ordinance that maintains our costs for retirement benefits at the same levels as last year. This strategy will allow us to continue to effectively evaluate our long-term plan.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

Since 2012, the City has elected the Ad Hoc TMRS structure for Updated Service Credits (USC) and Cost Of Living Adjustment (COLA) benefits. This election plays a part in calculating the benefit employees receive after retirement.

The 2011 plan design included the provision to automatically repeat these benefits without annual adoption by City Council. However, an option to annually adopt these provisions was approved by City Council in order to give us the flexibility to set our rate at an affordable level. The rate we are proposing considers the future costs associated with the Ad Hoc TMRS method.

Governmental Accounting Standards Board (GASB) requires the City to present the underfunded liability incurred by electing the Ad Hoc funding method in the financial statements as a liability. The City is recommending opting to continue the plan that includes the Ad Hoc structure, updated Service Credits at 100% and a 70% annuity increase. The minimum contribution rate for this plan is currently 9.07%. However, staff is proposing we fund the Ad Hoc plan at a rate of 10% to ensure sufficient contributions if the rate changes upon TMRS' receipt of the resolution with any extra funds being used to close the gap for any potential unfunded liability, while maintaining sufficient reserves to meet unanticipated obligations or stakeholder reserve requirements.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	Proposed FY2021 Funds Budgeted	Proposed FY2021 Funds Available	Amount Requested
Various	Various	Retirement	\$2,443,739	\$2,443,739	\$2,443,739

The FY 2021 Budget was prepared using a 10% rate for TMRS benefits.

Purchasing Review: N/A

Financial/Budget Review: *Bertha P. Alexander, Budget & Financial Reporting Manager*

SUPPORTING MATERIALS

1. Ordinance
2. TMRS Rate Letter

STAFF'S RECOMMENDATION

Staff recommends the City Council adopt the Ordinance Electing Annual Updated Service Credits and COLAs and that this decision be reviewed on an annual basis. This action will not affect city employee current retirement benefits.

Director Approval: Allena 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, AUTHORIZING THE CREDITING OF UPDATED SERVICE CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR CERTAIN CITY OF MISSOURI CITY EMPLOYEES WHO HAVE MEMBERSHIP IN SUCH SYSTEM; PROVIDING FOR INCREASED ANNUITIES FOR CERTAIN CITY OF MISSOURI CITY RETIREES AND BENEFICIARIES OF DECEASED RETIREES; PROVIDING FOR REPEAL; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, pursuant to Section 853.403 and Section 854.203 of Subtitle G of Title 8, Government Code, as such sections may be amended, this Ordinance may not take effect unless the board of trustees of the Texas Municipal Retirement System (“System”) approves this Ordinance as meeting the requirements of such sections; and

WHEREAS, the board of trustees of the System may not approve this Ordinance unless the actuary of the System first determines, and the board of trustees concurs in the determination, that all obligations charged against the City of Missouri City’s account in the benefit accumulation fund, including obligations proposed in this Ordinance, can be funded by the City of Missouri City within its maximum total contribution rate and within its amortization period as in effect on the effective date of this Ordinance; and

WHEREAS, the City Council of the City of Missouri City has determined that the adoption of this ordinance is in the best interest of the City of Missouri City; now therefore,

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

Section 1. That the facts and recitations set forth in the preamble of this Ordinance are hereby declared true and correct.

Section 2. Updated Service Credits. (a) Pursuant to Section 853.401 through 853.403 of Subtitle G of Title 8, Government Code, as such sections may be amended, the City of Missouri City hereby authorizes each member of the System who has current service credit or prior service credit in the System in force and effect on the first day of January of the calendar year preceding the effective date of this Ordinance by reason of service in the employment of the City of Missouri City, and on such date has at least 36 months of credited service with the System, to receive updated service credit in an amount that is 100 percent (100%) of the base updated service credit of the member. Base updated service credit and updated service credit shall be determined by the System pursuant to Section 853.402 of Subtitle G of Title 8, Government Code, as such

section may be amended. The updated service credit hereby authorized shall replace any updated service credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(b) Pursuant to Section 853.601 of Subtitle G of Title 8, Government Code, as such section may be amended, any member of the System who is eligible for updated service credits on the basis of service with the City of Missouri City, and who has unforfeited credit for prior service or current service with another participating municipality or municipalities by reason of previous employment and was a contributing member on the first day of January of the calendar year preceding the effective date of this Ordinance, shall be credited in the System with updated service credits calculated in accordance with and subject to adjustment as set forth in Section 853.601 of Subtitle G of Title 8, Government Code, as such section may be amended.

Section 3. Increase in Retirement Annuities. (a) Pursuant to Section 854.203 of Subtitle G of Title 8, Government Code, as such section may be amended, the City of Missouri City authorizes and provides for increased annuities to be paid by the System to retirees and beneficiaries of deceased retirees of the City of Missouri City under current service annuities and prior service annuities. An annuity increased pursuant to this Ordinance replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of annuity increase authorized by this Ordinance is computed as the sum of the prior and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by seventy percent (70%) of the percentage change in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the United States Department of Labor, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this Ordinance.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation pursuant to Section 3(b) of this Ordinance does not result in an increase in the amount of an annuity, the amount of the annuity shall not be changed by this Ordinance.

(e) The amount by which an increase under this Ordinance exceeds all previously granted increases to an annuitant is payable as a prior service annuity, is an obligation of the City of Missouri City's account in the benefit accumulation fund of the System, and is subject to reduction by the System at any time pursuant to Section 855.308(f) of Subtitle G of Title 8, Government Code, as such sections may be amended.

Section 4. Repeal. All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed only to the extent of such conflict.

Section 5. Effective Date. Subject to approval by the Board of Trustees of Texas Municipal Retirement System, the updated service credits and increased annuities shall become effective January 1, 2021.

Section 6. 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 8th day of September, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



June 4, 2020

City # 00875

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

Subject: 2021 Municipal Contribution Rate

Dear City Official:

Presented below are your city’s contribution requirements to the Texas Municipal Retirement System (TMRS) for Plan Year 2021 (Calendar Year 2021, PY2021) as determined by the December 31, 2019 actuarial valuation. The actuarially determined contribution rates for retirement benefits and Supplemental Death Benefits (SDB), if any, are based on your city’s plan provisions in effect as of April 1, 2020 and the actuarial assumptions and methods adopted by the TMRS Board. Effective January 1, 2021, your city’s monthly contribution rates will be:

Normal Cost	5.26%
Prior Service	<u>3.66%</u>
Total Retirement Rate	8.92%
Supplemental Death Benefit	<u>0.15%</u>
Total Combined Contribution	9.07%

Full information on your contribution rate, including an explanation of changes and available rate stabilization techniques, is contained in the attached report. The Total Retirement Rate shown above represents the Actuarially Determined Employer Contribution (ADEC) for PY2021 based on current TMRS funding policy.

The actuarial liabilities and contribution rates determined as part of the December 31, 2019 actuarial valuation reflect a change in actuarial assumptions based on the results of the 2019 experience study for the period ending December 31, 2018. Please see the “Actuarial Changes” section for more detailed information. Full information on your contribution rate, including an explanation of changes, is contained in the attached report.

IMPORTANT NOTE: The pension disclosure and financial statement information necessary to assist your city with the financial reporting requirements of the Governmental Accounting Standards Board (GASB) will be provided in a separate document available later this summer.

If you have questions about your rate or if you wish to evaluate potential changes in your TMRS plan, contact TMRS at 800-924-8677.

Sincerely,

Leslee S. Hardy, ASA, EA, FCA, MAAA
Director of Actuarial Services

Table of Contents

Actuarial Changes	A summary of the changes in actuarial assumptions and methods adopted by the Board and effective with the December 31, 2019 actuarial valuation based on the results of the 2019 experience study.
Rate Stabilization Techniques	A summary of the techniques currently available to assist cities in stabilizing their contribution rate including managing a funding surplus.
Executive Summary	A comparison of the highlights of the December 31, 2019 and December 31, 2018 actuarial valuations for your city. Included are membership counts, asset information, actuarial information, and contribution rate requirements.
Calculation of Contribution Requirements	Details the calculation of the Full Retirement Rate (TMRS Plan Year - ADEC) and the Supplemental Death Rate, if applicable, for your city. Comparisons before and after the actuarial changes and to the 2018 actuarial valuation results are included.
Summary of Benefit Provisions	A summary of plan provisions in effect as of April 1, 2020.
Amortization Bases and Payments	Information on the amortization bases and payments for your city.
Historical and Projected Accumulation of the BAF Balance	This schedule provides your city with historical cash flows, interest credits and the year-end balance of its Benefit Accumulation Fund (BAF), as well as projected values for calendar/plan years 2020 and 2021.
Reconciliation of Full Retirement Rate from Prior Actuarial Valuation Report	A detailed reconciliation of changes in your city's Full Retirement Rate (ADEC) since the prior valuation.
Risks Associated with Measuring the Accrued Liability and Actuarially Determined Contribution	An explanation of risk measurements and how a 10% decline in assets will impact your city's Full Retirement Rate (ADEC).

Actuarial Changes

As part of their continued effort to ensure that TMRS is well funded and that members' benefits remain secure and sustainable over generations, the TMRS Board of Trustees adopted the actuarial changes summarized below at its October 2019 Board meeting, based on the results of the 2019 experience study and the recommendations of the System's consulting actuary, Gabriel Roeder Smith & Company (GRS). The combined impact of the following actuarial changes is shown in the "Reconciliation of Full Retirement Rate from Prior Actuarial Valuation Report" section of this letter.

Actuarial Assumption Changes

The TMRS Act requires that at least once every 5 years, the System's consulting actuary perform an actuarial experience study and make recommendations to the Board based on the results of that study. Current Board policy is to conduct an actuarial experience study every four years. Accordingly, during 2019, TMRS' consulting actuary, GRS, conducted an experience study for the period ending December 31, 2018. A single set of assumptions is not expected to be suitable forever. As the actual experience of a plan unfolds or the future expectations change, the assumptions should be reviewed and adjusted accordingly. The actuarial assumptions used in the annual actuarial valuations and reviewed as part of the experience study are generally grouped into the following two major categories:

1. Economic assumptions – investment return, salary increases, overall payroll growth, inflation
2. Demographic assumptions – rates of termination, forfeiture, service retirement, disability retirement, pre-retirement mortality, post-retirement mortality

The Board adopted several changes in actuarial assumptions including, but not limited to:

- Slightly modified the step rate portion of the individual salary scale assumption based on recent trends and experience while keeping the ultimate salary increase at 3.5%.
- Introduced a load on the Updated Service Credit calculation equal to 0.1% per year into the future to reflect the asymmetric accrual pattern associated with this benefit formula.
- Decreased the current maximum payroll growth rate assumption from 3.00% to 2.75% to recognize some revenue pressure from a maturing population and changes in the property tax provisions while continuing to include a further reduction for some cities based on patterns of population decline.
- Updated the base mortality tables for healthy retirees to the client specific 2019 Municipal Retirees of Texas mortality tables using the actual mortality experience in TMRS data through December 31, 2018. Continued using a fully generational approach in projecting future mortality rates, but updated the projection scale to the ultimate rates of the MP Scales (Scale UMP).
- Updated the pre-retirement mortality tables to the PUB (10) mortality tables.
- Slightly increased the rates of termination and made small adjustments to the classification and individual city multipliers.
- Simplified and updated the service retirement rate tables.
- Slightly decreased the forfeiture rates (withdrawal of member deposits) for vested members not eligible for retirement.

Asset Valuation (Smoothing) Method Modification

In determining the Actuarial Value of Assets (AVA), decreased the “soft” corridor limit around the Market Value of Assets (MVA) from 15% to 12%. There were no other changes to the current 10-year asset smoothing method.

Amortization Policy Modifications

In TMRS, for underfunded plans, amortization of the Unfunded Actuarial Accrued Liability (UAAL) is a level percentage of payroll over a closed period using the process of “laddering” which separately tracks different amortization components or bases. For all new losses occurring after December 31, 2019 and benefit enhancements on or after January 1, 2021, the maximum amortization period is decreased from 25 years to 20 years for all cities. All prior amortization bases will continue to be amortized on their original schedule. This change will have no impact on the December 31, 2019 actuarial valuation, but will affect future valuations.

Decreased the level dollar amortization period for ad hoc benefit enhancements effective on or after January 1, 2021 from 15 years to 12 years.

Beginning with the December 31, 2019 valuation, once a City reaches an “overfunded” status, all prior amortization bases (ad hoc and non-ad hoc) are erased and an amount of the surplus is credited against the contribution rate to keep the funded ratio constant at the current level. Previously, the contribution rate credit was based on a 25-year open amortization policy.

Supplemental Death Benefit Fund Premiums

The premium for retirees will now be based on the full \$7,500 benefit versus the \$2,500 benefit previously used. There will now be a credit against premiums for active employees equal to 2% of the fund balance as of the valuation date expressed as a percentage of covered payroll for participating cities.

Rate Stabilization Techniques

Contribution rate stabilization is a strategic goal of the TMRS Board of Trustees. Since 2007, the Board has approved many actuarial changes to minimize short-term volatility in contribution rates while maximizing long-term System sustainability. Even so, some cities continue to experience significant changes in their annual contribution rates. Under the current funding policy in which rates are actuarially determined each year, contribution rate stabilization is fully optimized at the System level; therefore, any further rate stabilization must be achieved at the city level.

The most effective way for a city to stabilize its TMRS contribution rate is to determine, during its budget process, an affordable contribution rate that exceeds the required, calculated contribution rate and continue to pay that same rate, even when the calculated contribution rate goes down. This is particularly true for cities with an Unfunded Actuarial Accrued Liability (UAAL). These additional monthly contributions at a predetermined fixed rate accomplish the following:

- provides a stable annual contribution rate for budgeting purposes;
- directly reduces the UAAL;
- accelerates the years needed to attain full funding (i.e. pays off the UAAL quicker);
- produces cost savings over the long run; and
- provides a contribution rate cushion for future adverse plan experience.

A city can also make one or more lump sum contributions during the year which has a similar impact on the plan's funding status, but is less effective from a rate stabilization perspective.

For cities with an Overfunded Actuarial Accrued Liability (OAAL or surplus), the calculated contribution rate is determined by decreasing the normal cost rate (the cost of the current year accruals for active employees) by a rate calculated to keep the funded ratio constant at the current level. In most cases, the result is a required contribution less than the normal cost. It is important to note that there is still a chance that adverse experience could result in the funded ratio dropping below 100%. In order to dampen contribution rate volatility and to increase the likelihood of maintaining a funded ratio greater than 100%, TMRS encourages cities in a surplus position to consider paying the full normal cost rate (or as much as possible toward the full normal cost rate) until the funded ratio is at least 110%.

As noted above, additional contributions are entirely voluntary. A city can always revert to paying only the required calculated rate each month if financial circumstances change during the year. There is no formal action that needs to be taken by a city to contribute at a higher level than the required monthly minimum. Additional monthly contributions may be made during the normal payroll reporting process by simply filling out line 2. A. of Form TMRS 3 with the increased employer contribution rate. Lump sum contributions should be reported separately from the regular payroll reporting process and submitted with Form TMRS 3ADD.

If your city would like to explore the impact of any of these rate stabilization techniques on your TMRS plan, please contact Leslee Hardy, Director of Actuarial Services, at lhardy@tmrs.com.

Executive Summary

Valuation as of TMRS Plan Year (PY) Ending	12/31/2019	12/31/2018
Membership as of the Valuation Date		
• Number of		
- Active members	346	346
- Retirees and beneficiaries	199	193
- Inactive members	<u>203</u>	<u>193</u>
- Total	748	732
• Prior year's payroll provided by TMRS	\$ 24,087,668	\$ 23,032,609
• Valuation Payroll	\$ 25,216,058	\$ 24,293,554
Benefit Accumulation Fund (BAF) Assets		
• Market BAF Balance	\$ 111,457,330	\$ 97,727,792
• BAF crediting rate for PY	15.42%	(3.08%)
• Interest credited on beginning BAF balance	\$ 15,070,489	\$ (3,141,744)
• Municipal contributions ^	2,377,366	2,275,514
• Member contributions during year	1,686,137	1,612,283
• Benefit and refund payments ^	5,404,455	5,125,013
Actuarial Value of Assets (AVA)		
• Market BAF Balance	\$ 111,457,330	\$ 97,727,792
• Actuarial Value of Assets (AVA)	109,685,125	103,806,520
• AVA as a Percentage of BAF	98.4%	106.2%
• Return on AVA	6.95%	6.01%
Actuarial Information		
• Actuarial accrued liability (AAL)	\$ 116,844,223	\$ 111,488,802
• Actuarial value of assets (AVA)	109,685,125	103,806,520
• Unfunded actuarial accrued liability (UAAL)	7,159,098	7,682,282
• UAAL as % of pay	29.7%	33.4%
• Funded ratio (AVA/AAL)	93.9%	93.1%
• Employer normal cost	5.26%	5.50%
• Prior Service Rate	3.66%	3.82%
Contribution Rates for TMRS Plan Year (PY)		
• Member	2021 7.00%	2020 7.00%
• Full retirement rate (ADEC)	8.92%	9.32%
• Supplemental Death rate	0.15%	0.14%
Total Employer Contribution Estimates for PY		
• Projected payroll	2021 \$ 25,909,500	2020 \$ 25,022,361
• Combined contribution rate	9.07%	9.46%
• Estimated employer contribution	\$ 2,349,992	\$ 2,367,115

Note: TMRS Plan Year coincides with Calendar Year

Results from prior year reflect the plan provisions used in the 12/31/2019 valuation report.

^ Excludes contributions to/benefit payments from the IRC §415(m) Full Benefit Arrangement fund.

Calculation of Contribution Requirements

From Valuation Report as of

	<u>December 31, 2019</u>		<u>December 31, 2018</u>	
	New Assumptions	Old Assumptions		
1. Prior year's payroll reported to TMRS	\$ 24,087,668	\$ 24,087,668	\$	23,032,609
2. Valuation payroll	25,216,058	25,216,058		24,293,554
3. Employer normal cost rate	5.26%	5.52%		5.50%
4. Actuarial liabilities				
a. Active members	\$ 47,171,667	\$ 47,267,349	\$	45,071,911
b. Inactive members	15,695,562	15,825,845		13,624,150
c. Annuitants	<u>53,976,994</u>	<u>53,605,449</u>		<u>52,792,741</u>
d. Total actuarial accrued liability	\$ 116,844,223	\$ 116,698,643	\$	111,488,802
5. Actuarial value of assets	<u>109,685,125</u>	<u>109,685,125</u>		<u>103,806,520</u>
6. Unfunded actuarial accrued liability (UAAL) (4d - 5)	\$ 7,159,098	\$ 7,013,518	\$	7,682,282
7. Funded ratio (5 / 4d)	93.9%	94.0%		93.1%
8. Equivalent Single Amortization Period*	9.4 Years	9.1 Years		10.0 Years
9. Assumed payroll growth rate	2.75%	3.00%		3.00%
<hr/>				
Contribution Rate for TMRS Plan Year:	2021		2020	
<hr/>				
10. Full retirement rate				
a. Normal cost	5.26%	5.52%		5.50%
b. Prior service	<u>3.66%</u>	<u>3.62%</u>		<u>3.82%</u>
c. Full retirement rate	8.92%	9.14%		9.32%
11. Supplemental Death rate	0.15%	0.15%		0.14%
12. Combined contribution rates (10c+11)	9.07%	9.29%		9.46%

* New Losses are laddered on 25-year period.

Summary of Benefit Provisions

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions for the City in effect as of April 1, 2020 were as follows:

Employee deposit rate	7%
Matching ratio (city to employee)	2 to 1
Years required for vesting	5
Retirement Eligibility (Age/Service)	60/5, 0/20
Updated Service Credit	100% Transfers
Annuity Increase (to retirees)	70% of CPI
Supplemental Death Benefit to Active Employees	Yes
Supplemental Death Benefit to Retirees	Yes

Amortization Bases and Payments

Year Established	Description	Years Remaining	Base	Payment
2010	2010 Ad Hoc Benefit Change	6	\$ 229,139	\$ 46,161
2011	2011 Ad Hoc Benefit Change	7	433,653	77,189
2012	2012 Ad Hoc Benefit Change	8	305,992	49,109
2013	2013 Ad Hoc Benefit Change	9	460,550	67,679
2014	2014 Ad Hoc Benefit Change	10	546,919	74,485
2015	2015 Ad Hoc Benefit Change	11	1,089,828	138,895
2016	2016 Ad Hoc Benefit Change	12	1,431,424	172,081
2017	2017 Ad Hoc Benefit Change	13	1,604,629	183,169
2018	2018 Ad Hoc Benefit Change	14	1,012,266	110,335
2019	2019 Overfunded Non Ad-Hoc	25	<u>44,698</u>	<u>2,813</u>
	Total		7,159,098	921,916

Historical and Projected Accumulation of the BAF Balance

Year Ending December 31, (1)	Payroll for the Year (2)	Effective Retirement Contribution Rate ^a (3)	Employer Contributions for the Year ^c (4)	Member Contributions for the Year (5)	Benefit Payments ^c (6)	External Cash Flow for the Year (7)	Interest Credit (8)	BAF Balance ^b (9)
		(4) / (2)				(4) + (5) + (6)		
2017	\$ 23,343,646	9.88%	\$ 2,306,217	\$ 1,634,055	\$ (4,874,523)	\$ (934,251)	\$ 11,891,696	\$ 102,106,752
2018	23,032,609	9.88%	2,275,514	1,612,283	(5,125,013)	(1,237,216)	(3,141,744)	97,727,792
2019	24,087,668	9.87%	2,377,366	1,686,137	(5,404,455)	(1,340,952)	15,070,489	111,457,330
2020	25,216,058	9.32%	2,350,137	1,765,124	(6,397,418)	(2,282,157)	7,523,370	116,698,542
2021	25,909,500	8.92%	2,311,127	1,813,665	(6,319,877)	(2,195,085)	7,877,152	122,380,609

a. Effective retirement contribution rate is the actual rate determined by dividing the employer contribution received by the payroll paid.

b. BAF Balance may not sum due to rounding.

c. Excludes contributions to/benefit payments from the IRC §415(m) Full Benefit Arrangement fund.

Reconciliation of Full Retirement Rate from Prior Actuarial Valuation Report

Actuarial valuations are based on long-term assumptions, and actual results in a specific year can, and almost certainly will, differ as actual experience deviates from the assumptions. The following table provides a detailed breakdown of changes in the retirement portion of your city’s contribution rate. This analysis reconciles the change in the retirement portion (ADEC) of your city’s contribution rate from 2020 to 2021, but will not reflect any change in the cost of the Supplemental Death Benefit (SDB), if your city currently has this provision. (Any changes in the cost of the SDB are primarily due to the changes in the average age of your city’s employee group and/or the number of covered retirees.) Following the table below is a brief description of the common sources for deviation from the expected.

Change in Full Retirement Rate	
Full Rate from 12/31/2018 Valuation (PY 2020 Rate)	8.86 %
Benefit changes	0.46 %
Return on Actuarial Value of Assets	(0.05)
Contribution lag/fully amortized prior bases	(0.03)
Payroll growth	(0.03)
Normal cost	0.02
Liability growth	(0.09)
Subtotal Experience Change	0.28 %
Actuarial Changes	(0.22)
Total change	0.06 %
Full Rate from 12/31/2019 Valuation (PY 2021 Rate)	8.92 %

Benefit Changes - Shows the increase or decrease in the contribution rate associated with any modifications made to the member city’s TMRS plan provisions. This will also include any changes to the amortization period adopted by ordinance.

Return on Actuarial Value of Assets (AVA) - Shows the change in the contribution rate associated with the return on the AVA being different than the assumed 6.75%. For the year ending December 31, 2019, the return on an AVA basis was 6.95%. The impact may show as 0.00% due to rounding.

Contribution Lag/Fully Amortized Prior Bases - Shows the total increase or decrease in the contribution rate associated with the phase in of contributions and/or any additional contributions above the full rate. The effect of the “Contribution Lag” is also included here and refers to the time delay between the actuarial valuation date and the date the contribution rate becomes effective. For

TMRS member cities, the “Contribution Lag” is one year (i.e., the Actuarial Valuation as of December 31, 2019 sets the rate effective for Calendar Year 2021). **The impact of the “Contribution Lag” is expected to become immaterial once a city is contributing the Full Rate and the Full Rate stabilizes.**

In addition, it shows the impact of the bases, if any, which became fully amortized as of this valuation since payments for those bases are no longer part of the calculation of the prior service rate.

Payroll Growth - Shows the increase or decrease in the contribution rate associated with higher or lower than expected growth in the member city’s overall payroll. The amortization payments were calculated assuming payroll grows at 3.00% per year. Overall payroll growth greater (less) than 3.00% will typically cause a decrease (increase) in the prior service rate.

Normal Cost - Shows the increase or decrease in the contribution rate associated with changes in the average normal cost rate for the individual city’s population. The normal cost rate for an employee is the contribution rate which, if applied to a member’s compensation throughout their period of anticipated covered service with the municipality, would be sufficient to meet all benefits payable on their behalf. The salary-weighted average of the individual rates is the total normal cost rate.

Liability Growth - Shows the increase or decrease in the contribution rate associated with larger or lower than expected growth in the member city’s overall plan liabilities. The most significant sources for variance will be individual salary increases compared to the assumption and turnover.

Risks Associated with Measuring the Accrued Liability and Actuarially Determined Contribution

Risks facing a pension plan evolve over time. A young plan with virtually no investments and paying few benefits may experience little investment risk. An older plan with a large number of members in pay status and a significant trust may be much more exposed to investment risk. Generally accepted plan maturity measures include the following:

Ratio of the market value of assets to payroll	4.6
Ratio of actuarial accrued liability to payroll	4.9
Ratio of actives to retirees and beneficiaries	1.7
Net cash flow as a percentage of market value of assets	(1.2%)
Duration of liabilities	17.0
Change in Contribution Rate with 10% decline in assets (smoothed)	0.27%
Change in Contribution Rate with 10% decline in assets (unsmoothed)	2.74%

Ratio of Market Value of Assets to Payroll - The relationship between assets and payroll is a useful indicator of the potential volatility of contributions. For example, if the market value of assets is 4.0 times the payroll, a return on assets 5% different than assumed would equal 20% of payroll. A higher (lower) or increasing (decreasing) level of this maturity measure generally indicates a higher (lower) or increasing (decreasing) volatility in plan sponsor contributions as a percentage of payroll.

Ratio of Actuarial Accrued Liability to Payroll - The ratio of liability to payroll may also be used as a measure of sensitivity of the liability itself. For example, if the actuarial accrued liability is 5.0 times the payroll, a change in liability 2% other than assumed would equal 10% of payroll. A higher (lower) or increasing (decreasing) level of this maturity measure generally indicates a higher (lower) or increasing (decreasing) volatility in liability (and also plan sponsor contributions) as a percentage of payroll.

The relationship between the actuarial accrued liability and payroll is a useful indicator of the potential longer term asset-related volatility once the current UAAL is fully amortized. A funding policy that targets a funded ratio of 100% is expected to result in the ratio of assets to payroll and the ratio of liability to payroll converging over time.

Ratio of Actives to Retirees and Beneficiaries - A young plan with many active members and few retirees will have a high ratio of active to retirees. A mature open plan may have close to the same number of actives to retirees resulting in a ratio near 1.0. A super-mature or closed plan may have significantly more retirees than actives resulting in a ratio below 1.0.

Net Cash Flow as a Percentage of Market Value - A positive net cash flow means contributions exceed benefits and expenses. A negative cash flow means existing funds are being used to make payments. A certain amount of negative net cash flow is generally expected to occur when benefits

are prefunded through a qualified trust. Large negative net cash flows as a percent of assets may indicate a super-mature plan or a need for additional contributions.

Duration of Liabilities - The duration of the present value of future benefits may be used to approximate the sensitivity to a 1% change in the assumed rate of return. For example, duration of 10 indicates that the present value of future benefits would increase approximately 10% if the assumed rate of return were lowered 1%. This also is an approximation of the discount-weighted average time horizon of the liability.

Change in Contribution Rate with 10% Decline in Assets (Smoothed) - This shows the rate impact in one year if the actuarial value of assets (AVA) was 10% lower than in the current actuarial valuation with the asset loss smoothed over a 10 year period as is done in the system-wide calculation of the AVA.

Change in Contribution Rate with 10% Decline in Assets (Unsmoothed): This shows the rate impact if the actuarial value of assets was 10% lower than in the current actuarial valuation with the full asset loss recognized in the current valuation.



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 6(f) Consider authorizing the City Manager to execute a one (1) year contract extension with Wells Fargo Bank for depository services.
Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

Resolution 17-20 authorized a contract with Wells Fargo bank for depository services. The contract was issued for an initial two-year period with three one-year renewal options for a contract term not to exceed five years. The initial two-year period expired on September 30, 2019. The first renewal was exercised on September 19, 2019. Staff is requesting to exercise the second renewal option.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

The current depository agreement between the City and Wells Fargo Bank was issued for two-year period with the option to renew on an annual basis for a maximum contract term of five years as allowed by Texas Local Government Code, Title 4, Subtitle A, Chapter 105, Subchapter A, Section 105.017. The initial two-year period expired on September 30, 2019 and the first extension will expire on September 30, 2020. Wells Fargo Bank and the City Staff wish to exercise the second of three one-year renewal options and extend the contract for one (1) year from October 1, 2020 through September 30, 2021.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Numbers	Project Number/Name	Proposed FY2021 Funds Budgeted	Proposed FY2021 Funds Available	Amount Requested
General Fund	101-53519-12-114-	Bank Fees	\$23,400	\$23,400	\$23,400

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

SUPPORTING MATERIALS

1. Extension to Depository Contract
2. Original Depository Contract

STAFF'S RECOMMENDATION

Staff recommends authorizing the City Manager to execute a one (1) year contract extension with Wells Fargo Bank for depository services.

Director Approval: Allena Portis, Director of Financial Services
Assistant City Manager Approval: Bill Atkinson

Extension to Depository Contract

This agreement to extend depository services originally offered pursuant to RFA #17-165 dated April 20, 2017. In effect as of October 1, 2017 and in accordance with the existing depository pledge agreement dated August 21, 2017 between City of Missouri City, Texas ("Customer") and Wells Fargo Bank, N.A. ("Wells Fargo").

RECITALS

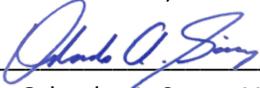
- A. In 2017, Customer and Wells Fargo entered into an agreement to provide deposit and cash management services ("Contract"). Such services were offered pursuant to RFP dated April 20, 2017 and went into effect on October 1, 2017. The Contract expires on September 30, 2019 with an allowance of three 1- year extensions.
- B. The parties agreed to exercise the first of these extensions, beginning October 1, 2019 through September 30, 2020.
- C. The parties now desire to exercise the second of these extensions for another one- year term, such extension to end on September 30, 2021.

THEREFORE, the parties agree as follows:

- 1. The parties agree that the Contract will remain in effect until September 30, 2021 unless further extended by written notification of the Customer and Wells Fargo.
- 2. All provisions of the Contract, except as modified by this Extension shall remain in full force and effect and are reaffirmed. In the event of any conflict or inconsistency between any provision of this Extension and any provision within the Contract, the provisions of this Extension shall govern and control.

IN WITNESS WHEREOF, Customer and Wells Fargo have caused this Extension to be executed as of the date first written above.

WELLS FARGO BANK, N.A.

By: 

Name: Orlando A. Saenz, VP-CTP

Title: GIB Relationship Manager

Date: 9/14/2020

CITY OF MISSOURI CITY, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

DEPOSITORY BANK SERVICES AGREEMENT

THIS DEPOSITORY BANK SERVICES AGREEMENT hereinafter called the "Agreement", is made and entered into on the date last herein written by and between the City of Missouri City, Texas, hereinafter called the "City", and Wells Fargo Bank, N.A., a banking association, organized under the law of the United States and authorized by law to do banking business in the State of Texas, hereinafter called the "Bank", and provides as follows:

1. **Designation of Depository.** The City, through action of its City Council, hereby designates Bank as a primary depository bank for the period beginning October 1, 2017, and **continuing** through September 30, 2019 ("Initial Term"), unless otherwise terminated in accordance with the provisions hereof. This Agreement may be renewed for three (3) one-year extensions under the same terms and conditions of this Agreement.

2. **General.** All services rendered to City by Bank under this Agreement shall be performed in accordance with applicable laws, accepted commercial banking standards for public fund organizations and under the overall direction and instructions of City pursuant to Bank's standard operations, policies, and procedures.

3. **Scope of Services.** Bank agrees to provide those services as described in the City of Missouri City, Texas Request for Application for Depository Bank Services released on April 20, 2017, hereinafter referred to as the "RFA," incorporated herein by reference. Bank acknowledges that all Services performed by Bank are subject to the approval of City.

4. **City Representatives.** During the term of this Agreement, City will, through appropriate action of its City Council, designate the officer, or officers, who singly or jointly will be authorized to represent and act on behalf of City in any and all matters of every kind arising under this Agreement and to (a) appoint and designate, from time to time, a person or persons who may request withdrawals, orders for payment or transfer on behalf of City in accordance with this Agreement, and (b) make withdrawals or transfer by written instrument.

5. **Custodian.** City and Bank, by execution of this Agreement, hereby designate Bank of New York Mellon as custodian, hereinafter called "Custodian", to hold in trust the collateral described and pledged by Bank in accordance with the terms and conditions of the Depository Pledge Agreement, attached hereto as Exhibit "A, and incorporated herein for all purposes:

6. **Entire Agreement.** The entire agreement between Bank and City shall consist of (1) this Agreement, (2) the RFA (except to the extent Bank took specific exceptions in the Bank's response to the RFA), (3) Bank's response to the RFA dated May 23, 2017, hereinafter referred to as the "Application," and incorporated herein by reference, (4) the Depository Pledge Agreement, and (4) other such bank service agreements, policies and documents as may be required and approved by the parties, hereinafter referred to as "Service Agreements," and incorporated herein by reference (together, the "Banking Agreements"), each incorporated herein for all purposes as they presently exist and each listed in governing order of precedence in the event of conflict among the documents. Should any conflict arise between the terms of two or more Banking Agreements, such Banking Agreements shall govern in the order set forth above. This Agreement supersedes any and all prior representations, statements, and agreements, whether written or oral. The terms and provisions of this Agreement may not be amended, altered, or waived except by mutual agreement evidenced by a written instrument signed by duly authorized representatives of both parties.

Bank and City may from time to time enter into new Service Agreements with respect to specific treasury management services as are deemed necessary to further define the rights and duties of the Bank

and City with regard to certain defined services, which may include authorization designations and codes, or such other covenants as required for the proper implementation of the Services. Such Service Agreements shall be added to and become a part of this Agreement, are subordinate to this Agreement, and should any conflict arise, the terms of this Agreement shall prevail.

7. **Successors.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Whenever a reference is made herein to either party, such reference shall include the party's successors and assigns.

8. **Compensation.** City and Bank agree that any compensation for the performance of all duties and services is set forth in the Application accepted by City. Except as may otherwise be provided in the Banking Agreements, said compensation shall constitute full payment for all services, liaison, products, materials, and equipment required to provide the professional banking services, including services, materials, training, equipment, travel, overhead, and expenses. Fees shall be fixed for the term of the Banking Agreements, including all extensions.

9. **Consideration.** The Banking Agreements are executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

10. **Counterparts.** The Banking Agreements may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original if properly executed.

11. **Authority to Execute.** The individuals executing the Banking Agreements on behalf of the respective parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing the Banking Agreements to do so for and on behalf of the party for which his or her signature appears, that there are no other parties or entities required to execute the Banking Agreements in order for the same to be an authorized and binding on the party for whom the individual is signing and that each individual affixing his or her signature hereto is authorized to do so.

12. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Texas. Fort Bend County shall be the venue for any dispute arising out of this Agreement.

13. **Notices.** Except as may otherwise be specified in the applicable Service Agreements, any demand, notice, request, instruction, designation, or other communication(s) required in writing under this Agreement shall be personally delivered or sent certified mail, return receipt requested, to the other party as follows:

Bank: Orlando Saenz, Vice President
Wells Fargo Bank, N.A.
14200 Gulf Freeway, 1st Floor
Houston, Texas 77034

City: Edena Atmore
Director of Financial Services
City of Missouri City
1522 Texas Parkway
Missouri City, Texas 77489

Changes to notice information may be made by either party with written notification to the other party.

14. **Severability.** If any provision of this Agreement is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, the parties, shall, if possible, agree on a legal, valid, and enforceable substitute provision that is as similar in effect to the illegal, invalid, or unenforceable provision as possible. The remaining portion of the Agreement not declared illegal, invalid, or unenforceable shall remain valid and in full force and effect for the term remaining.

15. **Binding Commitment.** Bank hereby acknowledges itself duly and firmly bound for the faithful performance of all the duties and obligations required by applicable law, including the Government Code and Local Government Code, such that all funds deposited with it as depository shall be faithfully kept by it and accounted for according to law.

16. **Continuation.** Unless this Agreement is terminated sooner, Bank's designation as the primary City Depository will remain continuously in effect through September 30, 2019 subject to execution of the extension options if applicable.

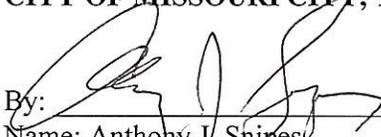
17. **Indemnification and Release.** During the term of this Agreement, Bank will indemnify, defend and hold harmless the City and its officers, directors, employees, agents and assigns (the "Indemnified Parties") from and against all claims, losses, demands, liability, judgments, awards, interest, attorney's fees and costs (collectively, "Losses") arising out of, resulting from or relating to the performance of the Services provided hereunder which are, in each case, directly caused in whole or in part by the negligent or intentional acts or omissions of Bank or any of its officers, directors, employees, agents, subcontractors or assigns, except to the extent such Losses are caused by the negligence or intentional misconduct of any Indemnified Party. In no event will Bank be liable for any indirect, special, consequential or punitive damages, whether or not the likelihood of such damages was known to Bank, and regardless of the form of the claim or action or the legal theory on which it is based. By entering into this Agreement, City does not waive its governmental immunity, any limitations as to damages under Texas law, or any other protection or immunity otherwise provided by law.

18. **Termination.** Either party may terminate this Agreement as to some or all of the Services, with or without cause, by giving 90 days prior notice to the other party, provided that this Agreement shall continue in effect and remain in full force and effect and shall be binding on Bank and its successors and assigns until such time, not to exceed ninety (90) days from the date of termination, as all City deposits have been paid in full to City or otherwise paid as instructed by City.

19. **Default** The Bank shall be in default if ruled "bankrupt," "insolvent" or "failed" by a federal or state banking regulator, or if a receiver is appointed for the Bank.

Executed by the undersigned duly authorized officers of the parties hereto:

CITY OF MISSOURI CITY, TEXAS

By: 
Name: Anthony J. Snipes
Title: City Manager
Date: 8/22/17

ATTEST:
By: 
Name: MARIA Jackson
Title: City Secretary

WELLS FARGO BANK, N.A.

By: 
Name: ORLANDO A. STEUB
Title: RELATIONSHIP MANAGER
Date: 8/24/17

ATTEST:
By: 
Name: TRACY POLEN
Title: Relationship Associate





**CITY COUNCIL
AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council

Agenda Item: 6(g) Consider and take action a taxpayer request for wavier of penalty and interest on property taxes for the 2019 tax year.

Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

Property Tax Code 33.011(h) provides for waiver of penalties and interest if the taxpayer submits evidence showing that:

1. The tax is payable be electronic funds transfer under an agreement entered into under Section 31.06 (a); and
2. The taxpayer submits evidence sufficient showing that:
 - a. The taxpayer attempted to pay the tax by electronic funds transfer in the proper manner before the delinquency date;
 - b. The taxpayer's failure to pay the tax before the delinquency date was caused by an error in the transmission of funds; and
 - c. The tax was properly paid by electronic funds transfer or otherwise not later than the 21st day after the date the taxpayer knew or should have known of the delinquency.

Taxpayer, Felix Onwukwe, is requesting waiver of penalty and interest for the 2019 tax year in the amount of \$118.97

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

The taxpayer's basis for the waiver request is an electronic payment error as outlined in Section 33.011 (h) of the Property Tax Code. The taxpayer made an effort to pay the amount due prior to delinquency date, but sent the payment to Harris County instead of Fort Bend County as documented in the attached packet. The taxpayer was notified by Fort Bend County of the delinquency on February 4, 2020 and payment of the delinquent tax was made on May 11, 2020, after the 21st day of notification of delinquency.

The Tax Assessor-Collector does not recommend waiver of penalty and interest for the 2019 Tax Year for Felix Onwukwe due to the taxpayer not providing sufficient evidence to support the claim.

BUDGET ANALYSIS

The total penalty and interest requested to be waived by the taxpayer is \$118.97.

SUPPORTING MATERIALS

1. Request packet from County Tax Assessor-Collector

STAFF'S RECOMMENDATION

Staff recommends Council make a determination regarding waiver of penalties and interest.

Director Approval: Allena Portis, Director of Financial Services

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



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

August 14, 2020

City of Missouri City
Attn: Mayor Yolanda Ford
1522 Texas Parkway
Missouri City Texas 77489-2170

RE: Request for Waiver of Penalty and Interest

Dear Mayor Ford:

The enclosed packet contains a request from a taxpayer to waive the penalty and interest on his property taxes for the 2019 tax year. Please present this packet to the City Council for a determination and please let our office know the decision.

If further information is needed you may contact me at (281) 341-3732.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Staton".

Tammy Staton
Chief of Property Taxes

Enclosures



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

DATE: August 13, 2020

To: Mayor Yolanda Ford
Vashaundra Edwards – Council Member – At Large Position #1
Chris Preston – Council Member – At Large Position #2
Dr. Cheryl Sterling – Council Member District A
Jeffrey L. Boney – Council Member District B
Anthony Maroulis – Council Member District C
Floyd Emery – Council Member District D

FROM: Tammy Staton *T.S.*
Chief of Property Taxes

Re: Waiver of Penalty and Interest– Felix Onwukwe: Account #1149-77-005-0006; 2019 Tax Year;
Legal Description: Lt 6, Blk 5, Fonmeadow Sec 3; Situs: 12611 Laleu Ln., Houston, TX 77071-3736.

Felix Onwukwe is requesting waiver of penalty and interest for the 2019 tax year stating since Harris County and Fort Bend County has the same account number created a confusion for the computer and payment was sent to Harris County.

Tax Office records and research indicate:

- November 20, 2019 – 2019 Certified Tax Statement mailed to: Onwukwe, Felix; 12611 Laleu Ln., Houston, TX 77071-3736. **This statement was not returned by the Post Office.**
- February 4, 2020 – 2019 Reminder Notice mailed to: Onwukwe, Felix; 12611 Laleu Ln., Houston, TX 77071-3736. **This statement was not returned by the Post Office.**
- April 16, 2020 – Felix called to ask if we could remove fees due to an error with his computer sending his Fort Bend County payment to Harris County. Clerk informed him per Texas Tax Code he does not qualify for waiver of penalty and interest. He stated he will pay the base levy and submit his waiver request to the County Judge.
- May 11, 2020 – Received payment from Felix Onwukwe in the amount of \$915.18, base levy only.

Summary of Taxes as of February:

Account 1149-77-005-0006:

2019 Tax Year

Tax Unit	Base	Penalty & Interest	Total Waiver Request
City of Missouri	\$915.18	\$118.97	\$118.97
City			
Total	\$915.18	\$118.97	\$118.97

Total Penalty and Interest: \$118.97

I **do not** recommend waiver of penalty and interest for **2019** Tax Year.

- **This property is located in Harris County and there is only one account number issued by Harris County Appraisal District that involves all taxing units. Therefore this property will receive tax statements from each Tax Assessor/Collector for the yearly taxes. Taxpayer has not provided sufficient evidence to support that they sent tax payment to the correct address.**
- Per Property Tax Code Section 33.011 (a)(1): “The governing body of a taxing unit:
 - (1) shall waive penalties and may provide for the waiver of interest on a delinquent tax if an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer’s failure to pay the tax before delinquency and if the tax is paid not later than the 21st day after the date the taxpayer knows or should know of the delinquency;
- **There is no evidence to cause the Tax Office to recommend waiver of penalty and interest.**

Request for Waiver of Penalties and Interest

RESEARCH

JUN 08 2020

Request Date: April 30, 2020

ACCOUNT INFORMATION

Property Account Number: 1149 77 005 0006

Legal Description of Property: Residential Home

Year(s) for which requesting waiver: 2019 Tax Year

Taxpayer Name: FELIX ONWUKWE

Current Mailing Address: 12611 LALEU LN, HOUSTON TX 77071

Current Daytime Phone Number: 713 240 1700

Current Email Address: felix.squared@gmail.com

BASIS FOR WAIVER REQUEST

Texas Property Tax Code Section 33.011 allows a taxing unit to waive penalties and interest in limited, defined circumstances. **PLEASE READ THE "INFORMATION REGARDING REQUESTS FOR WAIVER/REFUND OF PENALTIES AND INTEREST" SHEET BEFORE COMPLETING THIS FORM, AS DESCRIPTIONS BELOW ARE SIMPLIFIED EXPLANATIONS.**

I confirm that I have read "Information Regarding Requests for Waiver/Refund of Penalties and Interest"

Please check the appropriate box that describes your situation.

Tax Office or Appraisal District Error [Section 33.011(a)(1)]: An act or omission of an officer, employee, or agent of the taxing unit of the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before the delinquency date.

Tax Statement is Returned Undeliverable [Section 33.011(b)]: A tax statement was returned undeliverable to the tax office, the tax office did not send another tax statement at least 21 days before the delinquency date, and the returned tax statement was due to an act or omission of an officer, employee, or agent of the tax office.

Electronic Payment Error [Section 33.011(h)]: The taxpayer submits sufficient evidence showing they attempted to pay the original tax amount electronically in the proper manner before the delinquency date, that failure to pay was caused by an error in the transmissions of the funds.

Payment Mailed to an Incorrect Address [Section 33.011(a)(3)]: The taxpayer submits sufficient evidence showing payment was timely mailed to an incorrect address that would have been correct in a prior tax year AND would have been correct within one year of the date the payment was mailed.

Mail or Private Carrier Error [Section 33.011(j)]: The taxpayer submits sufficient evidence showing payment was timely mailed, but that an act or omission of the postal service or private carrier resulted in postmark or delivery being after the delinquency date.

Mortgage Company Error {Section 33.011(k)}: The taxpayer submits sufficient evidence showing that the property is not subject to an escrow account with the mortgage company, the tax bill was sent to the mortgage company, and the mortgage company failed to forward the tax bill to the owner.

Religious Organization {Section 33.011(a)(2)}: The property for which the tax is owed was acquired by a religious organization and before the first anniversary of the date the religious organization acquired the property, the organization paid the tax and qualified the property for the exemption.

Property was Omitted, Erroneously Exempted, Value Added, or Added Under a Different Account Number [Section 33.011(i)]: If the delinquency relates to a date prior to ownership of the property AND the delinquency is a result of omitted property later added to the appraisal roll, the property was erroneously exempted, the property had appraised value added, or if the property was added under a different account number when the prior owner owned the property.

Please attach all supporting documentation to this request for waiver of penalties and interest form. The Waiver Committee will only review documentation and evidence provided **AT THE TIME OF THE REQUEST**. Any documentation or evidence not provided with the request will not be considered in your waiver determination.

Requests must be received **before** the 181st day after the delinquency date **AND** include sufficient evidence to substantiate the reason for waiver of penalties and interest.

Financial hardship is not a legal basis for waiver of penalties and interest.

Email all requests and supporting documentation to fbj.judge@fortbendcountytexas.gov or mail or hand deliver to: Fort Bend County Judge
401 Jackson St
Richmond TX 77469-3110

Contact the Tax Office at 281-341-3710 with any questions.

RESEARCH
JUN 08 2020

DUPLICATE TAX RECEIPT



CARRIE SURRETT, PCC, CTOP
FORT BEND COUNTY TAX ASSESSOR/ COLLECTOR
1317 EUGENE HEIMANN CIRCLE
RICHMOND, TEXAS 77469-3623

Certified Owner:

ONWUKWE FELIX
12611 LALEU LN
HOUSTON, TX 77071-3736

Legal Description:

LT 6 BLK 5
FONMEADOW SEC 3

Parcel Address: 12611 LALEU LN
Legal Acres: 0.1166

Remit Seq No: 44149788
Receipt Date: 05/11/2020
Deposit Date: 05/11/2020
Print Date: 06/01/2020 05:46 PM
Printed By: CHRISTINAG

Deposit No: J200511K3
Validation No: 4
Account No: 1149-77-005-0006
Operator Code: YBARDALE

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2019	City Of Missouri City	TL	145,267	0.630000	809.90	105.28	0.00	915.18
					<u>\$809.90</u>	<u>\$105.28</u>	<u>\$0.00</u>	<u>\$915.18</u>

>--

--<

Check Number(s):
164860

PAYMENT TYPE: PARTIAL PAYMENT

Checks: \$915.18

Exemptions on this property:

CAPPED
HOMESTEAD

Total Applied: \$915.18

Change Paid: \$0.00

Account No: 1149-77-005-0006
PAYER:
ONWUKWE FELIX
12611 LALEU LN
HOUSTON, TX USA 77071-3736

REMAINING BALANCE

Dear Sir Madam,

In response to above bill you sent me dated 05/07/2020 **RE account # 1149 77 005 0006**

Here are the print outs showing that I have paid the above bill (\$915.18) on April 30th.

I had originally paid this bill to Ann Harris at Harris county on 12/27/2019.

I had a request for the Judge to waive the penalties and interests for me because it was a computer delivery error because both **FORT BEND TAXING OFFICE AND HARRISS COUNTY TAX OFFICE have the same TAX account numbers-1149 77 005 0006.**

I am enclosing copies of;

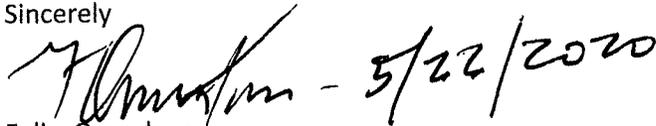
- 1] 4/30/2020 bill pay summary showing that \$915.18 was paid on 4 / 30/2020.
- 2] 1/27/2020 showing that Harris county was paid \$1877.32 and \$915.18- the later meant for Fort Bend county
- 3] Harris County Property Tax statement showing that both Account numbers are the same- that was what created the confusion for the computer- so it routed the payments to the same account
- 4] My communications with Fort Bend County Judge on 4/30/2020 and their response.
- 5] The latest bill of 5 /7/ 2020

Mean while we are waiting for the Judge's decision.

Does it mean that you did not receive above payment on the 30th of April?

You can email me at < felix.squared@Gmail.Com > or call me at 713 240 1700.

Sincerely


Felix. Onwukwe,

05/22/2020

RESEARCH

MAY 28 2020

F
B
C MAY 27 2020 T
A
X

Business Bill Pay

Businesses	Scheduled	History
------------	-----------	---------

[Add Payee](#) | [Profile](#) |

RESEARCH

MAY 20 2020

TX

MAY 27 2020

FBC

Search payees

View: Last 6 months

[Download History](#)

[My Spending Report](#)

Sent	Payee	Amount	Payment Account	Deliver by	Status	Action
04/30/20	CARRIE SURRETT PCC	\$915.18	...0457	05/07/20	Check Cleared	***
04/30/20	AMBETTER	\$24.00	...0457	05/07/20	Check Cleared	***
04/30/20	TRIEAGLE	\$70.00	.. 0457	05/04/20	Paid	***
04/30/20	center point	\$24.00	...0457	05/04/20	Paid	***
04/30/20	SEVERN TRENT SERVICES-GULF MUD R	\$10.00	...0457	05/04/20	Paid	***
	COMCAST CABLE	\$22.00	...0457	05/04/20	Paid	***

2

Accounts

Brokerage

Transfer & Pay

Plan & Learn

Security & Su

Account Summary

Date	Description	Amount	Account	Date	Status
03/06/20	COMMUNICATIONS -16	\$99.00	...0457	03/09/20	Paid
01/28/20	AMBETTER	\$537.00	...0457	02/04/20	Check Cleared
01/27/20	BOB LEARD TAX ASSESSOR	\$769.92	...0457	02/03/20	Check Cleared
01/27/20	HARRIS COUNTY TAX ASSESSOR	\$1877.32	...0457	01/30/20	Paid
01/27/20	ANN HARRIS BENNET	\$915.18	...0457	01/30/20	Paid
01/27/20	SEVERN TRENT SERVICES-GULF MUD R	\$80.00	...0457	01/29/20	Paid
01/27/20	TRIEAGLE	\$50.00	...0457	01/29/20	Paid
01/27/20	center point	\$12.00	...0457	01/29/20	Paid
01/27/20	COMCAST CABLE COMMUNICATIONS -16	\$99.00	...0457	01/28/20	Paid
01/10/19	SPECTRUM ASSOCIATION	\$350.00	...0457	12/27/19	Check Cleared

RESEARCH

MAY 20 2020

MAY 27 2020
FBC

ANN HARRIS BENNETT

Tax Assessor-Collector
 P.O. Box 3547
 Houston, Texas 77253-3547



2019 Property Tax Statement

e-Bill Code 8344487719



Statement Date	October 30, 2019
Account Number	
→ 114-977-005-0006 ←	

7 274 8000
 OFFICE CLOSED 4/17/20
 - called again 5/18 no body

*0510283 F
ONWUKWE FELIX
 12611 LALEU LN
 HOUSTON TX 77071-3736



Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes	Property Description
Houston I.S.D.	54,053	91,214	1.136700	\$1,036.83	12611 LALEU LN 77071
Harris County	29,053	116,214	.4071300	\$473.14	LT 6 BLK 5
Harris County Flood Control Dist	29,053	116,214	.0279200	\$32.45	FONMEADOW SEC 3
Port of Houston Authority	29,053	116,214	.0107400	\$12.48	.1166 AC
Harris County Hospital District	29,053	116,214	.1659100	\$192.81	
Harris County Dept. of Education	29,053	116,214	.0050000	\$5.81	
Houston Community College System	21,790	123,477	.1002630	\$123.80	
Total 2019 Taxes Due By January 31, 2020				\$1,877.32	
Payments Applied To 2019 Taxes				(\$0.00)	
Total Current Taxes Due (Including Penalties)				\$1,877.32	
Prior Year(s) Delinquent Taxes Due (If Any)				\$0.00	
Total Amount Due By January 31, 2020				\$1,877.32	
←					
Penalty and Interest for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total	
By February 29, 2020	7%	\$2,008.74	\$0.00	\$2,008.74	
By March 31, 2020	9%	\$2,046.26	\$0.00	\$2,046.26	
By April 30, 2020	11%	\$2,083.83	\$0.00	\$2,083.83	
By May 31, 2020	13%	\$2,121.38	\$0.00	\$2,121.38	
By June 30, 2020	15%	\$2,158.91	\$0.00	\$2,158.91	

Tax Bill Increase (Decrease) from 2014 to 2019: Appr Value 61% Taxable Value 52% Tax Rate -4% Tax Bill 53%

Detach at the perforation and return this coupon with your payment. Keep top part for your records.

See reverse side for additional information.

PAYMENT COUPON

Statement Date	October 30, 2019
Account Number	→ 114-977-005-0006 ←
Amount Enclosed	

RESEARCH

MAY 28 2020

If you are paying multiple tax accounts with a single check, please enclose all of the coupons with your payment to ensure proper credit to each account.

ONWUKWE FELIX
 12611 LALEU LN
 HOUSTON TX 77071-3736

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Make check payable to:

ANN HARRIS BENNETT
 Tax Assessor-Collector
 P.O. Box 4622
 Houston, Texas 77210-4622

F B C
 MAY 27 2020
 T A X

11497700500064 2019 000187732 000200874 000204626 000208383

4



FELIX OSQUARED <felix.squared@gmail.com>

Request for a waiver of Penalties & interests for Account Number 1149-77-0050006 , Propert address:12611 LALEU LN, HOUSTON. TEXAS.77071

3 messages

FELIX OSQUARED <felix.squared@gmail.com>
To: fbc.judge@fortbendcountytx.gov

Thu, Apr 30, 2020 at 6:41 AM

Dear Sir/Madam,,
I am requesting a waiver of Fees & Penalties on above account because of a double payment to Ann Harris Bennet of Harris County as indicated on the scheduled payments in my attachments. Both Fort Bend County and Harris County have the same account numbers -114-977-005-0006. That was why the payment that I sent on the 27th of January were routed by my computer to the same recipient.
I appreciate your consideration.
Feel free to call me at 713-240-1700
Sincerely
Felix. Onwukwe

See Attachmenta:

Scan_20200430.pdf
418K

FBC.Judge <FBC.Judge@fortbendcountytx.gov>
To: "felix.squared@gmail.com" <felix.squared@gmail.com>
Cc: "Payero, Olga" <Olga.Payero@fortbendcountytx.gov>, "Ospina, Donna" <Donna.Ospina@fortbendcountytx.gov>

Sun, May 3, 2020 at 6:56 PM

Dear Felix,

Thank you for submitting your request. Fort Bend County has received it and is processing it.

Thank you.

[Quoted text hidden]

This email originated from **outside** of the organization. **Do not click** links, open attachments, CAUTION: or respond unless you recognize the sender and know the content is safe. Please forward suspicious emails to IT.ServiceDesk@fortbendcountytx.gov

RESEARCH

Scan_20200430.pdf
418K

MAY 23 2020

FBC MAY 27 2020 T A X

FELIX OSQUARED <felix.squared@gmail.com>

Tue, May 5, 2020 at 11:46 AM



33.07 NOTICE
Carrie Surratt, PCC, CTOP
Fort Bend County Tax Assessor-Collector
 1317 EUGENE HEIMANN CIRCLE
 RICHMOND, TEXAS 77469-3623
 (281) 341-3710

05/07/2020

ACCOUNT NO: 1149-77-005-0006

OWNER NAME AND ADDRESS		PROPERTY DESCRIPTION					
ONWUKWE FELIX 12611 LALEU LN HOUSTON TX 77071-3736		LT 6 BLK 5 FONMEADOW SEC 3					
YEAR	BASE TAX	IF PAID IN MAY 2020		IF PAID IN JUNE 2020		IF PAID IN JULY 2020	
		PENALTY & INTEREST	33.07/33.48 FEES	PENALTY & INTEREST	33.07/33.48 FEES	PENALTY & INTEREST	33.07/33.48 FEES
2019	\$915.18	\$118.97	\$0.00	\$137.28	\$0.00	\$164.73	\$161.99
TOTAL AMOUNT DUE		\$1,034.15		\$1,052.46		\$1,241.90	

NOTICE OF SECTION 33.07

Pursuant to Section 33.07, Texas Property Tax Code, taxes that remain delinquent on July 1st of the year in which they become delinquent incur an additional penalty, in the amount of up to 20% of the taxes, penalty, and interest due, to defray the cost of collection.

NOTICE TO TAXPAYER AGE 65 OR OLDER IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THE DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF TAXES.

If you are in bankruptcy, this notice is only for the purpose of notifying you of the current status of your account and is not an attempt to collect your account.

IF THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE FORT BEND CO TAX OFFICE REGARDING A RIGHT YOU MAY HAVE TO ENTER INTO AN INSTALLMENT AGREEMENT DIRECTLY WITH THE FORT BEND CO TAX OFFICE FOR THE PAYMENT OF THESE TAXES.

THE TAXES ON THIS PROPERTY ARE DELINQUENT. THE PROPERTY IS SUBJECT TO A LIEN FOR THE DELINQUENT TAXES. IF THE DELINQUENT TAXES ARE NOT PAID, THE LIEN MAY BE FORECLOSED ON.

If this account is under legal action additional fees may be due.

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT

FORT BEND COUNTY TAX OFFICE

ACCOUNT NUMBER	DATE OF BILL	PAY AMOUNT SHOWN FOR MONTH OF PAYMENT		
		DURING MAY 2020	DURING JUNE 2020	DURING JULY 2020
1149-77-005-0006	05/07/2020	\$1,034.15	\$1,052.46	\$1,241.90

Please return this stub with your payment to ensure proper credit. **TAXES ARE PAYABLE ONLY IN UNITED STATES CURRENCY, CREDIT CARD, CHECK OR MONEY ORDER.** Please provide a day time telephone#: _____

**AMOUNT OF
YOUR CHECK**

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

Carrie Surratt, PCC, CTOP Fort Bend County Tax Assessor-Collector Payment Processing Dept.
 1317 Eugene Heimann Circle | Richmond, Texas 77469-3623 | (281) 341-3710



(No convenience fee charged for E-Checks)
 Credit/Debit Cards are accepted at all Fort Bend County Tax Office locations and via the Internet by visiting www.fortbendcountytx.gov/taxoffice
 (a convenience fee is charged by third party vendor for credit cards)

ONWUKWE FELIX
 12611 LALEU LN
 HOUSTON TX 77071-3736

1192
F B C MAY 27 2020 **T X**

AMOUNT PAID: _____

1149770050006 047 0000103415 0000105246 0000124190 0000000000 1



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 7(a)(1) FBISD Elementary School site #53 (20-acre tract) - SUP, Specific Use Permit
Submitted by: Jennifer Thomas Gomez, AICP, Planning Manager

SYNOPSIS

This is the final reading of an ordinance for a SUP, Specific Use Permit to allow for the location of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of FBISD Elkins High School and east of Creekstone Village at Riverstone.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Have quality development through buildout

BACKGROUND

As part of its 2018 approved bond referendum, Fort Bend Independent School District (FBISD) identified elementary school site #53 to serve a growing population in the Riverstone area. This elementary school site is one of several new schools planned to be constructed throughout the district.

This proposed Riverstone school site is similar in design to two other school sites; a proposed site, Elementary #52, which would be located near the Fort Bend Parkway in the Parks Edge subdivision and the existing Neill Elementary School located in Richmond within the Harvest Green subdivision. The model school sites are designed as two-story buildings of approximately 127,544 square feet to accommodate 1,000 students.

Staff recommended approval for the SUP. The Planning and Zoning Commission considered the application at its August 12, 2020 meeting and expressed concern regarding traffic circulation and roadway design resulting in congestion along Thompson Ferry Road and Knights Court. The Commission discussed the current situation being driven primarily by traffic flowing to and from Elkins High School and what implications placing a second school site in this area would have on this situation. A Commissioner asked about any planned or proposed improvements in the area to address this concern. Ultimately, the P&Z Commission forwards a positive recommendation to approve the SUP.

City Council first considered the ordinance on the September 8, 2020 regular meeting agenda. Councilmembers emphasized concern on traffic safety including taking into account the design efforts of a proposed Montessori school recently approved for zoning nearby; ingress and egress/drop off and pick up design to ensure that traffic is not stacked up onto Knights Court or Thompson Ferry Road; and the provision of sidewalks along both roadways. In addition, Councilmembers raised continued concern with

the limited provision of public notice that only extends 200 feet from a subject site and only to property owners within the incorporated city limits.

City Council approved the ordinance on the first reading and requested that staff provide an update on the issues and concerns discussed for the 2nd and final reading of the ordinance.

BUDGET ANALYSIS

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

Purchasing Review: N/A

Financial/Budget Review: N/A

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

SUPPORTING MATERIALS

1. Ordinance
2. Planning and Zoning Commission final report
3. Ortho map
4. Ortho map with site plan overlay
5. Conceptual building perspective, material and color designation
6. Notice of public hearing
7. Notice of public hearing to adjoining property owners
8. Protest-support letter
9. Mailing labels for adjoining property owners
10. Rezoning application protest letters analysis

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, GRANTING SPECIFIC USE PERMIT NO. 208 FOR THE USE OF A 20-ACRE TRACT OF LAND IN THE CITY OF MISSOURI CITY AS A SPECIFIC USE-- PLACES OF ASSEMBLY; DESCRIBING SAID 20-ACRE TRACT OF LAND; PROVIDING LIMITATIONS, RESTRICTIONS, AND CONDITIONS ON SUCH SPECIFIC USE; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * *

WHEREAS, Fort Bend Independent School District is the owner of a 20-acre tract of land within the corporate limits of the City of Missouri City, Texas; and

WHEREAS, said 20-acre tract of land presently has a zoning classification of SD suburban district, pursuant to Ordinance No. O-81-1, adopted on January 19, 1981; and

WHEREAS, the owner's agent, Austan Lupher, RPLS of Pape Dawson Engineers, has made an application to the City of Missouri City to authorize a specific use permit for a places of assembly use; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Missouri City have each conducted, in the time and manner and after the notice required by law and the City of Missouri City Zoning Ordinance, a public hearing on such request for a specific use permit; and

WHEREAS, the Planning and Zoning Commission has issued its final report and the City Council now deems it appropriate to grant such request for Specific Use Permit No. 208-places of assembly; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities, contribute to, enhance, or promote the welfare of the area of request and adjacent properties, not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; 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. That as required by law, the City Council conducted the public hearing on the request for Specific Use Permit No. 208-places of assembly use and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The property is more fully described in Exhibit “A,” attached hereto and made a part hereof for all purposes (the “Property”), and is depicted in Exhibit “A-1” for reference purposes only. In the event Exhibit “A-1” conflicts with Exhibit “A,” Exhibit “A” shall prevail.

Section 4. The specific use of the Property authorized and permitted by this Ordinance is Specific Use Permit No. 208-places of assembly.

Section 5. Presently, the Property has a zoning classification of SD suburban district. The specific use authorized and permitted by this Ordinance shall be developed in accordance with the Missouri City Code and the City of Missouri City Zoning Ordinance and shall be developed subject to the following limitations, restrictions, and conditions:

- I. **Use Permitted.** Only the following use shall be permitted:
 - Places of assembly.
- II. **Site Plan.** Use of the Property shall generally comply with the attached site plan, attached hereto as Exhibit “B.”
- III. **Lighting.** Lighting illumination in excess of 0.25 foot-candle or 0.50 foot-candle of average general light overflow at any boundary line of the Property adjacent to a residential use is prohibited.
- IV. **Architectural Standards.** Portable buildings shall be located on the Property as indicated in Exhibit B. Except as prohibited by Title 10 of Subtitle Z of Chapter 3000 of the Texas Government Code, development of the Property shall comply with Section 7A of the City of Missouri City Zoning Ordinance.
- V. **Trash disposal.** The Property owner shall maintain the trash enclosure area in compliance with rules and regulations for nonresidential uses contained in Section 9.14 of the City of Missouri City Zoning Ordinance.
- VI. **Signs.** The Property owner shall maintain the signs on the Property in compliance with rules and regulations for nonresidential uses contained in Section 13 of the City of Missouri City Zoning Ordinance.
- VII. **Landscape.** Landscaping on the Property shall be maintained in accordance with Section 11 of the Missouri City Zoning Ordinance.

Section 6. The Zoning District Map of the City of Missouri City shall be revised and amended to show the specific use permitted on the 20-acre tract of land, as granted by this Ordinance, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of this change.

Section 7. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, Texas, save and except the change in the specific use of the 20-acre tract of land described in Section 3 hereof authorizing the specific use-places of assembly use, and the imposition of the limitations, restrictions, and conditions contained herein.

Section 8. Comprehensive plan deviation. To the extent that this Ordinance represents any deviation from the Future Land Use and Character map of the City of Missouri City Comprehensive Plan, such map is hereby amended to conform with this Ordinance.

Section 8. The building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this Ordinance, the Missouri City Code of Ordinances, and all other ordinances, rules and regulations of the City of Missouri City.

Section 9. *Repeal.* Any other ordinance or any part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 10. *Penalty.* Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this Zoning Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

Section 11. *Severability.* In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 8th day of September, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



METES AND BOUNDS DESCRIPTION
FOR

A 20.000 acre, (871,200 square feet more or less) tract of land, being a portion of a called 41.052 acre tract of land conveyed to FPL Real Estate LTD. as described in a deed recorded in Clerks File No. 2000014020 in the Official Public Records of Fort Bend County, Texas, also being a portion of Restricted Reserve "A" of Frost Ranch Site Subdivision as recorded in Slide No. 1987A and 1988A in the Plat Records of Fort Bend County, situated in the Elijah Roark Survey, Abstract No. 77, Fort Bend County, Texas. Said 20.000 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a 5/8 inch iron rod found for the south corner of said 41.052 acre tract, the south corner of said Restricted Reserve "A", the southwest corner of a called 57.1179 acre tract of land conveyed to Fort Bend Independent School District as described in a deed recorded in Clerk's File No. 9063600 of the Official Public Records of Fort Bend County, Texas, and Volume 2263, Page 1171 in the Deed Records of Fort Bend County, Texas, also being the southwest corner of Restricted Reserve "B" of the Replat Of Reserve "B" School Site as recorded in Slide No. 20170256 in the Plat Records of Fort Bend County, Texas, and being the northeast intersection corner of Knight Court having a width of 60 feet as recorded in Volume 2263, Page 1171 in the Deed Records of Fort Bend County, Texas, and Thompson Ferry Road, having a width of 60 feet as recorded in Volume K, Page 274 in the Deed Records of Fort Bend County, Texas;

THENCE: N 02°54'24" W, departing the north line of said Knight Court, along and with the west line of said 41.052 acre tract and said Restricted Reserve "A", a distance of 1201.66 feet to a 5/8 inch iron rod with cap stamped Pape Dawson set in the west line of said 41.052 acre tract and said Restricted Reserve "A", the east line of said Thompson Ferry Road, and for the northwest corner of this tract;

THENCE: N 87°05'31" E, departing the east line of said Thompson Ferry Road, over and across said 41.052 acre tract and said Restricted Reserve "A", a distance of 1095.58 feet to a 5/8 inch iron rod set in the east line of said 41.052 acre tract and said Restricted Reserve "A", the west line of said 57.1179 acre tract, and the west line of said Restricted Reserve "B", from which a 5/8 inch iron rod found bears N 09°34'56" W, a distance of 278.41 feet;

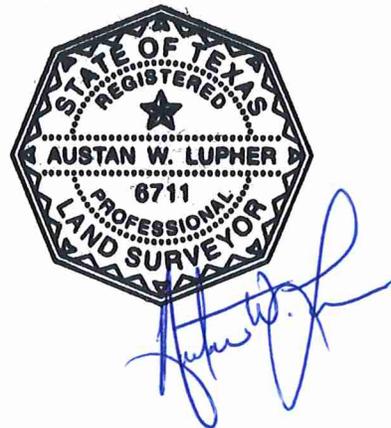
THENCE: Along and with the common line of said 41.052 acre tract, said Restricted Reserve "A", said 51.1179 acre tract, and said Restricted Reserve "B", the following courses and distances:

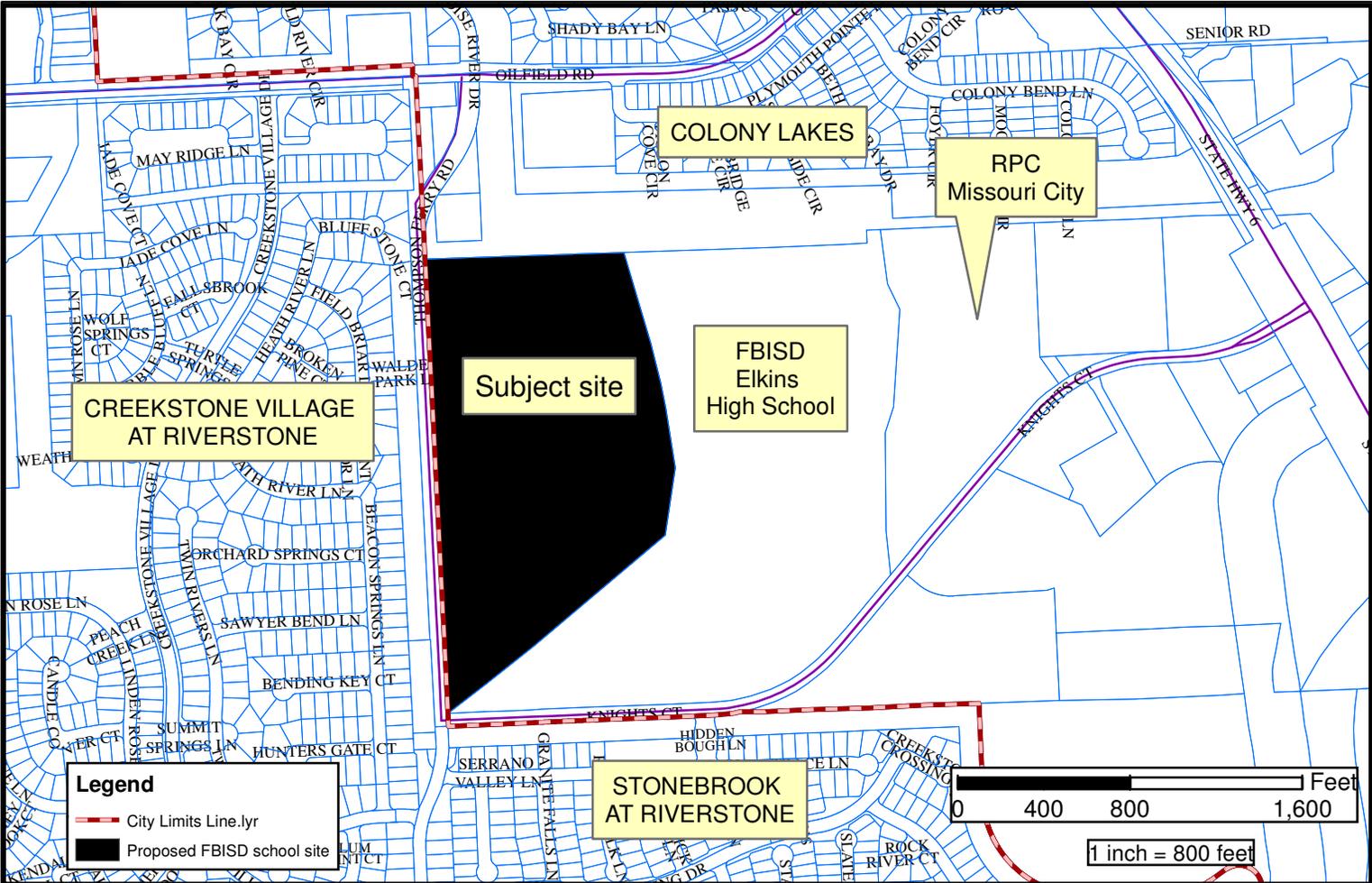
S 09°34'56" E, a distance of 118.26 feet to 5/8 inch iron rod found for corner,

S 07°44'41" W, a distance of 315.44 feet to a 5/8 inch iron rod found for corner,
and

S 50°43'00" W, a distance of 1305.40 feet to the POINT OF BEGINNING, and
containing 20.000 acres in Fort Bend County, Texas. Said tract being described in
accordance with a survey made on the ground and a survey map prepared under job
number 49105-19 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: August 28, 2019
Job No.: 49105-19
DOC. ID. K:\survey\Survey19\49105-19\Word\FN49105-19 20.000AC.docx







**PLANNING AND ZONING COMMISSION
FINAL REPORT**

AGENDA DATE: September 8, 2020

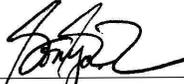
AGENDA ITEM SUBJECT: Fort Bend Independent School District (FBISD)
Elementary School #53 (20-acre tract)

AGENDA ITEM NUMBER: 7.a.(1)

PROJECT PLANNER: **Jennifer Thomas Gomez, AICP**, Planning
Manager

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

Sonya Brown-Marshall, Planning and Zoning
Commission Chair



Sonya Brown Marshall, Chair

PERMIT NUMBER: SUP2000010

PROPERTY ID: 0077-00-000-1411-907

LOCATION: The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of FBISD Elkins High School and east of Creekstone Village at Riverstone.

RECOMMENDED ACTION:

The proposal complies with the provisions of the 2017 Comprehensive Plan and the policies contained in the Future Land Use Plan. The Future Land Use Plan designation should be revised to reflect community facilities if the proposed SUP is approved.

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

SUMMARY:

As part of its 2018 approved bond referendum, Fort Bend Independent School District (FBISD) identified elementary school site #53 to serve a growing population in the Riverstone area. This elementary school site is one of several new schools planned to be constructed throughout the district.

The applicant has described this proposed Riverstone area school site to be similar in design to another proposed site, Elementary #52, which would be located near the Fort Bend Parkway; as well as the design of the existing Neill Elementary School located in Richmond within the Harvest Green subdivision. The model school sites are designed as two-story buildings of approximately 127,544 square feet to accommodate 1,000 students.

A site plan of the proposed elementary school site #53 has been provided and shows the overall building layout; associated recreational and educational uses; parking facilities; driveway access off of Thompson Ferry Road; driveway design into the campus for the queuing of cars that are loading and unloading students; and potential locations for on-site detention. The site would be adjacent to Elkins High School but is not proposed to provide direct access between the two campuses.

GENERAL SITE INFORMATION:

A. Legal Description:

The subject site can be described as being a 20 acre tract of land, being a portion of a called 41.052 acre tract of land conveyed to FPL Real Estate LTD, as described in a deed recorded in Clerk's File No. 2000014020 in the Official Public Records of Fort Bend County, Texas, also being a portion of Restricted Reserve "A" of Frost Ranch Site Subdivision as recorded in Slide No. 1987A and 1988A in the Plat Records of Fort Bend County, situated in the Elijah Roark Survey, A-77, Fort Bend County, Texas.

B. Size:

20 acres

C. Existing Land Use and Zoning Designation:

Unimproved / SD,
suburban district

D. Surrounding Land Uses and Zoning Designations:

North: Drainage, utility facilities / CF, community facilities

South: Drainage, utility facilities; Stonebrook at Riverstone subdivision / ETJ,
extraterritorial jurisdiction

East: FBISD Elkins High School / SUP, Specific Use Permit No. 112
(Ordinance O-90-37)

West: Creekstone Village at Riverstone subdivision / ETJ, extraterritorial jurisdiction

E. Zoning History:

11-17-1980:	Subject site annexed by the City of Missouri City (Ordinance O-80-28)
01-19-1981:	Subject site zoned SD, suburban district (Ordinance O-81-01)

ANALYSIS OF SUBJECT SITE:

A. Development Potential

As part of its 2018 approved bond referendum, Fort Bend Independent School District (FBISD) identified elementary school site #53 to serve a growing population in the Riverstone area. This elementary school site is one of several new schools planned to be constructed throughout the district.

The applicant has described this proposed Riverstone area school site to be similar in design to another proposed site, Elementary #52, which would be located near the Fort Bend Parkway; as well as the design of the existing Neill Elementary School located in Richmond within the Harvest Green subdivision. The model school sites are designed as two-story buildings of approximately 127,544 square feet to accommodate 1,000 students.

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

- Goal 1.3: A more cohesive city. Build upon public and private, intergovernmental and institutional, private sector and non-profit partnerships.

Conformance with the Future Land Use Plan: The Future Land Use Plan identifies the subject tract as suburban residential reflecting the suburban character.

Suburban character is summarized as follows:

This designation is for areas where both residential and commercial development forms result in a more green, open feel compared to more intensively developed areas where buildings, parking areas, and other improvements cover more of their sites. In Suburban Residential areas, there is more separation between homes (whether through larger minimum lot sizes or setbacks), and the intervening spaces are devoted more to trees and vegetation than paved surfaces. ...The predominance of "green" versus "gray" is also necessary for commercial

development to achieve a Suburban character (usually through application of site and building design standards). Suburban commercial development is appropriate for office, retail and service uses abutting residential neighborhoods (subject to scale limitations and “residential in appearance” design standards) and in other areas where the community’s image and aesthetic value is to be promoted, such as at gateways and along high profile corridors.

Staff recommended: Approve the SUP to allow for a places of assembly and the location of the proposed FBISD elementary school. As the city and overall community have continued to experience sustained growth, FBISD has worked with developers and the city to anticipate possible school site locations in high growth areas. This proposed site is along a corridor that has developed with other civic and religious based uses and a school site would serve as a compatible transition from the more intense Highway 6 retail uses into the residential uses surrounding the subject site.

An update to the Future Land Use Plan should change the site’s designation to CF, community facilities to reflect the educational use, if the SUP is approved.

Planning and Zoning Commission recommends: To approve as staff recommended.

B. Height and area requirements. The height and area regulations for SD, suburban district, contained in Section 7.1, City of Missouri City Zoning Ordinance should apply.

This proposed school site is modeled after 2 other school site designs and is proposed to be a two-story building of approximately 127,544 square feet to accommodate 1,000 students.

A site plan of the proposed elementary school site #53 has been provided and shows the overall building layout; associated recreational and educational uses.

Based on the proposed building design and layout, the height and area regulations of the SD district would be suitable. The SD district allows for a maximum height not to exceed 3½ stories; a front and rear yard of not less than 25 feet; and side yards of not less than 10 feet or 15 feet where abutting a street.

C. Exterior lighting regulations.

Staff recommended: Exterior lighting should be shielded to prohibit illumination at the boundary of an adjacent residential use in excess of 0.25 foot-candle of average general light overflow or 0.50 foot-candle at any point on such boundary.

Planning and Zoning Commission recommends: To approve as staff recommended.

- D. Architectural standards.** Except as provided herein, all buildings and structures should be constructed in accordance with Section 7A, Architectural design standards, City of Missouri City Zoning Ordinance, except as prohibited by Title 10, of Subtitle Z, of Chapter 3000, of the Texas Government Code.

The applicant has submitted proposed material and colors for the main school building. The design is similar to the proposed Elementary #52, which would be located near the Fort Bend Parkway as well as the existing Neill Elementary School. The design includes the incorporation of brick and stone veneers in muted, earth tone colors.

The submitted site plan shows the possible future location of portable buildings. Most of the FBISD school sites incorporate this design into a campus layout.

Section 7A.3.7. prohibits temporary buildings, other than construction trailers.

Staff recommended: To approve the location of portable buildings, as shown on the site plan. The proposed location is to the rear of the main building and would generally not be visible from the public right-of-way. The location would be similar to the placement of portable buildings on the adjacent Elkins High School campus.

Planning and Zoning Commission recommends: To approve as staff recommended.

- E. Ingress and egress.** All driveways and off-street parking areas, including locations, should comply with the Infrastructure Design Manual.

A Traffic Impact worksheet and a Level 3 Traffic Impact Analysis has been received by the city.

The Planning and Zoning Commission expressed concern regarding traffic circulation and roadway design resulting in congestion along Thompson Ferry Road and Knights Court. The Commission discussed the current situation as being driven primarily by traffic flowing to and from Elkins High School and what implications placing a second school site in this area would have on this situation. A Commissioner asked about any planned or proposed improvements in the area to address this concern.

- F. Parking regulations.** The parking regulations contained in Section 12, City of Missouri City Zoning Ordinance should apply.

The originally submitted site plan stated that parking requirements would be obtained from the applicable city ordinance.

Section 12.2. requires 1.25 parking spaces per classroom plus 0.25 per student of driving age, as applicable for elementary and secondary schools.

- G. Trash disposal regulations.** The trash disposal regulations contained in Section 9.14 and pertaining to nonresidential zones, City of Missouri City Zoning Ordinance should apply.

The submitted site plan shows a dumpster enclosure location to the side of the building, northeast of the visitor parking area. The applicant has provided details for the enclosure. The enclosure is proposed to be at a height of 7'4" and consist of brick to match the main building. The gates are proposed to be opaque, consisting of lumber pickets.

Section 9.14 requires that an enclosure have opaque metal gates in a color either matching that of the enclosure or the trim color.

Staff recommended: The requirements of Section 9.14 should apply. The applicant should revise this detail prior to the issuance of building permits.

Planning and Zoning Commission recommends: To approve as staff recommended.

- H. Utilities.** All utilities shall comply with the Infrastructure Design Manual.

The subject site is not located within a municipal utility district however is in proximity to infrastructure and services provided by Fort Bend County MUD #46. Annexation or a service agreement with a municipal utility district will be required prior to final plat approval.

The subject site is located within the Flat Bank Creek watershed. On-site drainage facilities are being proposed.

City staff has discussed with the applicant timing on the approval of a LOMR-F prior to the issuance of building permits.

- I. Sign regulations.** The sign regulations contained in Section 13 and pertaining to a nonresidential zoning district, City of Missouri City Zoning Ordinance should apply.

The applicant has not submitted proposed signage for the school site. However, other school sites have consisted of one or more monument signs with changeable messages, wall signs, and periodic temporary signs and conditionally exempt signs.

Staff recommended: The sign allowance for nonresidential zoning districts should apply to the subject school site instead of the SD regulations to allow the school site flexibility to provide messaging as needed with appropriate standards that would lessen possible intrusive impacts on surrounding uses.

Planning and Zoning Commission recommends: To approve as staff recommended.

J. Landscaping requirements. The landscaping regulations contained in Section 11, City of Missouri City Zoning Ordinance should apply.

At the time of the Commission's consideration, the applicant had not submitted a proposed landscape plan but had submitted a tree preservation plan showing the possible maintenance of a few existing, mature trees along the rear of the property.

The applicant has since provided a conceptual landscape plan to show the considerations for screening and buffering areas on the site including the off-street parking areas as well as the detention areas.

K. Sidewalks. Sidewalks shall be constructed in compliance with the Infrastructure Design Manual.

L. Platting. The site is required to be platted in conformance with Chapter 82, City Subdivision Ordinance, Missouri City Code of Ordinances.

M. Development Schedule. The applicant has provided a development schedule indicating that the anticipated completion of the school site is March 2022. The applicant and District representatives have further provided to city staff that this date is expected to be pushed back a year, into 2023.

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



CREEKSTONE VILLAGE AT RIVERSTONE

COLONY LAKES

RPC Missouri City

Subject site

FBISD Elkins High School

STONEBROOK AT RIVERSTONE

Legend

-  City Limits Line.yr
-  Proposed FBISD school site

0 400 800 1,600 Feet

1 inch = 800 feet



COLONY LAKES

RPC
Missouri City

FBISD
Elkins
High School

STONEBROOK
AT RIVERSTONE

Legend

City Limits Line.lyr

0 250 500 1,000 Feet

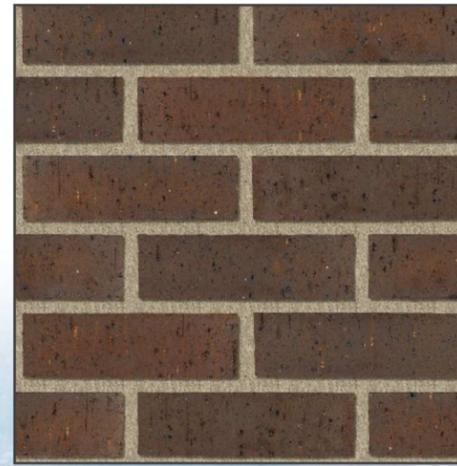
1 inch = 500 feet



STONE
Dakota Chopped Limestone



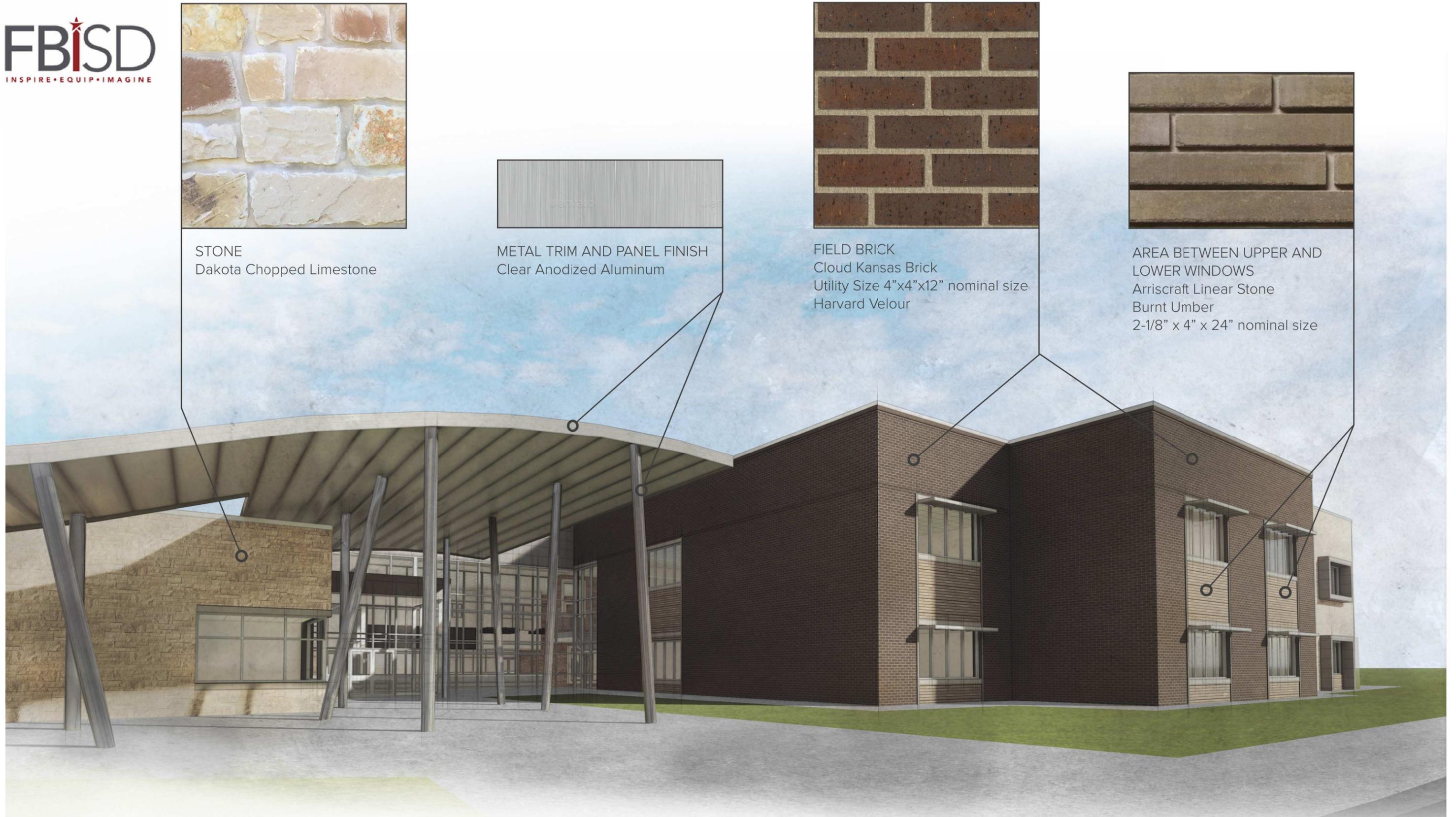
METAL TRIM AND PANEL FINISH
Clear Anodized Aluminum



FIELD BRICK
Cloud Kansas Brick
Utility Size 4"x4"x12" nominal size
Harvard Velour



AREA BETWEEN UPPER AND
LOWER WINDOWS
Arriscraft Linear Stone
Burnt Umber
2-1/8" x 4" x 24" nominal size



August 19, 2020 - FB Independent



City of Missouri City

NOTICE OF MEETING

LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Tuesday, September 8, 2020, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m. Due to the COVID 19 Disaster and the Centers for Disease Control recommendation regarding social distancing measures, the City Council and the public may not be allowed to be physically present at this hearing.

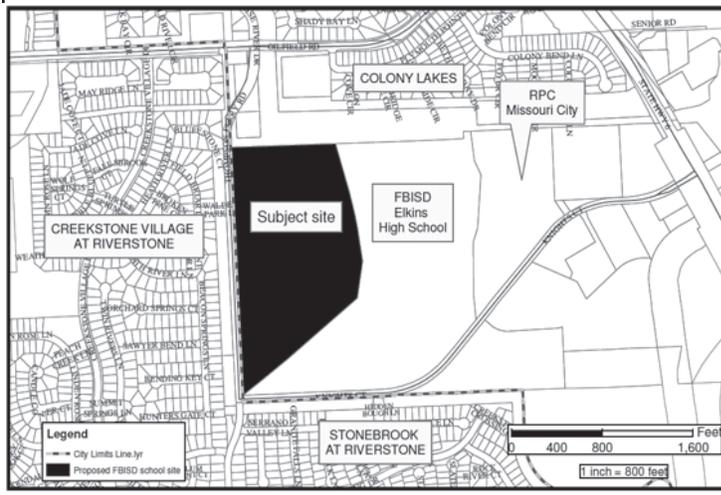
The City may be using a telephone/video conferencing tool to make the hearing available to City Council and the public. On the date and at the time provided, the public may access the livestream of the meeting by the following link: <https://www.missouricitytx.gov/780/MCTV>. A telephone number for the public will be made available on the posted meeting agenda prior to the hearing date and available on the City's website.

PURPOSE: To receive comments for or against a request by Bryan Sheppard, Pape-Dawson Engineers, seeking a SUP, Specific Use Permit to allow for the location of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of FBISD Elkins High School and east of Creekstone Village at Riverstone.

SITE LEGAL DESCRIPTION: The subject site can be described as being a 20 acre tract of land, being a portion of a called 41.052 acre tract of land conveyed to FPL Real Estate LTD, as described in a deed recorded in Clerk's File No. 2000014020 in the Official Public Records of Fort Bend County, Texas, also being a portion of Restricted Reserve "A" of Frost Ranch Site Subdivision as recorded in Slide No. 1987A and 1988A in the Plat Records of Fort Bend County, situated in the Elijah Roark Survey, A-77, Fort Bend County, Texas.

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





**NOTICE OF PUBLIC HEARING
TO ADJOINING PROPERTY OWNERS
WITHIN 200 FEET OF PROPERTY SUBJECT TO ZONING**

DATE OF NOTICE: July 31, 2020

LOCATION/DATE: The Planning and Zoning Commission of the City of Missouri City will hold a public hearing on Wednesday, August 12, 2020, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

Due to the COVID 19 Disaster and the Centers for Disease Control recommendation regarding social distancing measures, the City Council and the public may not be allowed to be physically present at this hearing.

The city may be using a telephone/video conferencing tool to make the hearing available to the Planning and Zoning Commission and the public. On the date and at the time provided, the public may access the livestream of the meeting by the following link: <https://www.missouricitytx.gov/780/MCTV>. A telephone number for the public will be made available on the posted meeting agenda prior to the hearing date and available on the City's website.

PURPOSE: To receive comments for or against a request by Bryan Sheppard, Pape-Dawson Engineers, seeking a SUP, Specific Use Permit to allow for the location of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject site is located at the northeast corner of Knights Court and Thompson Ferry Road, north of Stonebrook at Riverstone, north and west of FBISD Elkins High School and east of Creekstone Village at Riverstone.

SITE LEGAL DESCRIPTION: The subject site can be described as being a 20 acre tract of land, being a portion of a called 41.052 acre tract of land conveyed to FPL Real Estate LTD, as described in a deed recorded in Clerk's File No. 2000014020 in the Official Public Records of Fort Bend County, Texas, also being a portion of Restricted Reserve "A" of Frost Ranch Site Subdivision as recorded in Slide No. 1987A and 1988A in the Plat Records of Fort Bend County, situated in the Elijah Roark Survey, A-77, Fort Bend County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review. You may call 281-403-8600 or email the Development Services Department-Planning Division at planning@missouricitytx.gov for further information.



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

July 31, 2020

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

The Planning and Zoning Commission of the City of Missouri City will hold a public hearing on Wednesday, August 12, 2020, at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

Due to the COVID 19 Disaster and the Centers for Disease Control recommendation regarding social distancing measures, the City Council and the public may not be allowed to be physically present at this hearing.

The city may be using a telephone/video conferencing tool to make the hearing available to the Planning and Zoning Commission and the public. On the date and at the time provided, the public may access the livestream of the meeting by the following link: https://www.missouricitytx.gov/780/MCTV. A telephone number for the public will be made available on the posted meeting agenda prior to the hearing date and available on the City's website.

To receive comments for or against a request by Bryan Sheppard, Pape-Dawson Engineers, seeking a SUP, Specific Use Permit to allow for the location of a place of assembly for a proposed Fort Bend Independent School District (FBISD) elementary school site; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

This letter is being sent to property owners within 200' of the subject property as required by law. It is also sent to others on request.

Dear City Representatives:

___ I/We protest this proposed rezoning because

___ I/We support this proposed rezoning because

Sincerely,

Signature _____ Print Name _____

Street Address _____ Subdivision _____

Phone Number _____ Return to: Development Services Department
1522 Texas Parkway
Missouri City, TX 77489
Email: planning@missouricitytx.gov

The Texas Public Information Act provides the right of the public to access information that governmental bodies produce and how governmental bodies should respond. By submitting this letter to the City, the personal information included can be accessed by the public subject to this Act. Please print and sign your name below if you do not consent to the release of your personal information to the public.

Print Name _____ Signature _____

Mailing labels for adjoining property owners

FPL Real Estate Ltd
2930 Revere ST STE 300
Houston, TX 77098-5607

FT Bend ISD
c/o Tax Office PO Box 1004
Sugar Land, TX 77487-1004

Fort Bend County Municipal Utility
District # 46
c/o Coats, Rose, Yale, Ryman & Lee PC
3 Greenway PLZ

Ft Bend MUD #46
3 E GREENWAY PLZ STE 2000
HOUSTON, TX 77046-0307

Riverstone Homeowners Association
Inc
18353 University BLVD
Sugar Land, TX 77479-3724

FBISD
c/o Max Cleland
16431 Lexington Blvd
Sugar Land, TX 77479

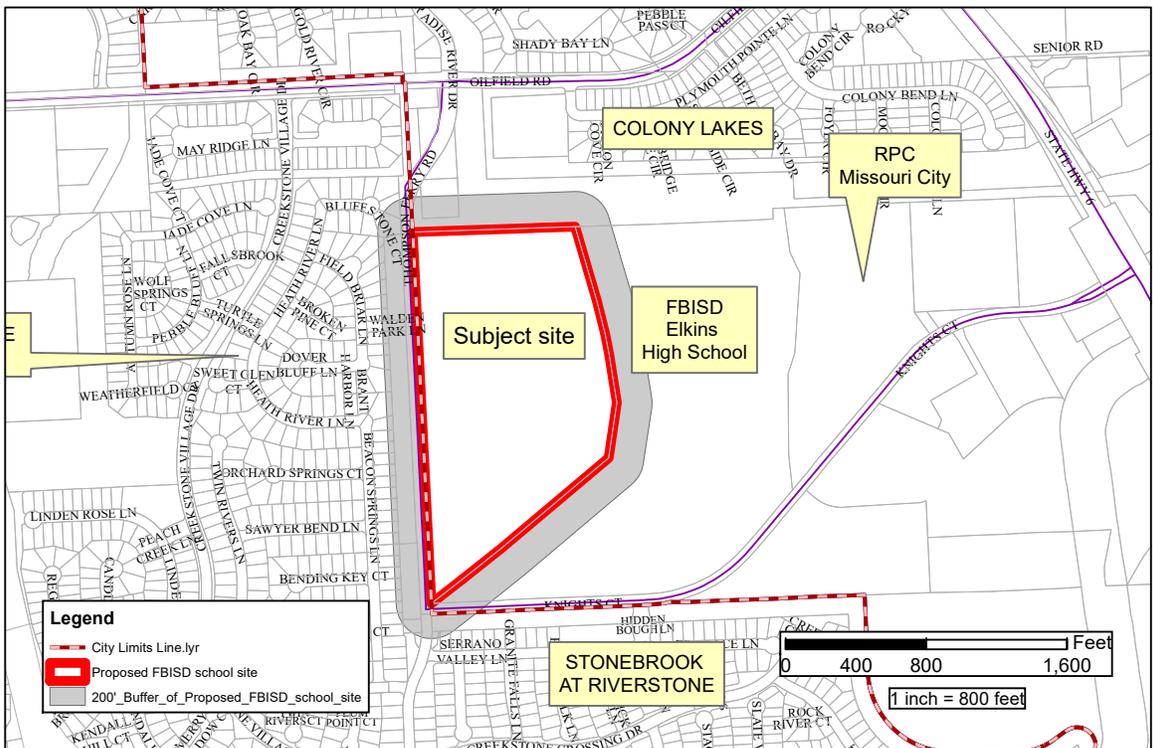
City of Missouri City, Texas
Development Services Department – Planning Division
Rezoning Application Protest Letters Analysis

Application: FBISD Elementary School #53 (20-acre tract)
City Council First Reading: September 8, 2020

Protest Letters Received

Name	Property Address OR Fort Bend County Account Number	Land Area (Square Feet) Within 200 Feet
None		
Total Area Represented by Protest(s):		-
Total Land Area <i>Including</i> Subject Site:		2,133,935.79
Subject Site <i>Only</i> Land Area:		871,200.00
Total Land Area <i>Only Within 200 Feet</i> of Subject Site:		1,262,735.79
Protest(s) Percentage of Land Area Within 200 Feet:		0%

Note: A total of 0 letters of support and 0 letters of protest has been received for the application request as of September 2, 2020.





CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 7(b)(1) Approval and adoption of the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021.
Submitted by: Bertha Alexander, Budget & Financial Planning Manager

SYNOPSIS

Section 9.03 of the City Charter requires the City Council to adopt an annual budget prior to the beginning of the fiscal year. The proposed FY 2021 budget covering the period from October 1, 2020 through September 30, 2021 was filed with the City Secretary on or before September 1, 2020, as prescribed by the City's charter.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

The City of Missouri City's annual budget process began in early January of this year with a budget retreat with City Council and staff. Council provided staff with their top priorities for the coming year for incorporation into the budget. This proposed budget has been discussed in various council meetings and a public hearing was held in order to solicit public input prior to adoption.

BUDGET ANALYSIS

The FY 2021 Proposed Budget can be accessed from the City of Missouri City website at <http://www.missouricitytx.gov/DocumentCenter/View/12570/FY2021-Proposed-Budget-Document--992020>.

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

SUPPORTING MATERIALS

1. Ordinance
2. FY 2021 Consolidated All Funds Summary
3. General Fund Revenue, Expenditures & Fund Balances
4. Budget Comparison by Fund
5. City Manager Budget Transmittal Letter

STAFF'S RECOMMENDATION

Staff recommends the adoption of the proposed Fiscal Year 2021 City Budget as presented by record vote.

Director Approval: Allena Portis, Director of Financial Services

City Manager Approval: Bill Atkinson, Assistant City Manager

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, APPROVING AND ADOPTING THE CITY OF MISSOURI CITY, TEXAS, GENERAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; ADOPTING A PROJECTION FOR CAPITAL IMPROVEMENT PROGRAM SPENDING BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2025; MAKING CERTAIN FINDINGS; AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, in accordance with the Charter of the City of Missouri City, on or before September 1, 2020, the City Manager of the City of Missouri City, Texas (the "City") filed with the City Secretary a proposed Budget of the City for the fiscal year period beginning October 1, 2020, and ending September 30, 2021 ("Fiscal Year 2021"); and

WHEREAS, on or before September 1, 2020, the City Manager submitted to the City Council a proposed Budget of the City for Fiscal Year 2021 that includes a projection for Capital Improvement Program spending beginning on October 1, 2021, and ending September 30, 2025, and an accompanying message; and

WHEREAS, the City Council held, after notice, as required by law, a public hearing on such Budget on the 21st day of September, 2020, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard and those who requested to be heard were heard; and

WHEREAS, the City Council has considered the proposed Budget and has made such changes therein as in the City Council's judgment were warranted by law and were in the best interest of the citizens and taxpayers of the City; and

WHEREAS, the Budget is attached hereto as Exhibit "A," and made a part hereof for all purposes; and

WHEREAS the proposed Budget of the City can be accessed from the City of Missouri City website at <https://www.missouricitytx.gov/DocumentCenter/View/12570/FY2021-Proposed-Budget-Document--992020>, and the City Council desires to adopt the same; 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. In accordance with the provisions of Chapter 102 of the Texas Local Government Code, the City Council hereby approves and adopts the Budget, which can be accessed from the City of Missouri City website at <https://www.missouricitytx.gov/DocumentCenter/View/12570/FY2021-Proposed-Budget-Document--992020>, a copy of same being on file with the City Secretary. The City Secretary is hereby directed to place on said Budget and to sign an endorsement reading as follows: "The Original Budget of the City of Missouri City, Texas, for the Fiscal Year 2021", and to keep such Budget on file in her office as a public record and on the City's Internet website.

Section 3. In support of said Budget and by virtue of the adoption thereof, there are hereby appropriated out of available cash funds and out of the general and special revenues of the City which will be received in the treasury during Fiscal Year 2021 the amount set forth in said approved Budget for the various purposes stated therein.

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, APPROVED and ADOPTED on first and final reading this the 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

CONSOLIDATED ALL FUNDS SUMMARY - FY 2021 BUDGET

OBJECT CLASS & DESCRIPTION	GENERAL FUND	SPECIAL REVENUE FUNDS	CAPITAL PROJECTS FUNDS	DEBT SERVICE FUND	UTILITY FUNDS	OTHER ENTERPRISE FUNDS	EQUIPMENT REPLACEMENT FUNDS	TOTAL
REVENUE								
40 - PROP. TAX/ASSESSMENTS	\$ 33,906,684	\$ 3,685,462	\$ -	\$ 10,910,822	\$ -	\$ -	\$ -	\$ 48,502,968
41 - SALES & OTHER TAXES	9,811,750	163,132	4,193,262	-	-	-	-	14,168,144
42 - FRANCHISE REVENUE	3,850,000	185,000	-	-	-	25,800	-	4,060,800
43 - LICENSES AND PERMITS	3,249,938	14,000	-	-	-	-	-	3,263,938
44 - FINES/FEES & FORFEIT	718,600	63,535	-	-	-	-	-	782,135
45 - CHARGES FOR SERVICES	297,650	-	-	-	16,516,728	7,524,584	-	24,338,962
46 - INTERGOV REV/GRANTS	6,918,684	1,341,541	-	-	-	27,000	-	8,287,225
47 - INVESTMENT EARNINGS	203,836	167,541	159,081	137,141	221,735	-	16,326	905,660
48 - OTHER SOURCES/DONATN	440,150	817,000	5,706,628	-	4,654,220	-	70,000	11,687,998
TOTAL REVENUE	\$ 59,397,292	\$ 6,437,211	\$ 10,058,971	\$ 11,047,963	\$ 21,392,683	\$ 7,577,384	\$ 86,326	\$ 115,997,830
TRANSFERS-IN								
49 - TRANSFERS FROM & ADM	\$ 1,740,961	\$ 7,878,780	\$ 1,800,000	\$ -	\$ 7,142,536	\$ -	\$ 1,987,990	\$ 20,550,267
TOTAL TRANSFERS-IN	\$ 1,740,961	\$ 7,878,780	\$ 1,800,000	\$ -	\$ 7,142,536	\$ -	\$ 1,987,990	\$ 20,550,267
TOTAL REVENUE & TRANSFERS-IN	\$ 61,138,253	\$ 14,315,991	\$ 11,858,971	\$ 11,047,963	\$ 28,535,219	\$ 7,577,384	\$ 2,074,316	\$ 136,548,097
EXPENDITURES								
51 - PERSONNEL COSTS	\$ 36,397,282	\$ 330,203	\$ -	\$ -	\$ -	\$ 1,000,896	\$ -	\$ 37,728,380
52 - SUPPLIES & MATERIALS	2,453,977	339,685	-	-	2,812,983	664,283	200,000	6,470,928
53 - PROF/CONTRACT SERVIC	11,645,677	7,483,300	4,751,261	2,030	5,551,882	5,285,401	167,429	34,886,980
54 - REPAIR & MAINTENANCE	1,146,683	-	72,000	-	1,449,000	107,760	-	2,775,443
55 - UTILITIES	2,142,591	20,895	-	-	931,152	163,669	-	3,258,307
56 - OTHER EXPENDITURES	3,476,177	244,904	-	-	98,252	261,542	-	4,080,876
57 - DEBT EXPENDITURES	-	2,720,993	-	10,317,409	6,240,686	-	-	19,279,088
58 - CAPITAL OUTLAY	57,000	823,589	18,891,777	-	1,900,000	12,000	841,935	22,526,301
TOTAL EXPENDITURES	\$ 57,319,387	\$ 11,963,569	\$ 23,715,038	\$ 10,319,439	\$ 18,983,955	\$ 7,495,551	\$ 1,209,364	\$ 131,006,303
TRANSFERS-OUT								
59 - TRANSFERS TO FUNDS	\$ 7,415,249	\$ 448,271	\$ 3,800,000	\$ 1,151,521	\$ 7,719,226	\$ 16,000	\$ -	\$ 20,550,267
TOTAL TRANSFERS-OUT	\$ 7,415,249	\$ 448,271	\$ 3,800,000	\$ 1,151,521	\$ 7,719,226	\$ 16,000	\$ -	\$ 20,550,267
TOTAL EXPENDITURES & TRANSFERS-IN	\$ 64,734,636	\$ 12,411,840	\$ 27,515,038	\$ 11,470,960	\$ 26,703,181	\$ 7,511,551	\$ 1,209,364	\$ 151,556,570
REVENUE OVER/(UNDER) EXPENDITURES	\$ (3,596,383)	\$ 1,904,151	\$ (15,656,067)	\$ (422,997)	\$ 1,832,038	\$ 65,833	\$ 864,952	\$ (15,008,474)
BEGINNING FUND BALANCE	\$ 19,477,578	\$ 20,127,560	\$ 28,205,168	\$ 6,283,534	\$ 62,702,455	\$ 37,209	\$ 1,953,300	\$ 138,786,804
ENDING FUND BALANCE	\$ 15,881,195	\$ 22,031,711	\$ 12,549,101	\$ 5,860,537	\$ 64,534,493	\$ 103,042	\$ 2,818,252	\$ 123,778,331

DEPARTMENT: ALL
 DIVISION: ALL

FUNDING SOURCE: GENERAL FUND
 FUND NUMBER: 101 & 800

OBJECT CLASS & DESCRIPTION	FY 2019 ACTUAL	FY 2020 BUDGET	FY 2020 ESTIMATES	FY 2021 BUDGET
REVENUE				
40 - PROP.TAX/ASSESSMENTS	\$ 30,673,349	\$ 32,944,648	\$ 32,503,374	\$ 33,906,684
41 - SALES & OTHER TAXES	9,546,249	9,437,800	9,817,200	9,811,750
42 - FRANCHISE REVENUE	4,204,568	3,961,000	3,961,000	3,850,000
43 - LICENSES AND PERMITS	3,238,909	2,786,737	2,954,849	3,249,938
44 - FINES/FEES & FORFEIT	1,023,180	872,100	522,051	718,600
45 - CHARGES FOR SERVICES	451,696	414,900	200,430	297,650
46 - INTERGOV REV/GRANTS	2,630,729	2,413,279	3,179,344	6,918,684
47 - INVESTMENT EARNINGS	416,185	195,902	340,035	203,836
48 - OTHER SOURCES/DONATN	649,279	478,750	458,932	440,150
TOTAL REVENUE	\$ 52,834,144	\$ 53,505,117	\$ 53,937,216	\$ 59,397,292
TRANSFERS-IN				
49 - TRANSFERS FROM & ADM	\$ 1,706,012	\$ 1,736,057	\$ 1,719,390	\$ 1,740,961
TOTAL TRANSFERS-IN	\$ 1,706,012	\$ 1,736,057	\$ 1,719,390	\$ 1,740,961
TOTAL REVENUE & TRANSFERS-IN	\$ 54,540,156	\$ 55,241,174	\$ 55,656,606	\$ 61,138,253
EXPENDITURES				
51 - PERSONNEL COSTS	\$ 32,624,072	\$ 35,231,802	\$ 34,202,631	\$ 36,397,282
52 - SUPPLIES & MATERIALS	2,361,696	2,931,591	2,583,748	2,453,977
53 - PROF/CONTRACT SERVIC	5,379,704	6,455,888	5,314,727	11,645,677
54 - REPAIR & MAINTENANCE	1,018,812	1,184,033	1,217,518	1,146,683
55 - UTILITIES	1,694,141	1,967,846	1,968,116	2,142,591
56 - OTHER EXPENDITURES	1,451,720	1,965,289	1,480,970	3,476,177
58 - CAPITAL OUTLAY	73,418	92,970	92,970	57,000
TOTAL EXPENDITURES	\$ 44,603,564	\$ 49,829,420	\$ 46,860,680	\$ 57,319,387
TRANSFERS-OUT				
59 - TRANSFERS TO FUNDS	\$ 3,894,700	\$ 4,953,319	\$ 5,491,723	\$ 7,415,249
TOTAL TRANSFERS-OUT	\$ 3,894,700	\$ 4,953,319	\$ 5,491,723	\$ 7,415,249
TOTAL EXPENDITURES & TRANSFERS-OUT	\$ 48,498,265	\$ 54,782,739	\$ 52,352,403	\$ 64,734,636
REVENUE OVER/(UNDER) EXPENDITURES	\$ 6,041,891	\$ 458,435	\$ 3,304,202	\$ (3,596,383)
BEGINNING FUND BALANCE	\$ 10,131,485	\$ 16,173,376	\$ 16,173,376	\$ 19,477,578
ENDING FUND BALANCE	\$ 16,173,376	\$ 16,631,810	\$ 19,477,578	\$ 15,881,195

BUDGET COMPARISON BY FUND

Description of Fund	FY 2021 Proposed Budget	FY 2020 Revised Budget	\$ Change	% Change
GENERAL FUND (FUNDS 101 & 800)				
Revenue	\$ 59,397,292	\$ 53,505,117	\$ 5,892,175	11.0%
Transfers-In	1,740,961	1,736,057	4,904	0.3%
Total Revenue & Transfers-In	\$ 61,138,253	\$ 55,241,174	\$ 5,897,079	10.7%
Expenses	\$ 57,319,387	\$ 49,829,420	\$ 7,489,967	15.0%
Transfers-Out	7,415,249	4,953,319	2,461,930	49.7%
Total Expenses & Transfers-Out	64,734,636	54,782,739	\$ 9,951,897	18.2%
SPECIAL REVENUE FUNDS				
Revenue	\$ 6,437,211	\$ 6,645,374	\$ (208,163)	-3.1%
Transfers-In	7,878,780	4,956,896	2,921,884	58.9%
Total Revenue & Transfers-In	\$ 14,315,991	\$ 11,602,270	\$ 2,713,721	23.4%
Expenses	\$ 11,963,569	\$ 12,782,009	\$ (818,440)	-6.4%
Transfers-Out	448,271	968,271	(520,000)	-53.7%
Total Expenses & Transfers-Out	12,411,840	13,750,280	\$ (1,338,440)	-9.7%
CAPITAL PROJECTS FUNDS				
Revenue	\$ 10,058,971	\$ 19,164,571	\$ (9,105,600)	-47.5%
Transfers-In	1,800,000	500,000	1,300,000	260.0%
Total Revenue & Transfers-In	\$ 11,858,971	\$ 19,664,571	\$ (7,805,600)	-39.7%
Expenses	\$ 23,715,038	\$ 38,908,340	\$ (15,193,302)	-39.0%
Transfers-Out	3,800,000	1,800,000	2,000,000	111.1%
Total Expenses & Transfers-Out	27,515,038	40,708,340	\$ (13,193,302)	-32.4%
DEBT SERVICE FUND				
Revenue	\$ 11,047,963	\$ 11,698,247	\$ (650,284)	-5.6%
Transfers-In	-	-	-	-
Total Revenue & Transfers-In	\$ 11,047,963	\$ 11,698,247	\$ (650,284)	-5.6%
Expenses	\$ 10,319,439	\$ 10,445,474	\$ (126,035)	-1.2%
Transfers-Out	1,151,521	998,219	153,302	15.4%
Total Expenses & Transfers-Out	11,470,960	11,443,693	\$ 27,267	0.2%

BUDGET COMPARISON BY FUND

Description of Fund	FY 2021 Proposed Budget	FY 2020 Revised Budget	\$ Change	% Change
UTILITY FUNDS				
Revenue	\$ 21,392,683	\$ 25,490,456	\$ (4,097,773)	-16.1%
Transfers-In	7,142,536	7,835,884	(693,348)	-8.8%
Total Revenue & Transfers-In	\$ 28,535,219	\$ 33,326,340	\$ (4,791,121)	-14.4%
Expenses	\$ 18,983,955	\$ 41,152,890	\$ (22,168,935)	-53.9%
Transfers-Out	7,719,226	8,387,670	(668,444)	-8.0%
Total Expenses & Transfers-Out	26,703,181	49,540,560	\$ (22,837,379)	-46.1%
OTHER ENTERPRISE FUNDS				
Revenue	\$ 7,577,384	\$ 7,866,681	\$ (289,297)	-3.7%
Transfers-In	-	-	-	
Total Revenue & Transfers-In	\$ 7,577,384	\$ 7,866,681	\$ (289,297)	-3.7%
Expenses	\$ 7,495,551	\$ 7,855,701	\$ (360,150)	-4.6%
Transfers-Out	16,000	16,000	-	0.0%
Total Expenses & Transfers-Out	7,511,551	7,871,701	\$ (360,150)	-4.6%
EQUIPMENT REPLACEMENT FUNDS				
Revenue	\$ 86,326	\$ 104,710	\$ (18,384)	-17.6%
Transfers-In	1,987,990	2,094,642	(106,652)	-5.1%
Total Revenue & Transfers-In	\$ 2,074,316	\$ 2,199,352	\$ (125,036)	-5.7%
Expenses	\$ 1,209,364	\$ 1,325,197	\$ (115,833)	-8.7%
Transfers-Out	-	-	-	
Total Expenses & Transfers-Out	1,209,364	1,325,197	\$ (115,833)	-8.7%
TOTAL - ALL FUNDS				
Revenue	\$ 115,997,830	\$ 124,475,156	\$ (8,477,326)	-6.8%
Transfers-In	20,550,267	17,123,479	3,426,788	20.0%
Total Revenue & Transfers-In	\$ 136,548,097	\$ 141,598,635	\$ (5,050,538)	-3.6%
Expenses	\$ 131,006,303	\$ 162,299,031	\$ (31,292,728)	-19.3%
Transfers-Out	20,550,267	17,123,479	3,426,788	20.0%
Total Expenses & Transfers-Out	\$ 151,556,570	\$ 179,422,510	\$ (27,865,940)	-15.5%



CITY MANAGER

1522 Texas Parkway
Missouri City, Texas 77489

Phone: 281.403.8500
www.missouricitytx.gov

TO: Honorable Mayor Ford and City Council
FROM: Odis Jones, City Manager
DATE: August 20, 2020
REGARDING: Proposed Fiscal Year 2021 Annual Budget and Financial Plan

Introduction

I am pleased to present to you the Proposed Budget for Fiscal Year 2021. This document represents many months of hard work by the City departments and the Leadership Team. This document is being presented in accordance with the City of Missouri City's Home Rule Charter, which calls for:

"On or before the first day of September of each year the city manager shall submit to the council a proposed budget and an accompanying message. The council shall review the proposed budget and revise as deemed appropriate prior to general circulation for public hearing."

The annual budget process and the resulting document are arguably the most important responsibilities of the City Council and City staff. This document serves four key roles in conveying the work program of the City Council and City organization to the citizens, business community and those who may wish to consider investing in or moving to the City. The first of these roles is the budget serves a policy document that provides information with respect to the policies, goals and objectives for the year, and further, it provides an explanation to the reader of the budget process that is undertaken. Second, the budget serves as a financial plan that provides explanation of the financial structure and operations and as a plan regarding the City's major revenue sources and expenditures proposed for the year. The information presented is to provide projections for current year financial activity while also comparing these programs to the past for historical comparison. Third, the budget is to act as an operations guide for the relationship between the organization's departmental programs, structure and staffing and the goals and objectives that have been defined the City's guiding documents. Finally and most importantly, this budget document is utilized to comprehensively communicate and provide transparency to the public about how the organization operates within prescribed guidelines and recommended and accepted practices to achieve its goals.

While each budget has its challenges, I must say that this one has been particularly unique, not only from a budget development standpoint, but also the environment surrounding its presentation. This past year has created an environment that has not only impacted how we utilized our resources, but it also fundamentally changed the way in which we now work. Ordinarily, many of you would be reading this message at work, but today many are reading it as you work from home. When we started our budget development process this year, it looked like we would be experiencing the strongest revenue growth the city has seen since before the Great Recession, however, the COVID-19 pandemic has not only changed how we are working and living, but also created a great deal of uncertainty about our city revenues and budget.

If the current social distancing measures are successful in controlling the spread of the virus and the economy recovers quickly, the impact on our revenues and budget may be limited. On the other hand, if the current social distancing measures need to remain in place for an extended period or the economy does not bounce back quickly once the restrictions are removed, the impact on our revenues and budget could be significant and long lasting. Faced with this uncertainty, you will see changes in the Fiscal Year 2021 Budget.

Given the uncertainty around the impacts of COVID-19, everything now depends on how well the virus is curtailed, how swiftly businesses can reopen and how quickly we can all return to normal. We will continue to work with federal, state and county officials to pursue those funds that can help offset the impact of this challenge. This year, through the CARES Act, the City received \$3.7 million and the staff proposed and council authorized the expenditure of funding on four priorities. These funds are limited on how they may be expended and are available only through December of 2020. The areas they cover are the following:

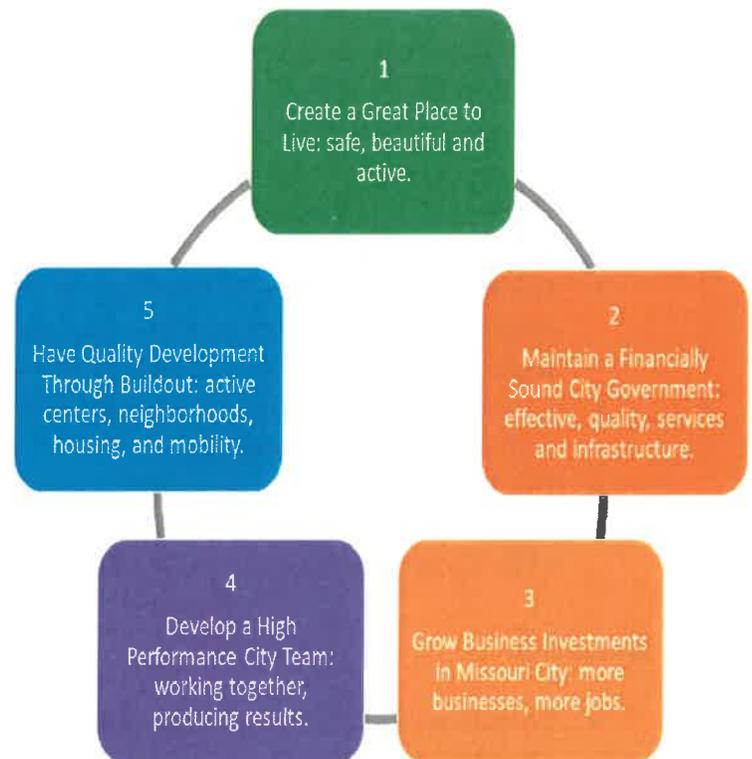
- Priority 1: Existing Expenses: The items requested in this priority are expenses the city has already incurred on COVID-19 response efforts.
- Priority 2: Safety: These are items and programs that will help ensure the safety of employees and citizens as well as ensure compliance with the Governor's Open Texas guidance.
- Priority 3: Public Outreach: These consist of three (3) programs to assist the public directly with small business assistance, rental and utility assistance and personal protective equipment for senior facilities and senior citizens.
- Priority 4: Other Expenses: These consist of items permitted by the Act that will cover temporary employees for program operations, telework and meetings equipment for employees working remotely, emergency operations center enhancements for the safety of EOC workers, development of a Continuity of Operations Plan annex for the emergency operations plan.
- Priority 5: Hazardous Duty Pay: Program to be developed in recognition of the impact of COVID-19 Pandemic on employees and their families.

We will be continually monitoring our revenues to determine if changes to the budget will need to be made. The COVID-19 pandemic presents a great challenge for us and everyone else around the world. We will get through this challenge together and come through even stronger on the other side as we always do.

Even with the challenges, there were a great number of accomplishments in FY 2020. These accomplishments are in concert with the Council adopted strategic goals. These priorities are:

- Economic Development and Redevelopment
- Infrastructure
- Fire Department
- Employees
- Beautification
- Partnerships

Below is a synopsis of the activities that have taken place during FY 2019-2020 in pursuit of these goals.



Economic Development and Redevelopment

- Facilitated redevelopment of Glenn Lakes Professional Building
- Completed market assessment for redevelopment area
- Assessed opportunities for medical services to locate on FM2234
- Completed Grand Park Center Incentive Agreement
- Completed LOI with NewQuest for development of Fort Bend Town Center II, a Cinemark 272,000 SF Power Center
- Facilitated planning and development of ~3,000,000 SF of commercial space in and around US90A and Beltway 8

Infrastructure

- Initiated utility projects (Mustang Bayou and Steep Bank Flat Bank Creek Wastewater Plant Expansion) in coordination with other participants to meet growth demands of the service area
- Negotiated and executed a raw water contract with Gulf Coast Water Authority (GCWA) to secure raw water to meet ultimate build-out in the City and ETJ
- Successfully completed city-wide sidewalk and pavement assessments as part of the Pavement Maintenance and Management Program (PMMP)
- Completed Corridor Study for Cartwright Road to improve traffic progression

Fire Department

- Completed the design of Fire Station No. 6
- Took delivery of two new replacement apparatus: a new engine and tower with an expected service life of 20 years
- Replaced 18 breathing air packs and components that include the most current safety features and technology, which will allow us to better track firefighters and air levels while operating in hazardous environments
- The Missouri City Council approved an amendment to the charter on April 20th, which established the Fire Prevention – Community Risk Reduction Division. A Police agency within Missouri City Fire and Rescue Services
- A new Physical Abilities was implemented for the department to utilize in the recruiting and hiring of new firefighters
- Fire Rescue 1 Academy was implemented as a new training and records system for the Fire Department which follows best practices and provides modern learning with nearly 450 courses based on current standards

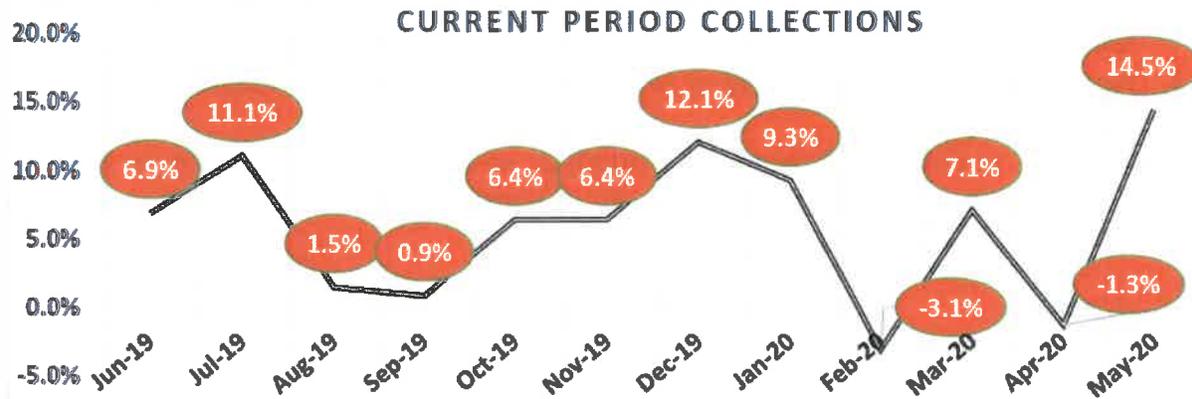
Employees

- Completed the 2020 Benefits Summary Guide
- Completed one-time 1% compensation payment to all eligible employees
- In response to COVID-19 pandemic, created new procedures & supporting documents to ensure a safe and healthy workplace for employees in compliance with related laws and regulations
- Successfully enrolled active and retired employees for the 2020 benefits year with minimal service disruption
- Processed more than 9,000 applications for employment, including administering testing for police, fire, telecommunications (911 operators), etc. to fill more than 50 vacancies in the City

Beautification

- Completed the median landscaping along Texas Parkway and Cartwright Road as part of the Corridor Enhancement project
- By Ordinance, established the Arts in Public Places Program, which is designed to create an enhanced visual environment for Missouri City Residents, to commemorate the city's cultural diversity, integrate art into the development of capital infrastructure, and to promote tourism and economic vitality through artistic design within Missouri City
- Completed major park and facility improvements including new park signage and landscape improvements at various parks
- The Forestry program oversaw the planting and maintenance of 228 new trees in city parks and properties

The City of Missouri City has seen an increase in sales tax revenue during the COVID-19 pandemic. This is reflective of new businesses that were not in existence in prior years, the diverse mix of business, and the impact of stay at home orders with residents shopping within the City instead of outlying areas.

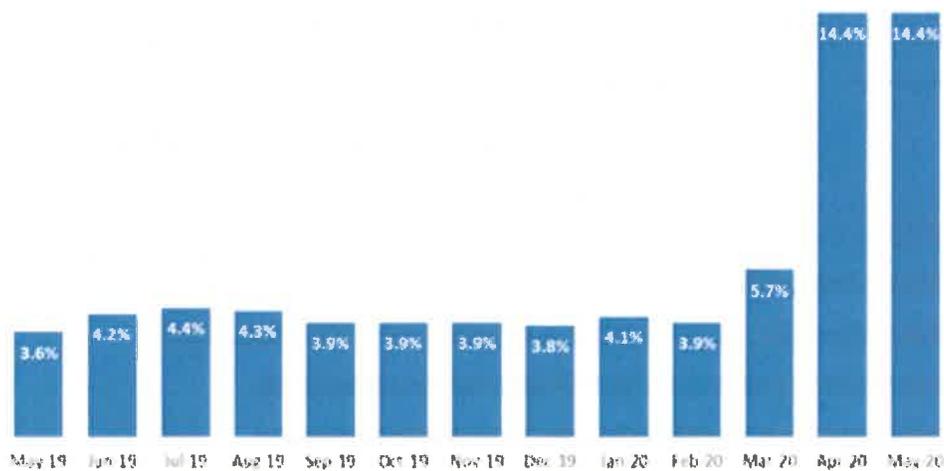


This chart reflects the percentage increase/-decrease compared to the same period in the previous year. May 2020 reflects a \$113,612.07 or 14.5% increase compared to May 2019.

Although sales tax receipts are trending upward, as shown in the chart below, unemployment within the City of Missouri City has increased due to the COVID-19 pandemic. This increase in unemployment was taken into consideration when projecting property tax revenues.

bp Missouri City Labor Market

City of Missouri City Unemployment Rate



Regulatory and Legislative Challenges

During the 86th Legislative Session in 2019, several bills were passed that have significant impacts on the City's future.

Many of the changes in legislation became effective during FY 2020 of which impacts have been included in the FY 2021 budget. The most significant change that impacted the development of the FY 2021 budget, was imposition of the 3.5% property tax cap passed with Property Tax Reform found in Senate Bill 2. Although the City had the ability to increase the effective maintenance and operations rate which is used in determining the voter approval rate previously known as the rollback rate, the FY2021 budget was prepared at the no-new revenue rate previously known as the effective tax rate and does not include an increase in the effective maintenance & operations rate. A sample of legislative bills that have impacted the preparation of the FY 2021 budget is below:

S.B. 2 - Property Tax Reform

- Makes various changes to the property tax rate setting and appraisal processes.
- Lowers the property tax rollback rate from 8 percent to 3.5 percent (with some potential adjustments).
- Went into effect January 1, 2020, with other relevant provisions not taking effect until 2021.

S.B. 1152 – Right of Way Fees

- Telecom/Cable Providers that deliver both cable and telephone services can drop the lowest fee and only pay one fee. This impacted collections in FY 2020 and is seen in the reduced budget in the area of Franchise Fees in FY 2021.

H.B. 852 – City Fees

- Building permit fees are no longer tied to the value of buildings or cost of construction. Cities must choose other criteria like – square footage, flat fee, or other method to calculate fee. The fee schedule has been updated to reflect this new requirement and has been used in developing revenue assumptions/projections in this area for FY 2021.

Fiscal Year 2020- 2021

For the Proposed Fiscal Year 2021, Budget the focus for the city's work program will be as follows.

- Effective COVID-19 Response
- Driving Economic Growth
- Enhancing Financial Stability
- Improving Customer Service
- Enhancing Public Safety Apparatus

The City's proposed General Fund Budget is approximately \$64.7 million for FY 2021, which is \$9.9 million or 18.2% more than the FY 2020 Revised Budget of \$54.8 million. This budget includes approximately \$4.9 million of one-time expenditures funded with a one-time use of fund balance resources, which is consistent with our fund balance policy.

The total Proposed Budget (including CIP) for FY 2021, net of transfers, is \$131 million. Highlights of the proposed FY 2021 Budget are noted below:

- Creates a financial plan with a tax rate that does not exceed the no-new revenue rate formerly known as the effective tax rate
- Funds a Compensation Plan
- Supports effective reporting of the Utility Funds
- Identifies resources to address economic development/redevelopment
- Supports funding appropriate level of Interest & Sinking (I&S) to fulfill voter approved bond issuances
- Maintains a fund balance consistent with policy while ensuring the highest scorecard rating in the area of fund balance with bond rating agencies
- Provides for one-time funding in line with fund balance policy
- Funds the implementation of Lean Six Sigma and Continuous Process Improvement
- Addresses community needs as identified in the 2020 Citizen Survey
- Focuses on addressing community, including small business COVID-19 recovery needs
- Funds the Fleet/Equipment Replacement Programs
- Funds added full time positions to address continued growth within the City:
 - Adds one Development Review Coordinator to the Development Services Department in response to the Plan Review Consultant recommendations;
 - Adds two Human Resources Generalists to the Human Resources Department
 - Adds one Economic Development Coordinator to the Economic Development Department;
 - Adds one manager and one writer to the Communications Department in response to the citizens' survey.

Conclusion/Acknowledgements

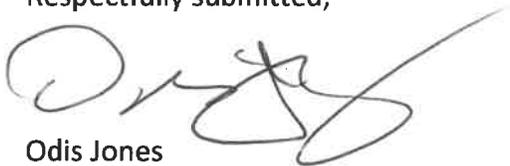
Many thanks go to our Mayor and City Council, who are the touchpoints to the residents of Missouri City and who constantly remind us of the priority and focus that is expected. I would also like to thank Staff for their continued dedication through the FY 2021 budget process which, amidst the COVID-19 pandemic, facilitated the balanced plan proposed to meet the City Council's highest priorities.

I want to acknowledge Budget & Financial Planning Manager Bertha Alexander, Director of Financial Services Allena Portis, and Budget Analyst Li Su for their perseverance and dedication in preparing this document. I also thank the Financial Services Department staff for their contributions and support of the budget team during this preparation season. Additionally, I thank City Council members for their support of our workforce.

A preview of the Budget was presented to the Council at the August 17th Council meeting, with an opportunity for questions, comments and direction. Staff will present the budget for adoption at the September 21st Council meeting, with opportunities for further discussion and deliberation prior to adoption if so desired by Council.

My staff and I look forward to working with you as you review the proposed budget. During your review, please contact me with any questions that you or the public may have concerning the Proposed FY 2021 Budget.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Odis Jones', with a long, sweeping flourish extending to the right.

Odis Jones
City Manager



CITY COUNCIL MEETING AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 7b2 Public Hearing: Sienna MUDs 1, 5, 6, and 7 SPA Amendment No. 1
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

On or about August 17, 2020, the City Council authorized staff to proceed with the process of initiating a limited purpose annexation of Sienna MUDs 1, 5, 6, and 7 for the purpose of providing fire protection services. This is the first of two required public hearings.

BACKGROUND

On or about March 19, 2001, the City of Missouri City (the "City") entered into a strategic partnership agreement with Sienna Municipal Utility District No. 1 ("Sienna MUD 1"), which provided for a fire protection services agreement. On or about March 19, 2001, the City entered into an agreement with Sienna MUD 1 for fire protection services. On or about February 21, 2005, the City entered into an agreement with Sienna Municipal Utility District No. 5 ("Sienna MUD 5") for fire protection services. Such agreement was amended and restated in 2015. On or about July 15, 2013, the City entered into a strategic partnership agreement with Sienna MUD 5, which provided for annexation under certain conditions. On or about May 18, 2005, the City entered into an agreement with Sienna Municipal Utility District No. 6 ("Sienna MUD 6") for fire protection services. Such agreement was subsequently amended and restated in 2015. On or about July 15, 2013, the City entered into a strategic partnership agreement with Sienna MUD 6, which provided for annexation under certain conditions. On or about February 21, 2005, the City entered into an agreement with Sienna Municipal Utility District No. 7 ("Sienna MUD 7") for fire protection services. Such agreement was subsequently amended and restated in 2015. On or about July 15, 2013, the City entered into a strategic partnership agreement with Sienna Municipal Utility District No. 7 ("Sienna MUD 7"), which provided for annexation under certain conditions. The fire protection plans have been voted on and approved at duly called elections.

On or about November 16, 2017, without obtaining the City's consent, Fort Bend Emergency Services District No. 7 canvassed an election annexing Sienna Plantation Municipal Utility District Nos. 1, 5, 6, and 7 into the emergency services district. Pursuant to Chapter 775 of the Texas Health and Safety Code, a city that completes all other procedures necessary for annexation that intends to remove territory from an emergency services district and be the sole provider of emergency services to the territory by the use of municipal personnel may remove such territory from the emergency services district. Chapter 43 of the Texas Local Government Code authorizes municipalities and utility districts to enter into strategic partnership agreements as a mechanism for mutually agreeing to terms for the provision of services and the annexation of land. Pursuant to Chapter 43 of the Texas Local Government Code, the City and Sienna MUD 1, Sienna MUD 5, Sienna MUD 6, and Sienna MUD 7, respectively, desire to amend their existing strategic partnership agreements with the City to authorize limited purpose annexation for the sole purpose of providing fire protection services. The attached amendments to the proposed strategic partnership agreements provide for such amendment. The districts will remain in existence upon the limited annexation to continue to provide authorized functions.

BUDGET ANALYSIS

Sienna MUD 1 currently facilitates the contract between the City and Sienna MUD 1, Sienna MUD 5, Sienna MUD 6, and Sienna MUD 7 for fire protection services. The City received approximately \$0 for fire protection services for Sienna MUD 1, Sienna MUD 5, Sienna MUD 6, and Sienna MUD 7.

SUPPORTING MATERIALS

1. Proposed amendments
2. Resolutions of support for exclusion from Fort Bend County Emergency Services District No. 7

STAFF'S RECOMMENDATION

ACTION IS REQUIRED: Conduct a public hearing on the amendment of strategic partnership agreements for Sienna Municipal Utility District Nos. 1, 5, 6, and 7.

Director Approval:

E. Joyce Iyamu, City Attorney

**FIRST AMENDMENT TO THE
STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF MISSOURI CITY, TEXAS, AND
SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 1**

This First Amendment to the Strategic Partnership Agreement entered into on or about March 19, 2001 (the "Amendment") is entered into by and between the City of Missouri City, Texas (the "City"), a municipal corporation in Fort Bend and Harris Counties, Texas, and Sienna Plantation Municipal Utility District No. 1 (the "District"), a conservation and reclamation district created pursuant to Article 16, Section 59 of the Texas Constitution.

RECITALS

WHEREAS, Sienna Plantation Municipal Utility District No. 1 (the "District") is located within the master-planned community of Sienna Plantation; and

WHEREAS, the District is in the City's extraterritorial jurisdiction; and

WHEREAS, Chapter 43, Texas Local Government Code, authorizes the City and the District to enter into a strategic partnership agreement, which may provide for such lawful terms that the parties consider appropriate to provide for the provision of services to the District and the annexation of the land within the District and into the City; and

WHEREAS, the Board of Directors of the District and the District's voters have determined that the City can provide the most reliable and prompt fire protection and emergency services to its residents; and

WHEREAS, the City and the Board of Directors also believe that it is in the best interest of the residents of the District to continue to receive fire protection and emergency services from the City pursuant to existing agreements; and

WHEREAS, the City intends to be the sole provider of fire protection and emergency services to the District by use of municipal personnel; and

WHEREAS, pursuant to Article IV of the Strategic Partnership Agreement, the parties have agreed that the City shall provide fire protection services to the District;

NOW, THEREFORE, the District and the City hereby covenant and agree as follows:

Section 1. Purpose.

The purpose of this Amendment is to authorize the annexation of the District for the limited purpose of providing fire protection services and to establish the City as the sole provider of such services to the District.

Section 2. Amendment.

A. Subsection A of Section 3.01 of Article III of the Agreement is hereby amended as follows:

“A. The City agrees that irrespective of its right and power under existing or subsequently enacted law, except as provided in paragraph B, C, C-1, and Section 3.02 hereof, it will not annex or attempt to annex, annex for limited purposes or attempt annex for limited purposes, in whole or in part, the District until the following conditions have been met:

1. At least 90% of the developable acreage within the District has been developed with water, wastewater treatment, and drainage facilities. Developable acreage means the total acreage in Sienna less acreage associated with land uses 43, 44, 61, 62, 63, 64, and 65 in the Parcelization Plan attached as Exhibit D-13 to the Development Agreement, which Exhibit is incorporated herein by reference; and

2. The Landowner developing within the District has been reimbursed by the District to the maximum extent permitted by the rules of the TNRCC or the City assumes any obligation for such reimbursement of the District under such rules.”

B. Section 3.01 of Article III of the Agreement is hereby amended by adding a new Subsection C-1 after Subsection C of Section 3.01 of Article III thereof to provide as follows:

“C-1. The District and the City agree that the City is hereby permitted to annex for limited purposes the District, whether or not contiguous to the City’s corporate limits, for the purpose of providing fire protection services to the District by the use of municipal personnel in accordance

with a duly adopted fire protection plan authorized by the TCEQ. The Board of Directors agree, upon request to execute and deliver such further documents as may be necessary in order to effectuate the terms of this paragraph. Except as described herein, the District will continue to exercise all functions, powers, and authority vested in the District. ”

Section 3. Miscellaneous.

- A. Except as modified herein, the Agreement remains in full force and effect.
- B. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Section 4. Severability.

The provisions of this Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Amendment is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Amendment, it shall not affect, impair, or invalidate this Amendment as a whole or any provision hereof not declared to be invalid or contrary to law.

Section 5. Entire Agreement; Requirement of a Writing.

It is understood and agreed that this Amendment supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreement presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Amendment shall be valid only when expressed in writing and duly signed by the Parties.

IN WITNESS WHEREOF, the parties have executed this Amendment in multiple copies, each of which shall be deemed an original as of the date and year first written above, to be effective as of _____, 2020.

SIENNA PLANTATION MUNICIPAL
UTILITY DISTRICT NO. 1

By: _____
President, Board of Directors

Address:
The Muller Law Group, PLLC
202 Century Square Blvd
Sugar Land, Texas 77478
Attn: Richard Muller

ATTEST:

Secretary, Board of Directors

CITY OF MISSOURI CITY

By: _____
Odis Jones, City Manager

Address:
City Hall
1522 Texas Parkway
Missouri City, Texas 77489

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

**FIRST AMENDMENT TO THE
STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF MISSOURI CITY, TEXAS, AND
SIENNA MUNICIPAL UTILITY DISTRICT NO. 5**

This First Amendment to the Strategic Partnership Agreement entered into on or about July 15, 2013 (the "Amendment") is entered into by and between the City of Missouri City, Texas (the "City"), a municipal corporation in Fort Bend and Harris Counties, Texas, and Sienna Municipal Utility District No. 5 (the "District"), a conservation and reclamation district created pursuant to Article 16, Section 59 of the Texas Constitution.

RECITALS

WHEREAS, Sienna Municipal Utility District No. 5 (the "District") is located within the master-planned community of Sienna; and

WHEREAS, the District is in the City's extraterritorial jurisdiction; and

WHEREAS, Chapter 43, Texas Local Government Code, authorizes the City and the District to enter into a strategic partnership agreement, which may provide for such lawful terms that the parties consider appropriate to provide for the provision of services to the District and the annexation of the land within the District and into the City; and

WHEREAS, the Board of Directors of the District and the District's voters have determined that the City can provide the most reliable and prompt fire protection services to its residents; and

WHEREAS, the City and the Board of Directors also believe that it is in the best interest of the residents of the District to continue to receive fire protection services from the City pursuant to existing agreements; and

WHEREAS, the City intends to be the sole provider of fire protection to the District by use of municipal personnel; and

WHEREAS, pursuant to Article IV of the Strategic Partnership Agreement, the parties have agreed that the City shall provide fire protection services to the District;

NOW, THEREFORE, the District and the City hereby covenant and agree as follows:

Section 1. Purpose.

The purpose of this Amendment is to authorize the annexation of the District for the sole, and limited purpose of providing fire protection services and to establish the City as the sole provider of such services to the District.

Section 2. Amendment.

A. Subsection A of Section 3.01 of Article III of the Agreement is hereby amended as follows:

“A. The City agrees that irrespective of its right and power under existing or subsequently enacted law, except as provided in paragraph B, B-1, and Section 3.02 hereof, it will not annex or attempt to annex, for all purposes, in whole or in part, the District until the following conditions have been met:

1. At least 90% of the developable acreage within the District has been developed with water, wastewater treatment, and drainage facilities. Developable acreage means the total acreage in the District less acreage associated with land uses for roads, utility easements, drainage easements, levee easements, lakes, creeks, bayous, and open space; and

2. The Developer has been reimbursed by the District to the maximum extent permitted by the rules of the TCEQ or the City assumes any obligation for such reimbursement of the District under such rules; and

3. Solely with respect to the Financing District, (a) the City has annexed the other Sienna South Districts, specifically Sienna Municipal Utility District Nos. 4, 6, and 7, and the Financing District has completed Financing District Facilities that serve 90% of the developable acreage within Sienna South; or (b) the City has annexed the other Sienna South Districts, specifically Sienna Municipal Utility District Nos. 4, 6, and 7 and upon 180 days' notice to the Financing District, with such notice occurring no sooner than five year after the completion of the most recent construction contract in excess of \$50,000 for facilities

that serve the Financing District, unless the Financing District awards an additional construction contract in excess of \$50,000 for facilities that serve the Financing District prior to expiration of the 180 day notice period.”

- B. Section 3.01 of Article III of the Agreement is hereby amended by adding a new Subsection B-1 after Subsection B of Section 3.01 of Article III thereof to provide as follows:

“B-1. The District and the City agree that the City is hereby permitted to annex for limited purposes the District, whether or not contiguous to the City’s corporate limits, for the purpose of providing fire protection services to the District by the use of municipal personnel in accordance with fire protection agreements and a duly adopted fire protection plan authorized by the TCEQ. The Board of Directors agree, upon request to execute and deliver such further documents as may be necessary in order to effectuate the terms of this paragraph. Except as described herein, the District will continue to exercise all functions, powers, and authority otherwise vested in a district.”

Section 3. Miscellaneous.

- A. Except as modified herein, the Agreement remains in full force and effect.
- B. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Section 4. Severability.

The provisions of this Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Amendment is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Amendment, it shall not affect, impair, or invalidate this Amendment as a whole or any provision hereof not declared to be invalid or contrary to law.

Section 5. Entire Agreement; Requirement of a Writing.

It is understood and agreed that this Amendment supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreement presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this

Amendment shall be valid only when expressed in writing and duly signed by the Parties.

IN WITNESS WHEREOF, the parties have executed this Amendment in multiple copies, each of which shall be deemed an original as of the date and year first written above, to be effective as of _____, 2020.

SIENNA MUNICIPAL UTILITY DISTRICT
NO. 5

By: _____
President, Board of Directors

Address:
Allen Boone Humphries LLP
3200 Southwest Freeway
Suite 2600
Houston, Texas 77027
Attn: Annette Stephens

ATTEST:

Secretary, Board of Directors

CITY OF MISSOURI CITY

By: _____
Odis Jones, City Manager

Address:
City Hall

1522 Texas Parkway
Missouri City, Texas 77489

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

DRAFT

**FIRST AMENDMENT TO THE
STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF MISSOURI CITY, TEXAS, AND
SIENNA MUNICIPAL UTILITY DISTRICT NO. 6**

This First Amendment to the Strategic Partnership Agreement entered into on or about July 15, 2013 (the "Amendment") is entered into by and between the City of Missouri City, Texas (the "City"), a municipal corporation in Fort Bend and Harris Counties, Texas, and Sienna Municipal Utility District No. 6 (the "District"), a conservation and reclamation district created pursuant to Article 16, Section 59 of the Texas Constitution.

RECITALS

WHEREAS, Sienna Municipal Utility District No. 6 (the "District") is located within the master-planned community of Sienna; and

WHEREAS, the District is in the City's extraterritorial jurisdiction; and

WHEREAS, Chapter 43, Texas Local Government Code, authorizes the City and the District to enter into a strategic partnership agreement, which may provide for such lawful terms that the parties consider appropriate to provide for the provision of services to the District and the annexation of the land within the District and into the City; and

WHEREAS, the Board of Directors of the District and the District's voters have determined that the City can provide the most reliable and prompt fire protection services to its residents; and

WHEREAS, the City and the Board of Directors also believe that it is in the best interest of the residents of the District to continue to receive fire protection services from the City pursuant to existing agreements; and

WHEREAS, the City intends to be the sole provider of fire protection to the District by use of municipal personnel; and

WHEREAS, pursuant to Article IV of the Strategic Partnership Agreement, the parties have agreed that the City shall provide fire protection services to the District;

NOW, THEREFORE, the District and the City hereby covenant and agree as follows:

Section 1. Purpose.

The purpose of this Amendment is to authorize the annexation of the District for the sole, and limited purpose of providing fire protection services and to establish the City as the sole provider of such services to the District.

Section 2. Amendment.

A. Subsection A of Section 3.01 of Article III of the Agreement is hereby amended as follows:

“A. The City agrees that irrespective of its right and power under existing or subsequently enacted law, except as provided in paragraph B, B-1, and Section 3.02 hereof, it will not annex or attempt to annex, for all purposes, in whole or in part, the District until the following conditions have been met:

1. At least 90% of the developable acreage within the District has been developed with water, wastewater treatment, and drainage facilities. Developable acreage means the total acreage in the District less acreage associated with land uses for roads, utility easements, drainage easements, levee easements, lakes, creeks, bayous, and open space; and

2. The Developer has been reimbursed by the District to the maximum extent permitted by the rules of the TCEQ or the City assumes any obligation for such reimbursement of the District under such rules.”

B. Section 3.01 of Article III of the Agreement is hereby amended by adding a new Subsection B-1 after Subsection B of Section 3.01 of Article III thereof to provide as follows:

“B-1. The District and the City agree that the City is hereby permitted to annex for limited purposes the District, whether or not contiguous to the City’s corporate limits, for the purpose of providing fire protection services to the District by the use of municipal personnel in accordance with fire protection agreements and a duly adopted fire protection plan authorized by the TCEQ. The Board of Directors agree, upon request to execute and deliver such further documents as may be necessary in order to effectuate

the terms of this paragraph. Except as described herein, the District will continue to exercise all functions, powers, and authority otherwise vested in a district.”

Section 3. Miscellaneous.

- A. Except as modified herein, the Agreement remains in full force and effect.
- B. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Section 4. Severability.

The provisions of this Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Amendment is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Amendment, it shall not affect, impair, or invalidate this Amendment as a whole or any provision hereof not declared to be invalid or contrary to law.

Section 5. Entire Agreement; Requirement of a Writing.

It is understood and agreed that this Amendment supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreement presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Amendment shall be valid only when expressed in writing and duly signed by the Parties.

IN WITNESS WHEREOF, the parties have executed this Amendment in multiple copies, each of which shall be deemed an original as of the date and year first written above, to be effective as of _____, 2020.

SIENNA MUNICIPAL UTILITY DISTRICT
NO. 6

By: _____
President, Board of Directors

Address:
Allen Boone Humphries LLP
3200 Southwest Freeway
Suite 2600
Houston, Texas 77027
Attn: Annette Stephens

ATTEST:

Secretary, Board of Directors

CITY OF MISSOURI CITY

By: _____
Odis Jones, City Manager

Address:
City Hall
1522 Texas Parkway
Missouri City, Texas 77489

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

**FIRST AMENDMENT TO THE
STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF MISSOURI CITY, TEXAS, AND
SIENNA MUNICIPAL UTILITY DISTRICT NO. 7**

This First Amendment to the Strategic Partnership Agreement entered into on or about July 15, 2013 (the "Amendment") is entered into by and between the City of Missouri City, Texas (the "City"), a municipal corporation in Fort Bend and Harris Counties, Texas, and Sienna Municipal Utility District No. 7 (the "District"), a conservation and reclamation district created pursuant to Article 16, Section 59 of the Texas Constitution.

RECITALS

WHEREAS, Sienna Municipal Utility District No. 7 (the "District") is located within the master-planned community of Sienna; and

WHEREAS, the District is in the City's extraterritorial jurisdiction; and

WHEREAS, Chapter 43, Texas Local Government Code, authorizes the City and the District to enter into a strategic partnership agreement, which may provide for such lawful terms that the parties consider appropriate to provide for the provision of services to the District and the annexation of the land within the District and into the City; and

WHEREAS, the Board of Directors of the District and the District's voters have determined that the City can provide the most reliable and prompt fire protection services to its residents; and

WHEREAS, the City and the Board of Directors also believe that it is in the best interest of the residents of the District to continue to receive fire protection services from the City pursuant to existing agreements; and

WHEREAS, the City intends to be the sole provider of fire protection to the District by use of municipal personnel; and

WHEREAS, pursuant to Article IV of the Strategic Partnership Agreement, the parties have agreed that the City shall provide fire protection services to the District;

NOW, THEREFORE, the District and the City hereby covenant and agree as follows:

Section 1. Purpose.

The purpose of this Amendment is to authorize the annexation of the District for the sole, and limited purpose of providing fire protection services and to establish the City as the sole provider of such services to the District.

Section 2. Amendment.

A. Subsection A of Section 3.01 of Article III of the Agreement is hereby amended as follows:

“A. The City agrees that irrespective of its right and power under existing or subsequently enacted law, except as provided in paragraph B, B-1, and Section 3.02 hereof, it will not annex or attempt to annex, for all purposes, in whole or in part, the District until the following conditions have been met:

1. At least 90% of the developable acreage within the District has been developed with water, wastewater treatment, and drainage facilities. Developable acreage means the total acreage in the District less acreage associated with land uses for roads, utility easements, drainage easements, levee easements, lakes, creeks, bayous, and open space; and

2. The Developer has been reimbursed by the District to the maximum extent permitted by the rules of the TCEQ or the City assumes any obligation for such reimbursement of the District under such rules.”

B. Section 3.01 of Article III of the Agreement is hereby amended by adding a new Subsection B-1 after Subsection B of Section 3.01 of Article III thereof to provide as follows:

“B-1. The District and the City agree that the City is hereby permitted to annex for limited purposes the District, whether or not contiguous to the City’s corporate limits, for the purpose of providing fire protection services to the District by the use of municipal personnel in accordance with fire protection agreements and a duly adopted fire protection plan authorized by the TCEQ. The Board of Directors agree, upon request to execute and deliver such further documents as may be necessary in order to effectuate

the terms of this paragraph. Except as described herein, the District will continue to exercise all functions, powers, and authority otherwise vested in a district.”

Section 3. Miscellaneous.

- A. Except as modified herein, the Agreement remains in full force and effect.
- B. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Section 4. Severability.

The provisions of this Amendment are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Amendment is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Amendment, it shall not affect, impair, or invalidate this Amendment as a whole or any provision hereof not declared to be invalid or contrary to law.

Section 5. Entire Agreement; Requirement of a Writing.

It is understood and agreed that this Amendment supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreement presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Amendment shall be valid only when expressed in writing and duly signed by the Parties.

IN WITNESS WHEREOF, the parties have executed this Amendment in multiple copies, each of which shall be deemed an original as of the date and year first written above, to be effective as of _____, 2020.

SIENNA MUNICIPAL UTILITY DISTRICT
NO. 7

By: _____
President, Board of Directors

Address:
Allen Boone Humphries LLP
3200 Southwest Freeway
Suite 2600
Houston, Texas 77027
Attn: Annette Stephens

ATTEST:

Secretary, Board of Directors

CITY OF MISSOURI CITY

By: _____
Odis Jones, City Manager

Address:
City Hall
1522 Texas Parkway
Missouri City, Texas 77489

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

RESOLUTION IN SUPPORT OF EXCLUSION FROM FORT BEND EMERGENCY
SERVICES DISTRICT NO. 7

WHEREAS, on March 19, 2001 the Texas Commission on Environmental Quality (the "TCEQ") adopted an Order Approving Fire Protection Plan and Fire Protection Agreement (the "Fire Plan") for Sienna Plantation Municipal Utility District Nos. 4, 5, 6, and 7 (the "Sienna MUDs") whereby the TCEQ determined that the City of Missouri City (the "City") is best equipped to provide the most efficient and prompt fire protection to the City as the Sienna MUDs are within close proximity and within the extraterritorial jurisdiction of the City; and

WHEREAS, the voters of Sienna Plantation Municipal Utility District No. 5 (the "District") approved the Fire Plan at an election held within the District on November 3, 2009; and

WHEREAS, pursuant to Section 49.315 (e), Sienna Plantation Municipal Utility District No. 1 (the "Master District" on behalf of the Sienna MUDs) and the City entered into a Fire Protection Agreement on March 19, 2001, which was later supplemented on October 2, 2006, to set forth the terms for construction and payment for Fire Station No. 5 within the boundaries of Sienna Planation MUD No. 4 to provide fire services to the Sienna MUDs; and

WHEREAS, the Sienna MUDs have paid \$2,076,000 plus interest for their pro rata share for the Fire Station No. 5 costs which costs will be or are borne by Sienna MUDs taxpayers; and

WHEREAS, the City is providing fire protection services to the Sienna MUDs pursuant to an operations agreement with the City, and residents within Sienna MUDs pay a monthly fire fee to the City; and

WHEREAS, the Strategic Partnership Agreements between the City and the Sienna MUDs state that the City will provide fire protection services to the Sienna MUDs; and

WHEREAS, Fort Bend Emergency Services District No. 7 ("ESD 7") has annexed and included territory within the Sienna MUDs into its service area as of January 5, 2016 and levies a tax of \$10 per \$100 assessed valuation on property owners with the Sienna MUDs; and

WHEREAS, residents with the District do not receive fire services from ESD 7 and are taxed by both ESD 7 and the District for fire protection costs and paying a monthly fee to the City for fire protection services; and

WHEREAS, the inclusion of the territory within Sienna MUDs into ESD 7 results in an inappropriate overlapping jurisdiction, duplication of services and interference with existing contracts;

Now, Therefore, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5 that it hereby supports the exclusion of territory within the District from the boundaries of Fort Bend Emergency Services District No. 7

PASSED AND APPROVED this 6th day of July, 2020.

Mark A Kilkenny

President, Board of Directors

ATTEST:

Lisa Kinzel

Secretary, Board of Directors

(SEAL)



Signature: Mark A Kilkenny
Mark A Kilkenny (Jul 24, 2020 16:37 CDT)

Email: kilkenny@twinwoodus.com

Signature: Lisa Kinzel
Lisa Kinzel (Jul 24, 2020 16:38 CDT)

Email: lisakinzel@me.com

RESOLUTION IN SUPPORT OF EXCLUSION FROM FORT BEND EMERGENCY
SERVICES DISTRICT NO. 7

WHEREAS, on March 19, 2001 the Texas Commission on Environmental Quality (the "TCEQ") adopted an Order Approving Fire Protection Plan and Fire Protection Agreement (the "Fire Plan") for Sienna Plantation Municipal Utility District Nos. 4, 5, 6, and 7 (the "Sienna MUDs") whereby the TCEQ determined that the City of Missouri City (the "City") is best equipped to provide the most efficient and prompt fire protection to the City as the Sienna MUDs are within close proximity and within the extraterritorial jurisdiction of the City; and

WHEREAS, the voters of Sienna Plantation Municipal Utility District No. 6 (the "District") approved the Fire Plan at an election held within the District on November 3, 2009; and

WHEREAS, pursuant to Section 49.315 (e), Sienna Plantation Municipal Utility District No. 1 (the "Master District" on behalf of the Sienna MUDs) and the City entered into a Fire Protection Agreement on March 19, 2001, which was later supplemented on October 2, 2006, to set forth the terms for construction and payment for Fire Station No. 5 within the boundaries of Sienna Planation MUD No. 4 to provide fire services to the Sienna MUDs; and

WHEREAS, the Sienna MUDs have paid \$2,076,000 plus interest for their pro rata share for the Fire Station No. 5 costs which costs will be or are borne by Sienna MUDs' taxpayers; and

WHEREAS, the City is providing fire protection services to the Sienna MUDs pursuant to an operations agreement with the City, and residents within Sienna MUDs pay a monthly fire fee to the City; and

WHEREAS, the Strategic Partnership Agreements between the City and the Sienna MUDs state that the City will provide fire protection services to the Sienna MUDs; and

WHEREAS, Fort Bend Emergency Services District No. 7 ("ESD 7") has annexed and included territory within the Sienna MUDs into its service area as of January 5, 2016 and levies a tax of \$10 per \$100 assessed valuation on property owners with the Sienna MUDs; and

WHEREAS, residents with the District do not receive fire services from ESD 7 and are taxed by both ESD 7 and the District for fire protection costs and paying a monthly fee to the City for fire protection services; and

WHEREAS, the inclusion of the territory within Sienna MUDs into ESD 7 results in an inappropriate overlapping jurisdiction, duplication of services and interference with existing contracts;

Now, Therefore, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6 that it hereby supports the exclusion of territory within the District from the boundaries of Fort Bend Emergency Services District No. 7

PASSED AND APPROVED this 21st day of July, 2020.

K. Jason Miller

K. Jason Miller (Aug 11, 2020 15:32 CDT)

President, Board of Directors

ATTEST:

Ryan Pledge

Ryan Pledge (Aug 11, 2020 20:09 CDT)

Secretary, Board of Directors

(SEAL)



RESOLUTION IN SUPPORT OF EXCLUSION FROM FORT BEND EMERGENCY
SERVICES DISTRICT NO. 7

WHEREAS, on March 19, 2001 the Texas Commission on Environmental Quality (the "TCEQ") adopted an Order Approving Fire Protection Plan and Fire Protection Agreement (the "Fire Plan") for Sienna Plantation Municipal Utility District Nos. 4, 5, 6, and 7 (the "Sienna MUDs") whereby the TCEQ determined that the City of Missouri City (the "City") is best equipped to provide the most efficient and prompt fire protection to the City as the Sienna MUDs are within close proximity and within the extraterritorial jurisdiction of the City; and

WHEREAS, the voters of Sienna Plantation Municipal Utility District No. 7 (the "District") approved the Fire Plan at an election held within the District on November 3, 2009; and

WHEREAS, pursuant to Section 49.315 (e), Sienna Plantation Municipal Utility District No. 1 (the "Master District" on behalf of the Sienna MUDs) and the City entered into a Fire Protection Agreement on March 19, 2001, which was later supplemented on October 2, 2006, to set forth the terms for construction and payment for Fire Station No. 5 within the boundaries of Sienna Planation MUD No. 4 to provide fire services to the Sienna MUDs; and

WHEREAS, the Sienna MUDs have paid \$2,076,000 plus interest for their pro rata share for the Fire Station No. 5 costs which costs will be or are borne by Sienna MUDs taxpayers; and

WHEREAS, the City is providing fire protection services to the Sienna MUDs pursuant to an operations agreement with the City, and residents within Sienna MUDs pay a monthly fire fee to the City; and

WHEREAS, the Strategic Partnership Agreements between the City and the Sienna MUDs state that the City will provide fire protection services to the Sienna MUDs; and

WHEREAS, Fort Bend Emergency Services District No. 7 ("ESD 7") has annexed and included territory within the Sienna MUDs into its service area as of January 5, 2016 and levies a tax of \$10 per \$100 assessed valuation on property owners with the Sienna MUDs; and

WHEREAS, residents with the District do not receive fire services from ESD 7 and are taxed by both ESD 7 and the District for fire protection costs and paying a monthly fee to the City for fire protection services; and

WHEREAS, the inclusion of the territory within Sienna MUDs into ESD 7 results in an inappropriate overlapping jurisdiction, duplication of services and interference with existing contracts;

Now, Therefore, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 7 that it hereby supports the exclusion of territory within the District from the boundaries of Fort Bend Emergency Services District No. 7

PASSED AND APPROVED this 15th day of September, 2020.

John W Perritte
John W Perritte (Sep 15, 2020 10:53 CDT)

President, Board of Directors

ATTEST:

Carlotta Baird
Carlotta Baird (Sep 15, 2020 11:03 CDT)

Secretary, Board of Directors

(SEAL)





CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 7b3 Public hearing on the limited purpose annexation of Sienna Municipal Utility Districts 1, 5, 6, and 7
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

This is the first of two public hearings on the annexation for limited purposes of Sienna Municipal Utility District Numbers 1, 5, 6, and 7, respectively, into the City of Missouri City, Texas (the "City") for the sole purpose of the provision of fire protection services.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

The City of Missouri City currently provides fire protection services to certain municipal utility districts in its extraterritorial jurisdiction pursuant to fire protection agreements and other agreements. Fort Bend County Emergency Services District No. 7 has annexed several of those districts into its territory, which would duplicate fire protection services. On August 17, 2020, the City Council of the City of Missouri City authorized staff to initiate proceedings to annex certain municipal utility districts located in the extraterritorial jurisdiction of Missouri City for the limited purpose of providing fire protection services to eliminate the service overlap between Fort Bend County Emergency Services District No. 7 and the City.

On or about March 19, 2001, the City of Missouri City (the "City") entered into a strategic partnership agreement with Sienna Municipal Utility District No. 1 ("Sienna MUD 1"), which provided for annexation under certain conditions. On or about July 15, 2013, the City entered into strategic partnership agreements with Sienna Municipal Utility District No. 5 ("Sienna MUD 5"), Sienna Municipal Utility District No. 6 ("Sienna MUD 6"), and Sienna Municipal Utility District No. 7 ("Sienna MUD 7"), respectively, which provide for annexation under certain conditions. The City is contemporaneously considering amending the aforementioned agreements to authorize the limited purpose annexation addressed in this item. If the aforementioned amendments are authorized, this agenda item will facilitate the subsequent annexation of Sienna MUD 1, Sienna MUD 5, Sienna MUD 6, and Sienna MUD 7 for the limited purpose of providing fire protection services. Upon completion of the limited-purpose annexation, the City intends to continue to provide fire protection services. The schedule for annexation is as follows:

1. September 21, 2020: First Public Hearing
2. September 28, 2020: Second Public Hearing
3. October 19, 2020: First Reading of Ordinance
4. November 2, 2020: Second Reading of Ordinance

BUDGET ANALYSIS

The City will retain its existing responsibilities if the proposed annexations are effectuated.

According to the Fort Bend Central Appraisal District, the market values for the applicable utility districts are as follows (approximately):

- Sienna MUD 1: \$364,780;
- Sienna MUD 5: \$468,390;
- Sienna MUD 6: \$11,203,420; and
- Sienna MUD 7: \$12,110.810.

SUPPORTING MATERIALS

1. August 17, 2020 Special Meeting Minutes
2. Fort Bend Independent Published Notice of Hearing
3. Map

STAFF'S RECOMMENDATION

ACTION IS REQUIRED: Conduct a public hearing on the limited purpose annexation of Sienna Municipal Utility District Nos. 1, 5, 6, and 7.

Director Approval:

E. Joyce Iyamu

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

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

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



CHERYL STERLING
Councilmember District A

JEFFREY L. BONEY
Councilmember District B

ANTHONY G. MAROULIS
Councilmember District C

FLOYD EMERY
Councilmember District D

CITY COUNCIL SPECIAL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in special session on **Monday, August 17, 2020**, at the City Hall, Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489, at **5:30 p.m.** to consider the following.

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

1. CALL TO ORDER

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

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; 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 Economic Development Esch and Golf Course Manager Stittleburg.

2. DISCUSSION/POSSIBLE ACTION

(a) Presentation of the Proposed Fiscal Year 2021 budget.

Director of Financial Services Portis presented the Proposed Fiscal Year 2021 budget. Councilmember Maroulis noted the City's INS was at 17 last year and the proposal was now a 14; and asked if it was aggressive to drop three cents. Portis stated the INS rate was calculated based on debt service for the year and believes it would be sufficient. Assistant City Manager Atkinson noted staff was working with a financial advisor to see the capacity they would have with respect of the 17cent rate.

Councilmember Boney stated he was concerned about aspects of the budget, in particular the increase of the two positions in the Communications Department. He noted the City of Pearland and Sugar Land both have smaller Communication Departments and have a larger number of residents. He asked why it was a high priority and if management had evaluated current staffing. City Manager Jones stated dealing with COVID has increased the demand upon the Communications Department, as they were not only engaging with neighborhoods and community activities, but at the same time they have to enhance their virtual and social media interactions. Jones stated he has engaged and evaluated the department and holistically has found that the resources of the department have been reduced causing them less ability to answer customer demands as noted in the Community Survey. He added the addition to staff was to meet the residents requests. Boney asked if Jones performed an internal review of all departments and if the Communications Department was the only department in need of an increase in budget and positions. Jones stated that was not what he said and noted the budget enhanced the Public Works and the Economic Development budgets as well.

Mayor Ford asked if the City of Sugar Land contracted communications services such as their website. Director of Communications Walker stated Sugar Land outsourced a number of communication services. Ford noted if they were looking to downsize, an alternative would be to contract out services the team does in-house.

Councilmember Maroulis asked what robust or better customer service would look like by adding two positions to the Communications Department. Jones stated they would have better capability to respond timely to requests made by other departments and citizens. In addition, they would have the ability to develop a better brand and marketing. Councilmember Maroulis asked if the Permits Division should be a higher priority. Maroulis noted that the budget had a line item for residents' education of \$4,000 and asked for specifics. Jones concurred with the need to improve the permitting process and have proposed additional positions in that division. Jones noted the \$4,000 was to pay for additional customer service relations for a survey and internal use to better package and relay incoming information from other departments.

Maroulis asked if they were using resources such as WCA to promote recycling and METRO for education. Director Walker stated the Communications Department does a lot of work internally for marketing for these organizations. Maroulis asked about the Daktronics line item and the amount allocated of \$214,000. Maroulis stated that he does not think that in a COVID environment that they need additional positions.

Councilmember Emery asked where the Communications Department was placed under. Director Portis stated the department was under general government. Emery stated they should be taking a detailed look at departmental operations since it was one of the largest they had. Emery asked that they determine if it was more economical and efficient to do things internally versus externally.

Mayor Pro Tem Preston stated it is important to create a strong branding image for the City. Councilmember Edwards stated that a few of her colleagues made a big deal about the survey results, which stated that communications need to be improved. She noted staff had prepared a proposal on how to rectify and in her opinion, the Communications Department was the most underrated department.

Director Portis explained the \$214,000 was a request made by the Communications Department, but the amount funded was \$38,463. Councilmember Emery asked for an evaluation to know that in fact they were going down the correct road. Mayor Ford agreed and asked how much the City of Sugar Land paid for their website. Walker stated Sugar Land paid about \$60,000, and noted that when Missouri City first entered into the contract with CivicPlus, they paid \$60,000 plus because a lot was outsourced. Walker added that the redesign of the website was far more robust and the cost was \$20,000 as it was done in house thus having a significant saving. Ford noted the department lost several positions. Councilmember Emery asked how many employees were in the Communications Department. Director Walker stated there were nine now and were requesting two additional employees.

Councilmember Sterling recalled that Director Walker stated they could have spent less if they had done a brochure in house. Walker stated she was referring to the BrandEra project.

Councilmember Maroulis asked if there had been any changes to the supplemental list. Director Portis stated the supplemental list has been updated as staff has reduced some supplemental and refined requests. Maroulis asked City Manager Jones how many employees worked in the Communications Department. Jones stated they had eight. Maroulis agrees with customer service and Communications needing help, but does not think they cannot just add people when other divisions such as Street which are understaffed.

Mayor Pro Tem Preston stated Communications is an important part as they get the message out to the community and lets them know what is on the horizon. Councilmember Boney stated he appreciated the advocacy for one department, but felt they need to have the same advocacy for all departments. Boney noted it was not an attack on the work of any individual or department. He wanted to note the amount of

time spent on things not directly tied to citizen engagement as many of the staff members were covering events for Mayor and Council. Mayor Ford asked for examples. Boney stated he saw an employee at an event with the Mayor and was not sure if they were there representing City or as a contractor. He said there have been other events where he has seen City staff covering events that were not directly tied to citizen engagement. Ford clarified the event was in the City and for citizen engagement. Boney asked if they were allowed to call the Communications Department to cover any event they request them to do. Jones stated that what he proposed was not only addition of resources with communications, but for all departmental areas as well. He stated that if City Council called and asked the Communications staff to attend an event to support their district they would do so. Jones noted it comes down to what the level of services Council wishes implemented and that this a policy conversation.

3. CLOSED EXECUTIVE SESSION

After proper notice was given pursuant to the Texas Open Meetings Act, the City Council went into Executive Session at 6:45 p.m.

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

- (1) Inclusion of City territory in Fort Bend County Emergency Services District No. 7.
- (2) City liability for certain Vicksburg Joint Powers Board activities.

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

(c) Texas Government Code, Section 551.087 – Deliberations regarding commercial or financial information that the governmental body received from a business prospect that the governmental body seeks to locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: proposed commercial developments.

4. RECONVENE

At 7:25 p.m., City Council reconvened into open session.

Councilmember Maroulis moved to authorize staff to proceed with a limited purpose annexation of Sienna MUDs 1, 5, 6, and 7 for the purpose of providing fire protection services and not having duplicate services; and, to authorize staff to seek judicial action to establish the legality of the ESD annexation in the City's territory and to prevent the establishment of debt. 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

At 7:27 p.m., City Council recessed the special meeting for the regular meeting.

At 8:26 p.m., City Council reconvened into the special meeting.

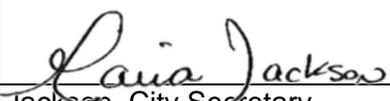
At 8:28 p.m., City Council reconvened into closed executive session.

At 9:35 p.m., City Council reconvened into open session. No action was taken.

3. ADJOURN

The special City Council meeting adjourned at 9:35 p.m.

Minutes PASSED AND APPROVED this the 8th day of September 2020.



Maria Jackson, City Secretary



City of Missouri City

NOTICE OF PUBLIC HEARINGS

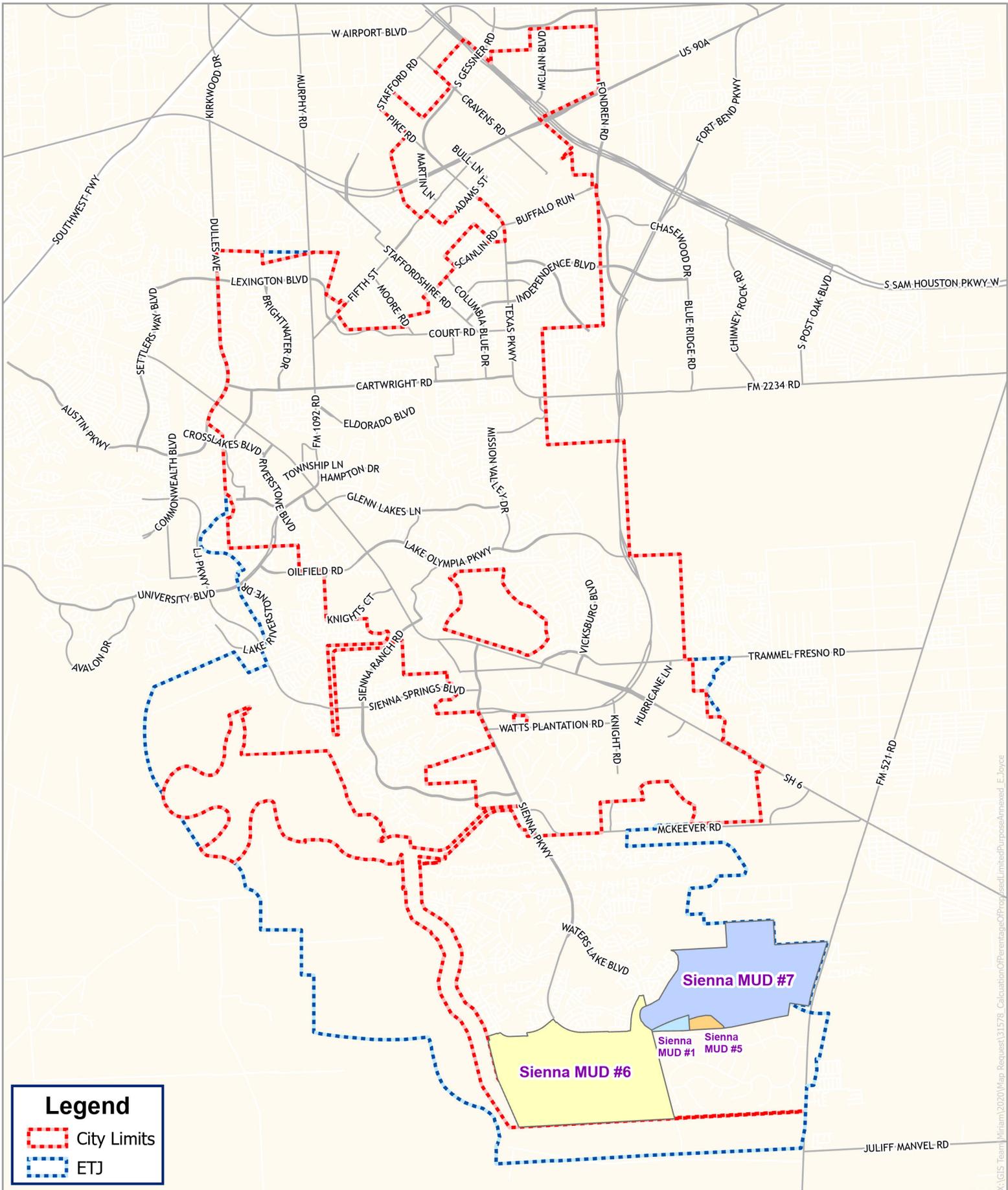
Location/Date: The City Council of the City of Missouri City will hold a public hearing on Monday, September 21, 2020, in the City Council Chamber—2nd Floor, City Hall Building, 1522 Texas Parkway, Missouri City, Texas at 7:00 p.m. Due to the current state of disaster, the hearings may take place by conference call or by another mechanism, as authorized by the Texas governor. Please monitor www.missouricitytx.gov for additional information.

Purposes:

(1) To receive comments for and against the annexation for the limited purpose of providing fire protection services in Sienna Plantation Municipal Utility Districts 1, 4, 5, 6, and 7, which are generally located north and west of the Sienna Point residential subdivision, south of Steep Bank Trace, east of the Brazos River, and west of Farm to Market Road 521.

(2) To receive testimony or evidence for and against the adoption of an amendment to the strategic partnership agreements between the City of Missouri City and Sienna Plantation Municipal Utility Districts 1, 4, 5, 6, and 7, respectively, for the purpose of authorizing a limited purpose annexation for the provision of fire protection services. Copies of the proposed amendments to the strategic partnership agreements may be obtained prior to the hearing from the City Secretary's office, City of Missouri City, 1522 Texas Parkway, Missouri City, Texas, (281) 403-8686. All residents and taxpayers of the City of Missouri City, Texas, Sienna Plantation Municipal Utility Districts 1, 4, 5, 6, and 7, and other interested persons are hereby invited to attend these and all other meetings of the City Council.





Map By:
GIS Division
September 2020



Sienna MUDs 1, 5, 6, & 7



0 1 2 3
Miles
Geographic Coordinate System North American Datum 1983 (NAD83)

The information on this map is provided and maintained by various agencies, including county departments, municipal governments, state and federal agencies. The map is designed to serve as a secondary representation of real property found within this jurisdiction, and is compiled from the recorded deeds, plats, and other public records, which are primary sources for this public information. The data layers do not take the place of a legal survey or other primary source documentation. The City and its vendors assume no legal responsibility for the information on this map.

X:\GIS\Team\Wiram\2020\Map_Request\31578_CalculationOfPercentageOfPropertyUsed\limitedPurpose\mexed_E_Joyce



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 8(a) Consider nominations and cast votes for candidates to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees.
Submitted by: Maria Jackson, City Secretary

SYNOPSIS

Consider candidate nominations and cast votes for candidates to serve the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees.

BACKGROUND

The TMLIRP is the leading provider of workers' compensation, liability, and property coverage for local governments in Texas. Founded in 1974, TMLIRP is the oldest and largest pool of its type in the United States, serving over 2,800 governments and political subdivisions. TMLIRP's mission is to provide Texas municipalities and other units of local government with a stable source of risk financing and loss prevention services at the lowest cost consistent with sound business practices.

TML Region 14, San Jacinto Region/Houston Area, is one of the 15 sub-state regions to promote local interests in city government, facilitate the exchange of information among the cities in this region, and assist the TML Board of Directors in formulating policy that represents the diverse interests of the state.

The City of Missouri City is a member of the TMLIRP and entitled to vote for Board of Trustee members. The TML Intergovernmental Risk Pool Board is comprised of fifteen voting members, twelve of whom are elected by the Pool's membership to serve staggered, six-year terms.

The officials listed have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Council may vote for one candidate for each place or a write-in candidate to the TMLIRP Board of Trustees. **Ballots must be received no later than September 30, 2020.** The candidates are as follows:

PLACE 1

Robert T. Herrera (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City, and Woodway. Mr. Herrera has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board. He also served as Chair of the Finance-Information Technology Committee and the Underwriting-Claims Committee of the TML Intergovernmental Risk Pool.

WRITE IN CANDIDATE: _____

PLACE 2

Chris Armacost. City Commissioner for the City of Hitchcock (Region 14). Mr. Armacost is Director of Technology, Transportation, Facilities, and Operations for the Hitchcock Independent School District. He serves on the Hitchcock Education Foundation and Hitchcock Chamber of Commerce. He is the president of the Hitchcock Little League Baseball Association and coached several teams. Mr. Armacost has been awarded the Hitchcock Chamber President Award and the Above and Beyond Citizen Award from the Hitchcock ISD. He has obtained a Certified Municipal Official certification from TML.

John W. (Buzz) Fullen (Incumbent). Mayor of the City of Henderson since 2019 and from 2004 to 2012 (Region 15). Mr. Fullen also served as a Commissioner of the Henderson Housing Authority from 2011 to 2019 and is now ex-officio on same. He currently serves on the Henderson Main Street Board (2004-present), Henderson Civic Center Board (2003- present), and the Henderson ETMC Hospital Diabetes Board (2009-present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010, during which time he served as Chair (2018-2020) and Vice Chair (2016-2018).

WRITE IN CANDIDATE: _____

PLACE 3

George Hyde. City Attorney for the City of Watuaga (Region 8). Mr. Hyde is a partner in the law firm Russell Rodriguez Hyde Bullock, LLP, located in Georgetown. He is a member of and holds Merit Certification in Municipal Law from the Texas City Attorneys Association. He has served as City Attorney for ten other cities across Texas, since 2003. He has also served local governments in various public safety positions within Fire Departments, Parks Departments, and Police Departments. During his tenure as a peace officer, Mr. Hyde received the Texas Commission on Law Enforcement Educational Achievement Award for exceeding normal expectations in job performance.

Roy E. Maynor. City Alderman, Position 3, for the City of West Columbia (Region 14). He has been an elected official of West Columbia since 2013. Mr. Maynor is a Life Safety Systems Specialist for Vallen Safety Services and a member of Gulf Coast Christian Church. He is also part-owner of Grit Fitness in West Columbia. He and his wife, Rachel, have two children.

Jeffrey Snyder (Incumbent). City Manager for the City of Plainview (Region 2). He previously served as the Assistant City Manager for Plainview and as the City Manager for Idalou. Mr. Snyder graduated from West Texas A&M University and obtained a Master of Public Administration from Texas Tech University. He is a member of the International City Management Association (ICMA) and TCMA. He is a graduate of the Public Executive Institute through the University of Texas and is a credentialed manager through ICMA. He has been a Board member of the TML Intergovernmental Risk Pool since 2018 and served on various committees with TML, TCMA and ICMA and as past president of the Panhandle City Management Association.

WRITE IN CANDIDATE: _____

PLACE 4

Robert S. Hauck (Incumbent). City Manager for the City of Tomball (Region 14), a position he has held since April 2018. He began his full-time career in public service with the Los Angeles Police Department in 1988. In 2008, Mr. Hauck retired from the LAPD and joined the City of Tomball, where he has served as Chief of Police, Assistant City Manager, and now City Manager. Mr. Hauck holds a Bachelor of Arts degree in Business Administration, and a Master of Science degree in Management. He has been a Board member of the TML Intergovernmental Risk Pool since 2019. Mr. Hauck and his wife Kathleen have three children -- Lauren, Conner, and Madeline.

Dave Martin. City Councilmember and current Mayor Pro Tern for the City of Houston (Region 14). Mr. Martin serves as Chair of the City Council Budget and Fiscal Affairs Committee. He previously served on the Humble ISO Board of Trustees and as Secretary/Treasurer of the Board of Directors for the Harris County Houston Sports Authority. Mr. Martin is a Managing Director of Marsh & McLennan Companies, Inc., the largest Global Risk Management firm. Previously he worked for two "Big Four" accounting firms, PricewaterhouseCoopers, LLP and Ernst & Young, LLP.

Kimberly Meisner. Executive Director for General Operations for Kerrville (Region 7), overseeing Human Resources, Municipal Court, Public Library, Public Information, the Senior Services Advisory Committee, and the Kerrville Area Youth Leadership Academy. Ms. Meisner has over 23 years of public service, which includes serving Kerrville and La Porte. She is a member of the TCMA, International Public Management Association for Human Resources (IPMA-HR), Society for Human Resource Management (SHRM), and is a former President of the Bay Area Human Resource Management Association. She has a Master's degree in Public Administration and is an IPMA-HR Senior Certified Professional and a SHRM Certified Professional.

Sean Overeynder. City Manager for the City of Lamesa, Texas (Region 3). Sean Overeynder began his career in local government administration in August 2014 in Economic Development, working for various public and private organizations. He has held the position of City Manager for the City of Lamesa since March 2020. Prior to becoming the City Manager, he was appointed as the Economic Development Director for the City of Lamesa on August 27, 2018.

WRITE IN CANDIDATE: _____

BUDGET/FISCAL ANALYSIS

There is no fiscal impact to the City of Missouri City in voting for the TMLIRP Board of Trustees.

STAFF'S RECOMMENDATION

Cast votes for candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.

Director Approval: Maria Jackson, City Secretary



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council
Agenda Item: 9(a) Authorize the City Manager to execute a contract with Republic Masonry & Fencing LLC for the Corridor Enhancements Monument Signs Project.
Submitted by: Shashi K. Kumar, P.E., Director of Public Works and City Engineer

SYNOPSIS

Staff requests authorization for the City Manager to execute a contract with Republic Masonry & Fencing LLC for the Corridor Enhancements Monument Signs Project.

STRATEGIC PLAN 2019 GOALS ADDRESSED

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

BACKGROUND

In July 2020, the Public Works Department along with the Purchasing Division, prepared and advertised an Invitation for Bid – IFB No. 20-042 “Corridor Enhancements Monument Signs”. Notices were published on the Electronic State Business Daily, Demand Star, City’s website and local newspaper. City staff received 3 responses to this solicitation with pricing ranging from \$756,988.00 to \$502,845.50 (See Bid Tabulation Enclosed).

Republic Masonry & Fencing LLC was the lowest most responsive bidder with a total bid of \$502,845.50 with an anticipated 90 days to completion. The City’s contracted engineering firm (TBG Partners) completed the process of reviewing the bids submitted and made a recommendation, of which the City Staff concurs, to award the bid and this project to Republic Masonry & Fencing LLC

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY20 Funds Budgeted	FY20 Funds Available	Amount Requested
General Bond	403-58200-15-999-50092	50092 / Corridor Enhancements	\$2,185,435.05	\$2,134,125.00	\$502,845.50

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

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



TBG

August 24, 2020

Mark Law
City of Missouri City
1522 Texas Parkway
Missouri City, Texas 77459

Re: Notice of Bids Received
City of Missouri City Corridor Enhancements Monument Signs
COMC Project # 2912 / TBG Job No. H17116

On August 18th, 2020 we received three (3) bids for the referenced project. After review of the bids submitted, Republic Masonry and Fencing, LLC is the lowest comprehensive base bid. Their bid was also lowest for alternates 2 at \$502,845.50 which is the recommended alternate for the project.

Enclosed for your review is a copy of the bid tabulation. Please do not hesitate to call if you have any questions regarding the bid.

Sincerely,
TBG Partners



Amy Harr, PLA, LEED AP
Associate

cc: Shashi Kumar, COMC
Jessica Kokes, COMC
Meade Mitchell, TBG
J. Wes Cegelski, TBG



TBG

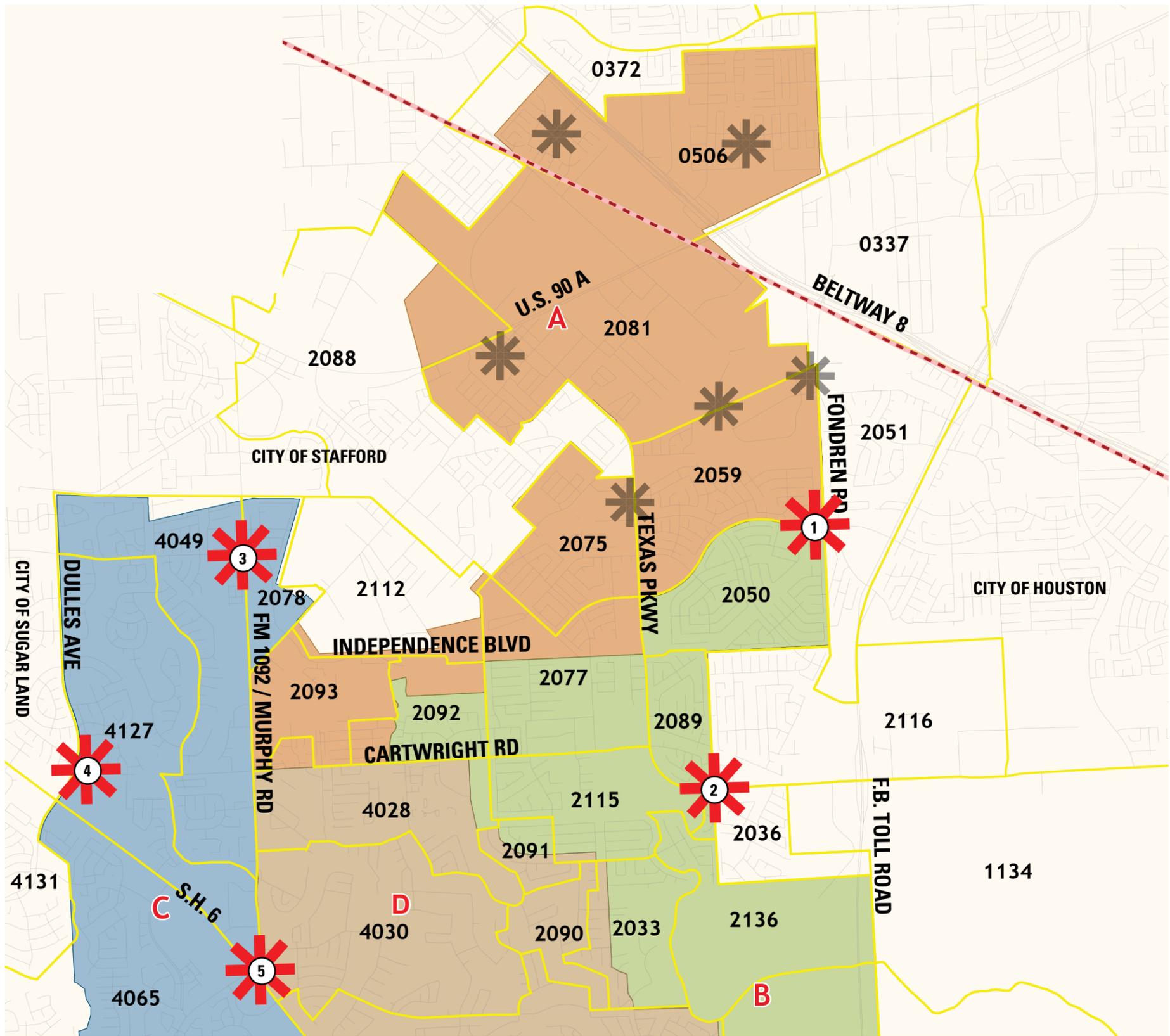
**COMC Beautification - Reader Signs
H17116**

Bid Tabulation
Prepared by TBG Partners
August 19, 2020

	Jerdon Enterprise, LP	Republic Masonry & Fencing LLC	Bass Construction
Item			
1 General Conditions	\$46,000.00	\$2,984.00	\$82,500.00
2 Payment, Performance, & Maintenance Bonds	\$8,000.00	\$7,645.00	\$9,750.00
3 Sitework (Base bid: 19.8mm w/Amber)	\$388,467.67	\$338,216.50	\$504,750.00
5 Site Field Conditions Allowance	\$25,000.00	\$25,000.00	\$25,000.00
Total	\$467,467.67	\$373,845.50	\$622,000.00
Alternate 1: (19.8mm / RGB) Subtotal	\$249,800.00	\$334,950.00	\$386,085.00
<u>Alternate 1 breakdown</u>			\$597,000 written total base bid
One Single Sided LED Screen Only (x1)	\$53,300.00	\$75,945.00	\$25,716.00
Three Double Sided LED Screen Only (x3)	\$196,500.00	\$259,005.00	\$360,369.00
Remaining Sitework	\$232,761.61	\$96,266.50	\$239,504.00
Total Package w/ Alt. 1	\$561,561.61	\$466,845.50	\$742,839.00
Alternate 2: (16mm / RGB) Subtotal	\$284,380.00	\$370,950.00	\$424,264.00
<u>Alternate 2 breakdown</u>			
One Single Sided LED Screen Only (x1)	\$58,705.00	\$81,945.00	\$27,850.00
Three Double Sided LED Screen Only (x3)	\$225,675.00	\$289,005.00	\$396,414.00
Remaining Sitework	\$233,216.96	\$96,266.50	\$215,474.00
Total Package w/ Alt. 2	\$596,596.96	\$502,845.50	\$756,988.00
Days to Complete	100	90	180
Addenda	2	2	2
Bid Bond	Y	Y	Y

*Red=totals did not match Bass left off the Field conditions allowance in total

Recommended bidder with recommended alternate



LEGEND

-  SINGLE- SIDED READER SIGN IN MEDIAN - INDEPENDENCE @ CITY LIMITS CHANNEL (REPLACES OLD LOGO SIGN)
-  DOUBLE-SIDED READER SIGN ON NW SIDE OF ROAD - TEXAS PARKWAY @ CITY LIMITS CHANNEL (REPLACES OLD LOGO SIGN)
-  DOUBLE-SIDED READER SIGN IN EAST MEDIAN - INDEPENDENCE AT FM 1092/MURPHY RD.
-  DOUBLE-SIDED READER SIGN WITHIN MEDIAN ON S.E. SIDE OF DULLES - CARTWRIGHT @ DULLES INTERSECTION
LOGO COLUMNS ON NE AND SE CORNER OF INTERSECTION - SH6 @ DULLES
-  REPLACEMENT OF EXISTING INCORRECT LOGO SIGN PANEL - SH 6 @ FM 1092
-  EXISTING SIGN LOCATIONS



city of missouri city

proposed monument locations

Missouri City, Texas
02/13/20

TBG
1333 W Loop South
Suite 1450
Houston, Texas 77056

[713] 439 0027
tbgpartners.com

The information shown is based on the best information available and is subject to change without notice.

N.T.S. 



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council
Agenda Item: 9b CARES ACT- Air Regulators
Submitted by: Eugene Campbell, Jr.

SYNOPSIS

Staff is requesting the purchase of 53 Air Regulators for \$75,048.00 with CARES act funding. This purchase would allow the Fire department to issue each firefighter their own individual Air Pack regulator. This would help isolate potential contamination between individuals who currently share regulators. The current system the regulator stay with the air pack on the truck and is share by all users. This presents a risk of contamination with a direct line to their respiratory system.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

This item is seeking city council authorization to purchase in accordance with §2-102 *Signatory Authorities and Approval Thresholds* of the 2017 City of Missouri City Procurement Policy, for a purchase over \$50,000. Further, the item is seeking authorization to purchase the items through cooperative procurement method in accordance with §3-106 *Cooperative Procurement of the City of Missouri City Procurement Policy*.

This purchase request is for 53 Air Regulators. This project was approved at the August 3rd council meeting.

Staff recommends the Council authorize purchase of (53) new Air Regulators at the cost of \$75,048.00.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	FY2020 Funds Budgeted	FY2020 Funds Available	Amount Requested
800-52034-99-999-COVID					75,0048*

*Funds will be reimbursement from the CARES funding.

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

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

SUPPORTING MATERIALS

1. HGACBuy Contract Pricing Worksheet
2. Approved Project list

STAFF'S RECOMMENDATION

Approval for the Fire Department to purchase the air regulators.

Director Approval: Eugene Campbell, Jr.

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



Corporate
 17350 State Hwy 249
 Suite 250
 Houston TX 77064-1142
 (713) 692-0911 Phone
 (713) 692-1591 Fax

Mansfield
 625 S Wisteria St Ste 121
 Mansfield TX 76063-2528
 (817) 467-0911 Phone
 (817) 375-1775 Fax

South Houston
 514 Michigan St
 South Houston TX 77587-3221
 (713) 475-2411 Phone
 (713) 475-2428 Fax

QUOTE

Number	157186-0
Quote Date	07/08/2020
Page	1

Bill to: CITY OF MISSOURI CITY
 ATTN: ACCOUNTS PAYABLE
 1522 TEXAS PARKWAY
 MISSOURI CITY, TX 77489

Ship to: MISSOURI CITY FIRE & RESCUE
 3849 CARTWRIGHT ROAD
 MISSOURI CITY, TX 77459

Cust Code		Ordered By		Salesman		Job/Rel#		Customer PO	
MIS002				DAVID TOVEY					
Entered By			FOB		Ship Via			Terms	
DAVID TOVEY			CUSTOMER PAYS FREIGHT					NET 20 DAYS	
Quantity			U/M	Item #	Description			Price	Extension
Order	Ship	Back							
53	53	0	EA	SCT-200077-60	REGULATOR ASSY, 2018, QD			1416.00	75048.00
SubTotal								75,048.00	
Total								75,048.00	

QUOTE GOOD FOR 45 DAYS

A CONTRACT BETWEEN
HOUSTON-GALVESTON AREA COUNCIL
Houston, Texas
AND
METRO FIRE APPARATUS SPECIALISTS, INC.
Houston, Texas

This Contract is made and entered into by the Houston-Galveston Area Council of Governments, hereinafter referred to as H-GAC, having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, AND, Metro Fire Apparatus Specialists, Inc., hereinafter referred to as the CONTRACTOR, having its principal place of business at 17350 SH 249, Suite 250, Houston, Texas 77064.

ARTICLE 1: SCOPE OF SERVICES
The parties have entered into a Emergency Preparedness & Safety Equipment Contract to become effective as of November 1, 2017, and to continue through October 31, 2020 (the "Contract"), subject to extension upon mutual agreement of the CONTRACTOR and H-GAC. H-GAC enters into the Contract as Agent for participating governmental agencies, each hereinafter referred to as END USER, for the purchase of Emergency Preparedness & Safety Equipment offered by the CONTRACTOR. The CONTRACTOR agrees to sell Emergency Preparedness & Safety Equipment through the H-GAC Contract to END USERS.

ARTICLE 2: THE COMPLETE AGREEMENT
The Contract shall consist of the documents identified below in order of precedence:

1. The text of this Contract form, including but not limited to, Attachment A
2. General Terms and Conditions
3. Proposal Specifications No:EP11-17, including any relevant suffixes
4. CONTRACTOR's Response to Proposal No:EP11-17, including but not limited to, prices and options offered

All of which are either attached hereto or incorporated by reference and hereby made a part of this Contract, and shall constitute the complete agreement between the parties hereto. This Contract supersedes any and all oral or written agreements between the parties relating to matters herein. Except as otherwise provided herein, this Contract cannot be modified without the written consent of both parties.

ARTICLE 3: LEGAL AUTHORITY
CONTRACTOR and H-GAC warrant and represent to each other that they have adequate legal counsel and authority to enter into this Contract. The governing bodies, where applicable, have authorized the signatory officials to enter into this Contract and bind the parties to the terms of this Contract and any subsequent amendments thereto.

ARTICLE 4: APPLICABLE LAWS
The parties agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, directives, issuances, ordinances, and laws in effect or promulgated during the term of this Contract.

ARTICLE 5: INDEPENDENT CONTRACTOR
The execution of this Contract and the rendering of services prescribed by this Contract do not change the independent status of H-GAC or CONTRACTOR. No provision of this Contract or act of H-GAC in performance of this Contract shall be construed as making CONTRACTOR the agent, servant or employee of H-GAC, the State of Texas or the United States Government. Employees of CONTRACTOR are subject to the exclusive control and supervision of CONTRACTOR. CONTRACTOR is solely responsible for employee payrolls and claims arising therefrom.

ARTICLE 6: END USER AGREEMENTS
H-GAC acknowledges that the END USER may choose to enter into an End User Agreement with the CONTRACTOR through this Contract and that the term of said Agreement may exceed the term of the H-GAC Contract. However, this acknowledgement is not to be construed as H-GAC's endorsement or approval of the End User Agreement terms and conditions. CONTRACTOR agrees not to offer, agree to or accept from END USER any terms or conditions that conflict with or contravene those in CONTRACTOR's H-GAC contract. Further, termination of this Contract for any reason shall not result in the termination of the underlying End User Agreements entered into between CONTRACTOR and any END USER which shall, in each instance, continue pursuant to their stated terms and duration. The only effect of termination of this Contract is that CONTRACTOR will no longer be able to enter into any new End User Agreements with END

USERS pursuant to this Contract. Applicable H-GAC order processing charges will be due and payable to H-GAC on any End User Agreements surviving termination of this Contract between H-GAC and CONTRACTOR.

SUBCONTRACTS & ASSIGNMENTS

ARTICLE 7: CONTRACTOR agrees not to subcontract, assign, transfer, convey, sublet or otherwise dispose of this Contract or any right, title, obligation or interest it may have therein to any third party without prior written notice to H-GAC. H-GAC reserves the right to accept or reject any such change. CONTRACTOR shall continue to remain responsible for all performance under this Contract regardless of any subcontract or assignment. H-GAC shall be liable solely to CONTRACTOR and not to any of its Subcontractors or Assignees.

EXAMINATION AND RETENTION OF CONTRACTOR'S RECORDS

ARTICLE 8: CONTRACTOR shall maintain during the course of its work, complete and accurate records of items that are chargeable to END USER under this Contract. H-GAC, through its staff or its designated public accounting firm, the State of Texas, or the United States Government shall have the right at any reasonable time to inspect copy and audit those records on or off the premises of CONTRACTOR. Failure to provide access to records may be cause for termination of this Contract. CONTRACTOR shall maintain all records pertinent to this Contract for a period of not less than five (5) calendar years from the date of acceptance of the final contract closeout and until any outstanding litigation, audit or claim has been resolved. The right of access to records is not limited to the required retention period, but shall last as long as the records are retained. CONTRACTOR further agrees to include in all subcontracts under this Contract, a provision to the effect that the subcontractor agrees that H-GAC'S duly authorized representatives, shall, until the expiration of five (5) calendar years after final payment under the subcontract or until all audit findings have been resolved, have access to, and the right to examine and copy any directly pertinent books, documents, papers, invoices and records of such subcontractor involving any transaction relating to the subcontract.

REPORTING REQUIREMENTS

ARTICLE 9: CONTRACTOR agrees to submit reports or other documentation in accordance with the General Terms and Conditions of the Proposal Specifications. If CONTRACTOR fails to submit to H-GAC in a timely and satisfactory manner any such report or documentation, or otherwise fails to satisfactorily render performance hereunder, such failure may be considered cause for termination of this Contract.

MOST FAVORED CUSTOMER CLAUSE

ARTICLE 10: If CONTRACTOR, at any time during this Contract, routinely enters into agreements with other governmental customers within the State of Texas, and offers the same or substantially the same products/services offered to H-GAC on a basis that provides prices, warranties, benefits, and or terms more favorable than those provided to H-GAC, CONTRACTOR shall notify H-GAC within ten (10) business days thereafter of that offering and this Contract shall be deemed to be automatically amended effective retroactively to the effective date of the most favorable contract, wherein CONTRACTOR shall provide the same prices, warranties, benefits, or terms to H-GAC and its END USER. H-GAC shall have the right and option at any time to decline to accept any such change, in which case the amendment shall be deemed null and void. If CONTRACTOR is of the opinion that any apparently more favorable price, warranty, benefit, or term charged and/or offered a customer during the term of this Contract is not in fact most favored treatment, CONTRACTOR shall within ten (10) business days notify H-GAC in writing, setting forth the detailed reasons CONTRACTOR believes aforesaid offer which has been deemed to be a most favored treatment, is not in fact most favored treatment. H-GAC, after due consideration of such written explanation, may decline to accept such explanation and thereupon this Contract between H-GAC and CONTRACTOR shall be automatically amended, effective retroactively, to the effective date of the most favored agreement, to provide the same prices, warranties, benefits, or terms to H-GAC.

The Parties accept the following definition of routine: A prescribed, detailed course of action to be followed regularly; a standard procedure. *EXCEPTION: This clause shall not be applicable to prices and price adjustments offered by a bidder, proposer or contractor, which are not within bidder's/ proposer's control [example; a manufacturer's bid concession], or to any prices offered to the Federal Government and its agencies.*

SEVERABILITY

ARTICLE 11: All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

DISPUTES

ARTICLE 12: Any and all disputes concerning questions of fact or of law arising under this Contract, which are not disposed of by agreement, shall be decided by the Executive Director of H-GAC or his designee, who shall reduce his decision to writing and provide notice thereof to CONTRACTOR. The decision of the Executive Director or his designee shall be final and conclusive unless, within thirty (30) days from the date of receipt of such notice, CONTRACTOR requests a rehearing from the Executive Director of H-GAC. In connection with any rehearing under this Article, CONTRACTOR shall be afforded an opportunity to be heard and offer evidence in support of its position. The decision of the

Executive Director after any such rehearing shall be final and conclusive. CONTRACTOR may, if it elects to do so, appeal the final and conclusive decision of the Executive Director to a court of competent jurisdiction. Pending final decision of a dispute hereunder, CONTRACTOR shall proceed diligently with the performance of this Contract and in accordance with H-GAC'S final decision.

ARTICLE 13: LIMITATION OF CONTRACTOR'S LIABILITY
Except as specified in any separate writing between the CONTRACTOR and an END USER, CONTRACTOR's total liability under this Contract, whether for breach of contract, warranty, negligence, strict liability, in tort or otherwise, but excluding its obligation to indemnify H-GAC described in Article 14, is limited to the price of the particular products/services sold hereunder, and CONTRACTOR agrees either to refund the purchase price or to repair or replace product(s) that are not as warranted. In no event will CONTRACTOR be liable for any loss of use, loss of time, inconvenience, commercial loss, lost profits or savings or other incidental, special or consequential damages to the full extent such use may be disclaimed by law. CONTRACTOR understands and agrees that it shall be liable to repay and shall repay upon demand to END USER any amounts determined by H-GAC, its independent auditors, or any agency of State or Federal government to have been paid in violation of the terms of this Contract.

ARTICLE 14: LIMIT OF H-GAC'S LIABILITY AND INDEMNIFICATION OF H-GAC
H-GAC's liability under this Contract, whether for breach of contract, warranty, negligence, strict liability, in tort or otherwise, is limited to its order processing charge. In no event will H-GAC be liable for any loss of use, loss of time, inconvenience, commercial loss, lost profits or savings or other incidental, special or consequential damages to the full extent such use may be disclaimed by law. Contractor agrees, to the extent permitted by law, to defend and hold harmless H-GAC, its board members, officers, agents, officials, employees, and indemnities from any and all claims, costs, expenses (including reasonable attorney fees), actions, causes of action, judgments, and liens arising as a result of CONTRACTOR's negligent act or omission under this Contract. CONTRACTOR shall notify H-GAC of the threat of lawsuit or of any actual suit filed against CONTRACTOR relating to this Contract.

ARTICLE 15: TERMINATION FOR CAUSE
H-GAC may terminate this Contract for cause based upon the failure of CONTRACTOR to comply with the terms and/or conditions of the Contract; provided that H-GAC shall give CONTRACTOR written notice specifying CONTRACTOR'S failure. If within thirty (30) days after receipt of such notice, CONTRACTOR shall not have either corrected such failure, or thereafter proceeded diligently to complete such correction, then H-GAC may, at its option, place CONTRACTOR in default and the Contract shall terminate on the date specified in such notice. CONTRACTOR shall pay to H-GAC any order processing charges due from CONTRACTOR on that portion of the Contract actually performed by CONTRACTOR and for which compensation was received by CONTRACTOR.

ARTICLE 16: TERMINATION FOR CONVENIENCE
Either H-GAC or CONTRACTOR may cancel or terminate this Contract at any time by giving thirty (30) days written notice to the other. CONTRACTOR may be entitled to payment from END USER for services actually performed; to the extent said services are satisfactory to END USER. CONTRACTOR shall pay to H-GAC any order processing charges due from CONTRACTOR on that portion of the Contract actually performed by CONTRACTOR and for which compensation is received by CONTRACTOR.

ARTICLE 17: CIVIL AND CRIMINAL PROVISIONS AND SANCTIONS
CONTRACTOR agrees that it will perform under this Contract in conformance with safeguards against fraud and abuse as set forth by H-GAC, the State of Texas and the acts and regulations of any funding entity. CONTRACTOR agrees to notify H-GAC of any suspected fraud, abuse or other criminal activity related to this Contract through filing of a written report promptly after it becomes aware of such activity.

ARTICLE 18: GOVERNING LAW & VENUE
This Contract shall be governed by the laws of the State of Texas. Venue and jurisdiction of any suit or cause of action arising under or in connection with this Contract shall lie exclusively in Harris County, Texas. Disputes between END USER and CONTRACTOR are to be resolved in accord with the law and venue rules of the state of purchase. CONTRACTOR shall immediately notify H-GAC of such disputes.

ARTICLE 19: PAYMENT OF H-GAC ORDER PROCESSING CHARGE
CONTRACTOR agrees to sell its products to END USERS based on the pricing and other terms of this Contract, including, but not limited to, the payment of the applicable H-GAC order processing charge. On notification from an END USER that an order has been placed with CONTRACTOR, H-GAC will invoice CONTRACTOR for the applicable order processing charge. Upon delivery of any product/service by CONTRACTOR and acceptance by END USER, CONTRACTOR shall, within thirty (30) calendar days or ten (10) business days after receipt of payment, whichever is less, pay H-GAC the full amount of the applicable order processing charge, whether or not CONTRACTOR has received an invoice from H-GAC. For sales made by CONTRACTOR based on this contract, including sales to entities without Interlocal Contracts, CONTRACTOR shall pay the applicable order processing charges to H-GAC. Further, CONTRACTOR agrees to encourage entities who are not members of H-GAC's Cooperative Purchasing Program to execute an H-GAC

Interlocal Contract. H-GAC reserves the right to take appropriate actions including, but not limited to, contract termination if CONTRACTOR fails to promptly remit H-GAC's order processing charge. In no event shall H-GAC have any liability to CONTRACTOR for any goods or services an END USER procures from CONTRACTOR.

ARTICLE 20:

LIQUIDATED DAMAGES

Any liquidated damages terms will be determined between CONTRACTOR and END USER at the time END USER's purchase order is placed.

ARTICLE 21:

PERFORMANCE AND PAYMENT BOND FOR INDIVIDUAL ORDERS

H-GAC's contractual requirements DO NOT include a Performance & Payment Bond (PPB), and offered pricing should reflect this cost saving. However, CONTRACTOR must be prepared to offer a PPB to cover any specific order if so requested by END USER. CONTRACTOR shall quote a price to END USER for provision of any requested PPB, and agrees to furnish the PPB within ten business (10) days of receipt of END USER's purchase order.

ARTICLE 22:

CHANGE OF CONTRACTOR STATUS

CONTRACTOR shall immediately notify H-GAC, in writing, of ANY change in ownership, control, dealership/franchisee status, Motor Vehicle license status, or name, and shall also advise whether or not this Contract shall be affected in any way by such change. H-GAC shall have the right to determine whether or not such change is acceptable, and to determine what action shall be warranted, up to and including cancellation of Contract.

ARTICLE 23:

LICENSING REQUIRED BY TEXAS MOTOR VEHICLE BOARD IF APPLICABLE!

CONTRACTOR will, for the duration of this Contract, maintain current licenses that are required by the Texas Motor Vehicle Commission Code. If at any time during this Contract period, any CONTRACTOR'S license is not renewed, or is denied or revoked, CONTRACTOR shall be deemed to be in default of this Contract unless the Motor Vehicle Board issues a stay or waiver. Contractor shall promptly provide copies of all current applicable Texas Motor Vehicle Board documentation to H-GAC upon request.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed by their duly authorized representatives.

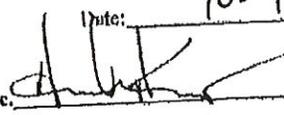
Signed for Houston-Galveston
Area Council, Houston, Texas:


Jack Steele, Executive Director

Attest for Houston-Galveston
Area Council, Houston, Texas:

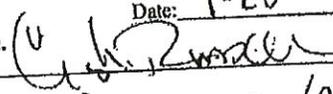

Chuck Wemple, Chief Operations Officer

Signed for Metro Fire Apparatus Specialists, Inc.
Houston, Texas:

Date: 10-16, 2017


Printed Name & Title: ANDY KINK OPERATIONS MANAGER

Attest for Metro Fire Apparatus Specialists, Inc.
Houston, Texas:

Date: 9-25, 2017


Printed Name & Title: CRAIG RUSSELL CEO/PRESIDENT

Date: 9-25, 2017

<p style="text-align: center;">Attachment A</p> <p style="text-align: center;">Metro Fire Apparatus Specialists, Inc.</p> <p style="text-align: center;">Emergency Preparedness & Safety Equipment</p> <p style="text-align: center;">Contract No.: EP11-17</p>		
Item No.	Product Description	Percentage Discount off Retail/List Price
	Task Force Tips (TFT) Catalog LOT-022 May 1, 2017 Rev 27 (All Products)	22.50%
	Note: All -KIT part #'s (pages 218, 219, 229) are not available for discount under HGACBuy EP11-17	



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council
Agenda Item: 9(c) Consider authorizing the negotiation and execution of a bed maintenance contract.
Submitted by: Paul Wierzbicki, City Horticulturalist/Forester

SYNOPSIS

Staff desires to award a term contract for landscape bed maintenance services with Maldonado Nursery & Landscaping, Inc.

STRATEGIC PLAN 2020 GOALS ADDRESSED

- Create a great place to live
- Develop a high performing City team

BACKGROUND

City staff request that Council considers authorizing the negotiation and execution of a term contract for landscape bed services with Maldonado Nursery & Landscaping, Inc. The Parks Department utilizes these services to perform routine landscape maintenance tasks such as weeding, mulching, pruning and trimming shrubs and groundcovers along with irrigation system repairs and inspections. City properties under this maintenance contract will include; City Hall/Community Center, Missouri City Branch Library, all Fire Stations, PSHQ/Municipal Court, Rec. & Tennis Center, Buffalo Run Park, 90A monument. Next year the recently landscaped medians on Texas Parkway and Cartwright Rd will be added, after the TXDOT maintenance period expires. The Purchasing Division issued an Invitation for Bid No. 20-053 bid on August 10, 2020, with the bids due September 8, 2020. The City received three responses. After careful review, the department selected Maldonado Nursery & Landscaping, Inc. as the bid most advantageous to the City, with a bid of \$50,066.22 for bed maintenance plus an hourly rate for irrigation repair & monitoring (\$80hr), and supplemental hedge & bed pruning (\$70hr). Total amount requested for FY21 is \$97,500.

BUDGET/FISCAL ANALYSIS

Funding Source	Account Number	Project Code/Name	Proposed FY 2021 Budgeted Funds	Proposed FY 2021 Funds Available	Amount Requested
General Fund	101-53568-16-153-	Landscape Services	\$97,500	\$97,500	\$97,500

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

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

SUPPORTING MATERIALS

1. Bid Tabulation Sheet

STAFF'S RECOMMENDATION

Staff recommends that Council award a term contact to Maldonado Nursery & Landscaping, Inc. for Landscape Bed Maintenance Services.

Director Approval: Jason S. Mangum, CPRE

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

Maldonado Pricing

9/8/20

EXHIBIT A.Pricing - IFB No. 20-053 Annual Agreement for Landscape Bedding

Location & Address	Maintenance Needs	Frequency	Monthly Costs (Oct-Mar)	Monthly Cost (Apr-Sept)	Total Annual Cost
City Hall Complex Ft. Bend County Library Complex 1522 Texas Parkway	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	1108.31	2216.62	19,949.58
90A Monument SW corner of Texas Parkway and Hwy 90A	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	110.08	220.16	1981.45
Recreation & Tennis Center 2701 Cypress Point Dr.	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	210.49	420.98	3788.88
Public Safety Headquarters Complex 3845 Cartwright Rd.	Pull weeds in all 4 planter boxes. Prune suckers & water sprouts from trees & shrubs. Remove weeds from shrub beds, tree circles and hedge rows. Trim ground cover beds 4 times annually. Mulch annually. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	318.19	636.37	5727.35
Buffalo Run Park 1122 Buffalo Run Blvd.	Remove weeds from 2 landscape areas near entrances. Pick up litter. Kill Fire Ants. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	103.61	207.22	1864.98
Fire Station #3 2496 Texas Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	147.41	294.81	2653.30
Fire Station #4 5955 Sienna's Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	214.19	428.37	3855.33
Fire Station #5 190 Waters Lake Blvd.	Remove weeds from beds, hedge rows and tree circles both in front & back of the fenced areas. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	278.11	556.22	5005.94
Cartwright Road Median Landscapes Texas Parkway to FM 1092	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	159.43	318.87	2869.82
Texas Parkway Median Landscapes Turtle Creek north to Mimosa	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	131.64	263.29	2369.59
Additional Service: Irrigation Repair		Hourly labor rate for landscape irrigation repairs.	\$80.00		
Additional Service: Supplemental Pruning		Hourly labor rate for 2 man crew to conduct seasonal shrub pruning	\$70.00		

\$50,066.22

Ambassador

EXHIBIT A.Pricing - IFB No. 20-053 Annual Agreement for Landscape Bedding

Location & Address	Maintenance Needs	Frequency	Monthly Costs (Oct-Mar)	Monthly Cost (Apr-Sept)	Total Annual Cost
City Hall Complex Ft. Bend County Library Complex 1522 Texas Parkway	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$400.00	\$800.00	\$7200.00
90A Monument SW corner of Texas Parkway and Hwy 90A	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$200.00	\$400.00	\$3600.00
Recreation & Tennis Center 2701 Cypress Point Dr.	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$400.00	\$800.00	\$6300.00
Public Safety Headquarters Complex 3845 Cartwright Rd.	Pull weeds in all 4 planter boxes. Prune suckers & water sprouts from trees & shrubs. Remove weeds from shrub beds, tree circles and hedge rows. Trim ground cover beds 4 times annually. Mulch annually. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$400.00	\$800.00	\$7201.00
Buffalo Run Park 1122 Buffalo Run Blvd.	Remove weeds from 2 landscape areas near entrances. Pick up litter. Kill Fire Ants. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$250.00	\$500.00	\$4773.00
Fire Station #3 2496 Texas Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$300.00	\$600.00	\$5582.00
Fire Station #4 5955 Sienna's Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$200.00	\$400.00	\$3964.00
Fire Station #5 190 Waters Lake Blvd.	Remove weeds from beds, hedge rows and tree circles both in front & back of the fenced areas. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$200.00	\$400.00	\$3964.00
Cartwright Road Median Landscapes Texas Parkway to FM 1092	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	\$480.00	\$960.00	\$8819.00
Texas Parkway Median Landscapes Turtle Creek north to Mimosa	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	\$400.00	\$800.00	\$7200.00
Additional Service: Irrigation Repair		Hourly labor rate for landscape irrigation repairs.	\$135.00		
Additional Service: Supplemental Pruning		Hourly labor rate for 2 man crew to conduct seasonal shrub pruning	\$52.50		

\$58,603.00

Bright View

EXHIBIT A.Pricing - IFB No. 20-053 Annual Agreement for Landscape Bedding

Location & Address	Maintenance Needs	Frequency	Monthly Costs (Oct-Mar)	Monthly Cost (Apr-Sept)	Total Annual Cost
City Hall Complex Ft. Bend County Library Complex 1522 Texas Parkway	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$26,411.85	\$26,411.85	\$52,823.70
90A Monument SW corner of Texas Parkway and Hwy 90A	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$4,673.97	\$4,673.97	\$9,347.93
Recreation & Tennis Center 2701 Cypress Point Dr.	Remove weeds from beds & tree circles. Prune suckers & water sprouts from trees & shrubs. Trim ground cover 4 times annually. Mulch annually. Pick up litter. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$15,173.73	\$15,173.73	\$30,347.46
Public Safety Headquarters Complex 3845 Cartwright Rd.	Pull weeds in all 4 planter boxes. Prune suckers & water sprouts from trees & shrubs. Remove weeds from shrub beds, tree circles and hedge rows. Trim ground cover beds 4 times annually. Mulch annually. Kill Fire Ants.	Once Monthly (October -March), Twice Monthly (April-September)	\$8,285.62	\$8,285.62	\$16,571.24
Buffalo Run Park 1122 Buffalo Run Blvd.	Remove weeds from 2 landscape areas near entrances. Pick up litter. Kill Fire Ants. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$35,044.40	\$35,044.40	\$70,088.80
Fire Station #3 2496 Texas Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$3,476.52	\$3,476.52	\$6,953.04
Fire Station #4 5955 Sienna's Parkway	Remove weeds from beds, hedge rows and tree circles on the outside of fenced area. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$5,950.47	\$5,950.47	\$11,900.94
Fire Station #5 190 Waters Lake Blvd.	Remove weeds from beds, hedge rows and tree circles both in front & back of the fenced areas. Kill Fire Ants. Pick up litter. Trim hedges 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September)	\$4,050.05	\$4,050.05	\$8,100.10
Cartwright Road Median Landscapes Texas Parkway to FM 1092	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	\$11,998.16	\$11,998.16	\$23,996.32
Texas Parkway Median Landscapes Turtle Creek north to Mimosa	Remove weeds from beds, hedge row & tree circles. Pick up litter. Kill Fire Ants. Trim hedges and ground covers 4 times annually. Mulch annually.	Once Monthly (October -March), Twice Monthly (April-September) Medians will be under a one year maintenance by TxDOT Contractor once project is complete. Estimated to be complete in August of 2020.	\$6,962.67	\$6,962.67	\$13,925.74
Additional Service: Irrigation Repair		Hourly labor rate for landscape irrigation repairs.	\$75/HR		
Additional Service: Supplemental Pruning		Hourly labor rate for 2 man crew to conduct seasonal shrub pruning	\$90/HR		

\$ 244,055.27



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 10(a) Consider and take action on an ordinance approving an ad valorem tax rate for the City of Missouri City, Texas, upon all taxable property within the corporate limits of the City for the Fiscal Year ending September 30, 2021; directing the assessment and collection thereof; providing for a severability clause; and providing for an effective date.

Staff requests first and final reading.

Submitted by: Allena Portis, Director of Financial Services

SYNOPSIS

Property Tax Code 26.05 states that a taxing unit may not impose property taxes in any year until the governing body has adopted a tax rate for that year. It also states that the vote setting the tax rate must be separate from the vote adopting the budget. The rate must be adopted before the later of September 30 or the 60th day after the date the certified appraisal roll is received with an exception for a tax rate that exceeds the voter-approval rate. The Harris County certified appraisal roll was received on September 2, 2020 and is included as an attachment to this report. Approval of this ordinance will set a property tax rate of \$0.598035 per \$100 for Fiscal Year 2021, which is the no-new revenue rate. The two components of the tax rate must be approved separately.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Maintain a financially sound City

BACKGROUND

Section 102.009 (a) of the Local Government Code states, "The governing body of the municipality may levy taxes only in accordance with the budget." Tonight, under separate cover, City Council adopted the Fiscal Year 2021 Budget based on a property tax rate of \$0.598035 per \$100 valuation. On August 17, 2020, City Council proposed a tax rate of \$0.598035 per \$100 for Fiscal Year 2021. This rate is the no-new revenue rate, which does not require a public hearing prior to adoption.

Total Tax Rate	\$0.598035
Debt Rate	\$0.144505
M&O* Rate	\$0.453530
Effective NNR M&O Rate	\$0.443015
No-New Revenue (NNR) Rate	\$0.598035
Voter Approval Rate	\$0.603024

*M&O – Maintenance and Operations

BUDGET ANALYSIS

Using a 97% collection factor, the total tax revenue proposed to be raised in FY2020 at the proposed tax rate of **\$0.598035** for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is \$44,347,506. Any increase/decrease in tax to property owners would be due to an increase or decrease in their property's assessed valuation.

SUPPORTING MATERIALS

1. Tax Rate Ordinance
2. Certified Appraisal Roll – Harris County
3. Certified Appraisal Roll – Fort Bend County
4. Tax Rate Notice

STAFF'S RECOMMENDATION

Staff recommends approval of the FY2020 Tax Rate of \$0.598035.

Director Approval:

Allena Portis, Director of Financial Services

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

Bill Atkinson, Assistant City Manager

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES FOR THE CITY OF MISSOURI CITY, TEXAS, FOR THE TAX YEAR 2020 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND TIMELY PAID; AND AUTHORIZING AN ADDITIONAL PENALTY FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES IN LIEU OF RECOVERING ATTORNEYS' FEES.

* * * * *

WHEREAS, the Budget of the City of Missouri City, Texas, for the fiscal year period beginning October 1, 2020, and ending September 30, 2021 ("Fiscal Year 2021"), has been adopted; and

WHEREAS, certain revenues from sources other than ad valorem taxes will be available for a portion of the expenditures of such budget; and

WHEREAS, ad valorem taxes should be levied and collected to provide the additional revenues necessary to meet the remaining portion of such expenditures; now, therefore, in accordance with such Budget and pursuant hereto,

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

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

Section 2. All property subject to ad valorem taxation by the City of Missouri City, Texas, shall be equally and uniformly assessed for such purposes at one hundred percent (100%) of the full cash market value of such property.

Section 3. There is hereby levied for general purposes for use by the City of Missouri City, Texas, for tax year 2020, and for each year thereafter until otherwise provided, an annual ad valorem tax at the rate of \$0.453530 on each One Hundred Dollars (\$100.00) of assessed valuation on all property, real, personal, and mixed, within the corporate limits upon which an ad valorem tax is authorized by law to be levied by the City of Missouri City, Texas. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. The proceeds from such tax shall be applied to the payment of the general and current expenses of the

government of the City, including payment of any obligations for which taxes are not levied by another section hereof and for the payment for which provision is not otherwise made. All such taxes shall be assessed and collected in current money of the United States of America.

Section 4. For the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City of Missouri City, Texas, including the various installments of principal due on the serial bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City as such installments shall respectively mature, and for the purpose of repaying any sums borrowed in anticipation of current revenues for use in the payment of bonds and certificates of obligation and interest therein maturing in the Fiscal Year 2021, and for the purpose of paying interest and making provisions for the sinking fund on such other bond issues, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness as may be authorized, there is hereby levied for the tax year 2020 and for each year thereafter until otherwise provided, to be assessed and collected upon all property described in Section 3 of this Ordinance, an annual ad valorem tax rate at the rate of \$0.144505 on each One Hundred Dollars (\$100.00) of assessed valuation.

Section 5. All ad valorem taxes levied hereby in the total amount of \$0.598035 on each One Hundred Dollars (\$100.00) of assessed valuation, as reflected in Sections 3 and 4 hereof, shall be due and payable upon receipt of the tax bill. All ad valorem taxes due to the City of Missouri City, Texas, and not paid on or before February 1 following the year for which they were levied shall bear penalty and interest as prescribed in the Texas Tax Code Annotated, as such code may be amended.

Section 6. That on July 1, 2021, all tax accounts which are delinquent for the tax year 2020 will incur, in addition to the interest and penalties referenced in Section 5, above, additional penalties in the amount of fifteen percent (15%) of the sum of the tax, penalty and interest then due, and to be due, in order to help defray the cost of collection of the same.

Section 7. That the Tax Collector shall deliver a notice of delinquency and of this additional penalty to the property owner of each tax account, at least thirty (30) and not more than sixty (60) days before July 1, 2021.

PASSED, APPROVED and ADOPTED on first and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



COUNTY TAX ASSESSOR-COLLECTOR
Fort Bend County, Texas

Carrie Surratt, PCC, CTOP
County Tax Assessor-Collector

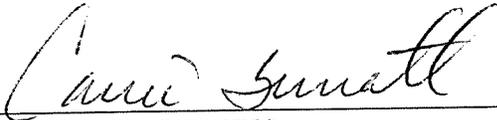
(281) 341-3710
Fax (832) 471-1830
www.fortbendcountytx.gov

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

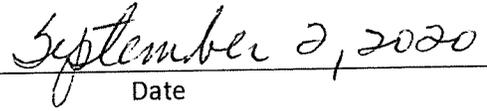
I, Carrie Surratt, Tax Assessor Collector for **City of Missouri City** submit the following information from the 2020 Certified Appraisal Roll for **Harris County** for your review:

- Taxable Value of New Property is \$ 1,634,628
- Appraised Value of All Properties is \$ 370,881,843
- Taxable Value of All Properties is \$ 350,940,900

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

HARRIS COUNTY APPRAISAL DISTRICT
HOUSTON, TEXAS

THE STATE OF TEXAS, }
COUNTY OF HARRIS. }

2020
CERTIFICATION OF APPRAISAL ROLL AND
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)
FOR
City of Missouri City

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2020 appraisal roll of properties taxable by City of Missouri City. The roll is delivered in electronic form.

The total appraised value now on the appraisal roll for this unit is: \$370,881,843

The taxable value now on the appraisal roll for this unit is: \$350,940,900

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$47,812,820

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$3,609,303

Signed this 4th day of September, 2020



Roland Altinger

Roland Altinger, CAE, RPA, CTA
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2020 appraisal roll on this the 15th day of September, 2020

Candi Sumatt

Harris County Appraisal District

LAST UPDATED: 08/21/2020

Tax Rate Worksheet

Certified Roll

Data Summary For Jurisdiction 064 For Tax Year 2020

1.	Real Property New Improvements Value.....		\$1,634,628
			\$0
2.	Personal Property New Improvements Value.....		
3.	Last Year Taxable Value Becoming Exempt This Year.....		\$503,500
	A. Totally Exempt.....	\$0	
	B. Partially Exempt.....	\$503,500	
4.	Last Year Taxable Value Lost Due To New AG Use This Year.....		\$0
	A. Taxable Value.....	\$0	
	B. Productivity Value.....	\$0	
5.	Current Year Taxable Value of Over-65 Homesteads Transferred to Surviving Spouse....		\$0
6.	Current Year Taxable Value Added by Annexations Last Year *		\$2,286,705
7.	Value Loss From Prior Year Lawsuits ****		\$2,515,253
	A. Initial Value.....	\$26,617,684	
	B. Final Value.....	\$24,102,431	
8.	TNRCC Pollution Control Exemption.....		\$0
9.	Last Year Losses Due To Substantial Error Corrections.....		\$0
10.	Current Year Appraised Value Loss Due to Capped Accounts.....		\$15,010,427
11.	New Improvements to the Land ***		\$0
12.	Market Value of Properties Not Under Protest and Not Included on the Appraisal Roll Certification **		
	A. Preceding Year.....		\$3,204,238
	B. Current Year Estimated.....		\$3,949,228
13.	Appraised Value of Properties Not Under Protest and Not Included on the Appraisal Roll Certification **		
	A. Preceding Year.....		\$3,148,732
	B. Current Year Estimated.....		\$3,883,848
14.	Exemption Value of Properties Not Under Protest and Not Included on the Appraisal Roll Certification **		
	A. Preceding Year.....		\$811,983
	B. Current Year Estimated.....		\$107,054
15.	Taxable Value of Properties Not Under Protest and Not Included on the Appraisal Roll Certification		
	A. Preceding Year.....		\$2,336,749
	B. Current Year Estimated.....		\$3,776,794
16.	Last year taxable value subject to an appeal under Chapter 42		
	Last year ARB certified value.....		\$26,979,349
	Last year disputed value.....		\$12,762,864
	Last year undisputed value.....		\$14,216,485

* Annexation value may include property added to your jurisdiction as the result of boundary adjustments in the GIS system and/or jurisdiction code corrections. Examples: 1. You may have gained a property that due to a previously unrecognized boundary error was not coded to you. 2. A business located in another district last year moved into your district this year.

** Does Not Include Hearing Loss

*** Applies to MUD Districts only

**** Multi location account values are the countywide values which are included in the total values and accounts with jur splits do not report jur specific value - Please see original roll for jurisdiction values.

064 MISSOURI CITY
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	1,595	250.5536	262,659,261	249,692,108	0	8,300,607	241,391,501
A2 Real, Residential, Mobile Homes	1	0.7346	68,680	68,680	0	0	68,680
B1 Real, Residential, Multi-Family	0	0.0000	0	0	0	0	0
B2 Real, Residential, Two-Family	0	0.0000	0	0	0	0	0
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	24	9.4430	541,898	449,269	0	0	449,269
C2 Real, Vacant Commercial	36	46.9129	6,922,340	6,922,340	0	0	6,922,340
C3 Real, Vacant	0	0.0000	0	0	0	0	0
D1 Real, Qualified Agricultural Land	0	0.0000	0	0	0	0	0
D2 Real, Unqualified Agricultural Land	2	15.0575	1,094,199	1,094,199	0	0	1,094,199
E1 Real, Farm & Ranch Improved	0	0.0000	0	0	0	0	0
F1 Real, Commercial	43	112.2609	79,886,538	79,103,283	0	0	79,103,283
F2 Real, Industrial	0	0.0000	0	0	0	0	0
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

064 MISSOURI CITY
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	1	0.0000	916,500	916,500	0	0	916,500
J3 Electric Companies	1	0.0000	1,507,410	1,507,410	0	0	1,507,410
J4 Telephone Companies	3	0.0000	89,950	89,950	0	0	89,950
J5 Railroads	2	2.6870	83,790	83,790	0	0	83,790
J6 Pipelines	2	0.0000	9,200	9,200	0	0	9,200
J7 Major Cable Television Systems	0	0.0000	0	0	0	0	0
L1 Tangible, Commercial	86	0.0000	12,794,590	12,794,590	0	1,318,732	11,475,858
L2 Tangible, Industrial	12	0.0000	6,876,579	6,876,579	0	159,200	6,717,379
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	0	0.0000	0	0	0	0	0
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	0	0.0000	0	0	0	0	0
O2 Inventory	0	0.0000	0	0	0	0	0
S1 Dealer Inventory	1	0.0000	1,111,541	1,111,541	0	0	1,111,541
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Personal Property (<\$500)	0	0.0000	0	0	0	0	0
XC Mineral Interest (<\$500)	0	0.0000	0	0	0	0	0

064 MISSOURI CITY
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	0	0.0000	0	0	0	0	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	0	0.0000	0	0	0	0	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles (Income Production & Personal Use)	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee Held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	50	77.1402	10,162,404	10,162,404	0	10,162,404	0
JURISDICTION TOTALS:	1,859	514.7897	\$384,724,880	\$370,881,843	\$0	\$19,940,943	\$350,940,900



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

Cami 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.

Joseph Grace
Appraisal Review Board Chairman
Fort Bend County, Texas

Handwritten signature of Tracie Zimmerman.

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

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

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

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or respond unless you recognize the sender and know the content is safe. Please forward suspicious emails to the IT Service Desk.

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	\$222,720,000	\$120,508,199
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.

NOTICE ABOUT 2020 TAX RATES

Property Tax Rates in the City of Missouri City. This notice concerns the 2020 property tax rates for the City of Missouri City. This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value

This year's no-new-revenue tax rate: \$0.598035/\$100
This year's voter-approval tax rate: \$0.603024/\$100

To see the full calculations, please visit www.fortbendcountytexas.gov/taxrates for a copy of the Tax Rate Calculation Worksheet

Unencumbered Fund Balances

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

Type of Fund	Balance
General Fund	\$19,477,578
Debt Service Fund	6,401,643

Current Year Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
GO and Co Bond Debt	6,816,412	3,628,536	0	10,444,948
Capital Leases	383,853	109,047	0	492,900
Paying Agent Fees/Arbitrage	0	0	16,550	16,550
<hr/>				
Total required for 2020 debt service				10,954,398
- Amount (if any) paid from funds listed in unencumbered funds				0
- Amount (if any) paid from other resources				0
- Excess collections last year				925,759
= Total to be paid from taxes in 2020				10,028,639
collect only 100.16% of its taxes in 2020				-16,021
=Total debt levy				10,012,618

This notice contains a summary of the no-new-revenue and voter-approval calculations as certified by Carrie Surratt, Fort Bend County Tax Assessor-Collector on 08/07/2020.



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 11(a) Resolution authorizing the establishment of programs and the use of funds for such programs to address COVID-19
Submitted by: James Santangelo, Assistant City Attorney

SYNOPSIS

This item is being brought to the City Council in order to authorize the establishment of programs to address the ongoing COVID-19 pandemic, such as rental and small business assistance programs. This resolution will also authorize the use of City funds that may be eligible for reimbursement under the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act to establish such programs and fund other priorities relating to COVID-19, as well as establish a public purpose for any funds hereunder used to benefit a private party.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live.

BACKGROUND

Pursuant to Article III, section 52 of the Texas Constitution, the State Legislature “shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever.” Case law regarding this provision has held that, should a city grant a thing of value to benefit an individual, the expenditure must serve a public purpose. Declaring a public purpose is a legislative function.

This resolution establishes programs and authorizes Council priorities relating to the COVID-19 threat, including those that assist renters and small business. The City, in conducting such programs and making certain expenditures may be eligible for reimbursement under the CARES Act. The City is eligible to receive \$4,108,775 in CARES Act funds from Harris and Fort Bend Counties. This resolution also declares the public purpose for these programs and expenditures, as required by the Texas Constitution, as creating a safer and more united community, helping to slow the spread of the COVID-19 pandemic, and maintaining the economic security and stability of Missouri City.

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. Resolution

STAFF'S RECOMMENDATION

Adopt the resolution.

Director Approval:

E. Joyce Iyamu, City Attorney

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

Bill Atkinson, Assistant City Manager

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, ESTABLISHING CERTAIN PROGRAMS TO ADDRESS THE COVID-19 PANDEMIC; AUTHORIZING THE USE OF CITY FUNDS FOR SUCH PROGRAMS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

* * * * *

WHEREAS, in December, 2019, a novel coronavirus that causes the disease now designated as “COVID-19,” was detected, and has since spread throughout the world; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, according to the Center for Disease Control, as of September 14, 2020, 6,503,030 cases and 193,705 deaths have been reported by 50 states and the District of Columbia in the United States of America; and

WHEREAS, in response to the public health and economic impacts of COVID-19, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), which was signed into law on March 27, 2020, and authorized an economic relief package of over two trillion dollars; and

WHEREAS, a goal of the CARES Act is to provide fast and direct economic assistance for American workers, families, and small businesses, and preserve jobs for American industries; and

WHEREAS, the City of Missouri City (the “City”) is eligible to receive up to \$4,108,775.00 in CARES Act funds from Fort Bend and Harris Counties; and

WHEREAS, the City Council of the City of Missouri City (“City Council”) finds it in the best interest of the residents of the City to use City funds, including CARES Act funds, for certain City expenditures and Council priorities relating to pandemic response and relief, and distribute such funds to assist renters and small businesses; and

WHEREAS, the City Council also finds that the City’s use of such funds furthers the City’s 2019 Strategic Plan goal of creating a great place to live; and

WHEREAS, the City Council has determined that the City’s use of CARES Act funds to fund rental assistance, small business assistance, and other Council priorities related to the pandemic creates a safer and more united community, helps to slow the spread of the COVID-19 pandemic, and provides relief to residents and local businesses necessary to maintain the economic stability and security of the City, thereby serving a public purpose; now therefore,

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

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. The City Council of the City of Missouri City hereby establishes the programs set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, to address the spread of the COVID-19 pandemic and to provide relief to residents and local businesses to maintain the economic stability and security of the City.

Section 3. The City Council of the City of Missouri City hereby authorizes the use of City funds, including CARES Act funds, to assist residents, renters and small businesses and fund other Council priorities relating to the COVID-19 pandemic, as set forth in Exhibit "A."

Section 4. The officers, employees, and volunteers of the City of Missouri City are hereby authorized and directed to take such actions that maximize the furtherance of such goals through the use of CARES Act funds.

Section 5. The City Council of the City of Missouri City hereby declares the City's use of CARES Act funds in the manner described herein to serve a public purpose.

Section 6. *Repeal.* All resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 7. *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 the 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney



EXHIBIT A

City of Missouri City COVID-19 Response and Emergency Assistance **TASK ORDER No. 001**

CONSULTANT: MPACT Strategic Consulting, LLC

COVID-19 Scope Summary:

Task 1: Rental, Mortgage and Utility (RMU) Assistance Program

Task 2: Small Business (SB) Assistance Program

Task 3: Continuity of Operations (COOP) Assistance

Task 4: Technical Assistance

COVID-19 TASK SCOPE DESCRIPTION

- **Task 1: Program Services including (Call Center Operations and Program Administration) for Missouri City Rental, Mortgage, and Utility Assistance Program.**
- **Task 2: Program Services including (Call Center Operations and Program Administration) for Missouri City Small Business Assistance Program.**
- **Task 3: Planning Services for Missouri City Continuity of Operations Plan (COOP) Technical Assistance.**
- **Task 4: COVID-19 Grant Management Technical Assistance for Missouri City.**

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

TASK 1: Rental, Mortgage and Utility (RMU) Assistance Program

- **Scope:**

Missouri City has identified housing as a priority among basic needs for our community. Due to the impacts of the COVID-19 crisis, a rising number of Missouri City residents are unable to sustain their rent payments and are at risk of eviction and displacement. In response, Missouri City has set-aside up to \$500,000 for a rental, mortgage and utility assistance program. Applications will be accepted from eligible applicants for the Rental, Mortgage and Utility program that provide assistance to households under the following guidelines:

- One (1) or more month of rental, mortgage and/or utility assistance for eligible applicants, until all allocated funds are deemed exhausted or expended.
- Up to \$1,500 per month to cover past due or current rents or mortgages from October 1, 2020 through December 1, 2020
- Up to \$500 per month per eligible applicant to cover past due utility bills from October 1, 2020 through December 1, 2020.
- Payments will be made directly to landlord/vendor on behalf of the eligible applicant (with household verification)

- **Deliverables:**

Call Center Operations:

- Open and operate a call center for 1-week duration, with approximately 5 FTEs.
- Estimated cost approximately \$11,000.00

Case Management Operations:

- Payment packages (invoices/transmittals) for up to 200 applicants or \$500,000 whichever comes first. A payment package is considered completed once it has been submitted to Missouri City for payment.
- Estimated costs approximately \$97,000.00

Quality Assurance and Verification Support

- Review and confirmation of Payment packages (invoices/transmittals) for processing and payment to Vendors and Landlords
- Estimated costs approximately \$30,000.00

Reports:

- Weekly progress reports

- **Period of Performance**

September 28, 2020 – November 20, 2020

- **Rate Schedule**

TITLE	RATE	WEEKS	HRS/WEEK	TOTAL
Project Manager	\$ 125.00/hr.	8.00	20.00	\$ 20,000.00
Case Manager Lead	\$ 75.00/hr.	8.00	40.00	\$ 24,000.00
Case Manager	\$ 55.00/hr.	8.00	40.00	\$ 17,600.00



EXHIBIT A

Case Manager	\$ 55.00/hr.	8.00	40.00	\$ 17,600.00
Case Manager	\$ 55.00/hr.	8.00	40.00	\$ 17,600.00
Analyst	\$ 35.00/hr.	8.00	40.00	\$ 11,200.00
QA/QC Verification Team (2 FTEs)	\$55.00/hr.	6.00	90.00	\$29,700
Grant Total = \$137,700.00				

Contractor will be paid within 7 days of invoice submission, provided no edits are required.



EXHIBIT A

- **Assumptions:**

Missouri City to provide the following:

- Office space
- Phones for call center support
- Emails addresses (Missouri city)
- Computers
- Printers
- Copiers/Scanners
- QA/Verification Team to be directed by Fort Bend County staff for payments
- Online portal capability with document upload and retention
 - Optional MPACT Provided Solution - Additional cost of \$125,000.00

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

TASK 2: Small Business Assistance Program

- **Scope:**

Missouri City has identified small business as a priority among basic needs for our community. Due to the impacts of the COVID-19 crisis, a rising number of Missouri City small businesses are unable to sustain their operational costs and are at risk of closing down. In response, Missouri City has set-aside up to \$500,000 for a small business assistance program. Applications will be accepted for the for the Small Business Assistance Program from eligible small businesses meeting the following criteria:

- Annual business revenue does not exceed \$2,000,000.
- For-profit businesses only.
- The business must have been substantially impacted (25% revenue loss or more) by COVID-19 and operational as of February 15, 2020 and has not permanently closed.
- The business and all principals must be in good standing at the time of application with the State of Texas and their respective city (real and personal taxes, outstanding payments, potential judgements, fines, or other amounts due to the city.) Verifiable through the County and State of Texas Comptroller's office.
- No more than 50 employees
- FICO review (\$82 per report)

Awards will be \$2,500 for all eligible small businesses.

- For a business to be eligible, it can have no more than 50 total employees

Grants are available to businesses for the following eligible CARES ACT activities:

- Personal Protective Equipment (PPE)
- Re-opening supplies, equipment & renovations
- Inventory
- Utilities
- Remote working expenses
- Leases (commercial property only)

- **Deliverables:**

Case Management Operations:

- Payment packages (invoices/transmittals) for up to 200 applicants or \$500,000 whichever is comes first. A payment package is considered completed once it has been submitted to Missouri City for payment.

Reports:

- Weekly progress reports

- **Period of Performance**

October 11, 2020 – December 11, 2020

EXHIBIT A

- **Rate Schedule**

TITLE	RATE	WEEKS	HRS/WEEK	TOTAL
Project Manager	\$ 125.00/hr.	8.00	20.00	\$ 20,000.00
Case Manager Lead	\$ 75.00/hr.	8.00	40.00	\$ 24,000.00
Case Manager	\$ 55.00/hr.	8.00	40.00	\$ 17,600.00
Case Manager	\$ 55.00/hr.	8.00	40.00	\$ 17,600.00
Analyst	\$ 35.00/hr.	8.00	40.00	\$ 11,200.00
Grant Total = \$90,400.00				

Contractor will be paid within 7 days of invoice submission, provided no edits are required.

- **Assumptions:**

Missouri City to provide the following:

- FICO review cost will be passed through to Missouri City at a rate of \$82.00 per report. A report will be required for approved applications. Total Additional Cost = \$16,400.00
- Office space
- Emails addresses
- Computers
- Printers
- Copiers/Scanners
- Online portal capability with document upload and retention

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

TASK 3: Continuity of Operations (COOP) Assistance

- **Scope:**

Consultant will revise and enhance the City’s 2010 Continuity of Operations (COOP) with most recent emergency management best practices and lessons learned. Also, consultant will produce a new COOP annex addressing pandemic response and operational contingencies for providing uninterrupted emergency services.

- **Deliverables:**

Existing Continuity of Operations Plan:

- Updated 2020 Missouri City Continuity of Operations Plan

Pandemic Response Annex:

- New section for 2020 COOP specific to operational continuity for pandemic events

- **Period of Performance**

November 1, 2020 – December 31, 2020

- **Rate Schedule**

TITLE	QUANTITY	RATE	HOURS	TOTAL
Principal Planner	1.0	\$ 150.00	80.00	\$ 12,000.00
Planning Analyst	1.0	\$ 125.00	24.00	\$ 3,000.00
Grand Total = \$15,000.00				

Contractor will be paid within 7 days of invoice submission, provided no edits are required.

- **Assumptions**

- Missouri City will facilitate updates or requirements from various City and external agencies and provide the inputs to MPACT.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

TASK 4: Technical Assistance for COVID-19 Programs/Tasks

- **Scope:**

Provide implementation activities as necessary to ensure compliance and operational support for programs developed and designed for COVID-19 response due to the public health emergency with respect to COVID-19. These activities include all of the following:

- Attend meetings with and assist the Client in responding to inquiries from FEMA, HUD and State agencies
- Review and update/revise policies and procedures for compliance with federal and state regulations
- Assist in identifying eligible costs and appropriate funding sources
- Review procurements for proper application of federal 2 CFR requirements
- Review and update documentation and compliance requirements
- Assist with appeals and reconciliations with HUD, FEMA, FHWA and/or TDEM
- Assist with presentation to City/County agencies and constituents

- **Deliverables:**

- Attend meetings with and assist the Client in responding to inquiries from TDEM, FEMA, HUD and other State agencies
- Review and update/revise policies and procedures for compliance with federal and state regulations
- Assist in identifying eligible costs and appropriate funding sources
- Review procurements for proper application of federal 2 CFR requirements
- Review and update documentation and compliance requirements
- Assist with appeals and reconciliations with HUD, FEMA, FHWA and/or TDEM
- Assist with presentation to City/County agencies and constituents

- **Period of Performance**

August 24, 2020 – December 31,2020

- **Rate Schedule**

TITLE	RATE	HOURS
Project Manager	\$ 150.00/hr.	80.00
Subject Matter Expert	\$ 185.00/hr.	20.00
Manager	\$ 110.00/hr.	120.00
COVID-19 Analyst 1	\$ 75.00/hr.	120.00
COVID-19 Analyst 2	\$ 55.00/hr.	120.00
		Not to exceed \$75,000.00

Contractor will be paid within 7 days of invoice submission, provided no edits are required.



EXHIBIT A

In witness thereof, the parties have caused this Task Order to be duly executed, intending to be bound thereby

City of Missouri City, Texas

MPACT Strategic Consulting, Inc.

DO NOT SIGN - DRAFT

DO NOT SIGN - DRAFT

Signature

Signature

Printed Name

Spurgeon Robinson

Printed Name

Date

Date



CITY COUNCIL AGENDA ITEM COVER MEMO

September 21, 2020

To: Mayor and City Council
Agenda Item: 11(b) Consider adopting a resolution amending the utility schedule of fees based on recommendation from the Groundwater Reduction Plan (GRP) Oversight Committee
Submitted by: Shashi K. Kumar, P.E., Director of Public Works and City Engineer
Todd J. Hoover, Utilities Manager

SYNOPSIS

The Groundwater Reduction Plan (GRP) Oversight Committee comprised of plan participants is charged with maintaining oversight over the implementation of the GRP program as well as setting/amending pumpage rates as may become necessary. At the August 7, 2020 GRP Oversight Committee meeting, the Committee recommended amendments to the pumpage and user's fees to meet anticipated growth and expansion needs. The City Council is to consider recommendations from this committee and authorize proposed changes (increase) to the pumpage and user's fees.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live

BACKGROUND

The Fort Bend Subsidence District (FBSD) was created by the Texas State Legislature in 1989, for the purpose of regulating withdrawal of groundwater to minimize land subsidence (sinking) and associated risks, which includes flooding impacts. Currently, each City and municipal utility district (MUD) in east Fort Bend County is required to reduce groundwater pumpage to no more than 70% of the total water demand withdrawn from the ground. To meet this mandate by the Subsidence District, the City and MUDs have adopted and implemented a Joint Groundwater Reduction Plan (GRP). The City with partnership from 30-plus other local entities has constructed a Regional Surface Water Treatment Plant to produce treated surface water to meet this mandate. Currently, about 42% of the total water supplied to the GRP participant area is attributed to surface water supplies (well above the 30% mandate by FBSD). Water users located within the participant area contribute to the cost associated with meeting the FBSD mandate, which includes construction and operation of a Surface Water Plant and the purchase of raw surface water from the Brazos River. This cost is passed on to all water customers (residents) within the participant area by paying a GRP fee based on the actual metered water usage. The GRP Oversight Committee which is comprised of plan participants is charged with maintaining oversight over the implementation of the GRP program as well as annually review and recommend pumpage fee rate adjustments as necessary.

The GRP Oversight Committee evaluated cost increases to supplement expenses mainly related to additional raw water purchase, Capital Projects necessary to accommodate ultimate growth and FBSD mandates and worked diligently to keep the proposed rate increases to the very minimum. It should be noted that some parts of the City primarily are converted to surface water sources (Converted MUD's) and the other areas rely solely on groundwater sources (Non-converted MUD's). The attached water sources map depicts these areas. However, all participants (Converted and Non-Converted MUD's) pay their share of cost to meet the FBSD conversion mandates. The current wholesale pumpage fee charged by the City to its providers (MUD's etc.) is \$1.72 per 1,000 gallons, and is proposed to increase to \$1.79. The current surface water pumpage fee is \$2.19 and is proposed to increase to \$2.38 per \$1,000 gallons. The current ground water user's fee is \$0.47 and is proposed to increase to \$0.59 per 1,000 gallons. These adjusted pumpage fees are proposed to take effect on October 1,

2020 for fiscal year FY21. These increases were substantiated after a detailed financial analysis (pro-forma) taking into account the projected revenues, expenses, debt service obligations and operating reserves for the 5-year planning horizon. An average household within the city uses 8,000 gallons per month and currently pays a monthly GRP fee of about \$18 per month, which may include an administrative fee charged by the MUD/billing agent. The proposed increase will be in the range of \$1.52 for an average resident's monthly water bill.

Both the current fee and increased fee are lower than other pumpage (GRP) fees in the County, and significantly lower than the FBSD disincentive fee of \$6.50 per thousand gallons which is charged to entities not meeting the 30% reduction mandate. It should be noted that the GRP fee is a result of the FBSD mandate and not an additional tax levied by the City or the MUD. As a comparison, the proposed pumpage fee of \$2.38 is less than the City of Rosenberg at \$2.60, City of Richmond at \$2.42, and North Fort Bend Water Authority at \$4.30.

Per the recommendations from the City's financial consultant and staff, this proposed rate change (increase) will enable the GRP Committee to obtain debt at a favorable rate to fund the planned Capital Improvement Project, while maintain a healthy operational reserve for any unforeseen contingencies. City staff routinely meets with wholesale customers to inform them of GRP program updates. Staff is also working on an outreach effort to keep residents/consumers informed about this upcoming rate change in collaboration with the City's Communications Department.

BUDGET ANALYSIS

Funding Source	Account Number	Project Code/Name	Proposed FY21 Funds Budgeted	Proposed FY21 Funds Available	Amount to be Received yearly
RWTP Revenue	540-45524-01-001-	GRP Pumpage Fees	\$6,200,000	\$6,200,000	
RWTP Revenue	540-45540-01-001-	Groundwater User Fee	\$5,500,000	\$5,500,000	

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

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

SUPPORTING MATERIALS

1. GRP Fee Analysis Summary- Schedule 9
2. Ground Water User's Fee Analysis
3. Water Sources Map
4. Resolution and Schedule of Fees
5. Presentation

STAFF'S RECOMMENDATION

Accept recommendations from the Groundwater Reduction Plan (GRP) Oversight Committee and adopt a resolution amending the utility schedule of fees to reflect the new GRP Pumpage fee, effective October 1, 2020.

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

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

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING THE UTILITY SCHEDULE OF FEES; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

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

Section 1. That applications for utility services and related permits and licenses shall be accompanied by a fee paid to the City in the amounts specified in the Schedule of Fees attached hereto as Exhibit "A" and made a part hereof. Additionally, City water customers and groundwater reduction plan participants shall pay groundwater reduction fees as required in the amounts specified in the Schedule of Fees attached hereto as Exhibit "A" and made a part hereof.

Section 2. Resolution R-18-35 adopted September 17, 2018, is hereby repealed effective October 1, 2020.

Section 3. This resolution shall become effective October 1, 2020.

PASSED, APPROVED and ADOPTED on first and final reading this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

EXHIBIT "A"

SCHEDULE OF FEES

DESCRIPTION		FEES
I.	<u>In General</u>	
	A. Single-Family Residential Customer Water Tap	
	¾ inch	\$1,600.00
	1 inch	\$1,900.00
	Greater than 1 inch	Three times the actual cost of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation
	B. Multifamily Residential, Nontaxable and Commercial Water Tap	
	¾ inch	\$1,000.00 plus three times the cost to the city of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation
	1 inch or greater	\$1,200 plus three times the cost to the city of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation.

II.		<u>Multifamily Residential, Commercial and Nontaxable Customer Inspections</u>	
	A.	Multifamily Residential, Commercial and Nontaxable Customer Prefacility Inspection	\$175.00
	B.	Multifamily Residential, Commercial and Nontaxable Customer Prefacility Reinspection	\$75.00
	C.	Multifamily Residential, Commercial and Nontaxable Customer Facility Inspection	\$175.00
	D.	Multifamily Residential, Commercial and Nontaxable Customer Facility Reinspection	\$75.00
III.		<u>Sewer Connection Inspection or Reinspection</u>	\$125.00
IV.		<u>Grease Trap Inspection</u>	\$75.00
V.		<u>Temporary Meters</u>	
	A.	Installation fee	\$75.00
	B.	City Deposit	\$1000.00
VI.		<u>Miscellaneous Fees</u>	
	A.	Reconnection Fee	\$75.00
	B.	Transfer Fee	\$35.00
	C.	Security Deposit	\$150.00
	D.	Service Inspection	\$50.00
VII.		<u>Groundwater Reduction Plan Participation Fee</u>	
	A.	Non-converting GRP Pumpage Fee	\$1.79 per 1,000 gallons billed
	B.	Converting GRP Pumpage Fee	\$2.38 per 1,000 gallons billed
VIII.		<u>Industrial Waste Fee</u>	
	A.	Industrial User Connection Fee	\$175.00
	B.	Annual Industrial User Fee	\$1,000.00

City of Missouri City
 Groundwater Reduction Plan
 GRP Fee Analysis

Schedule 9
 Pumpage Fee Projection

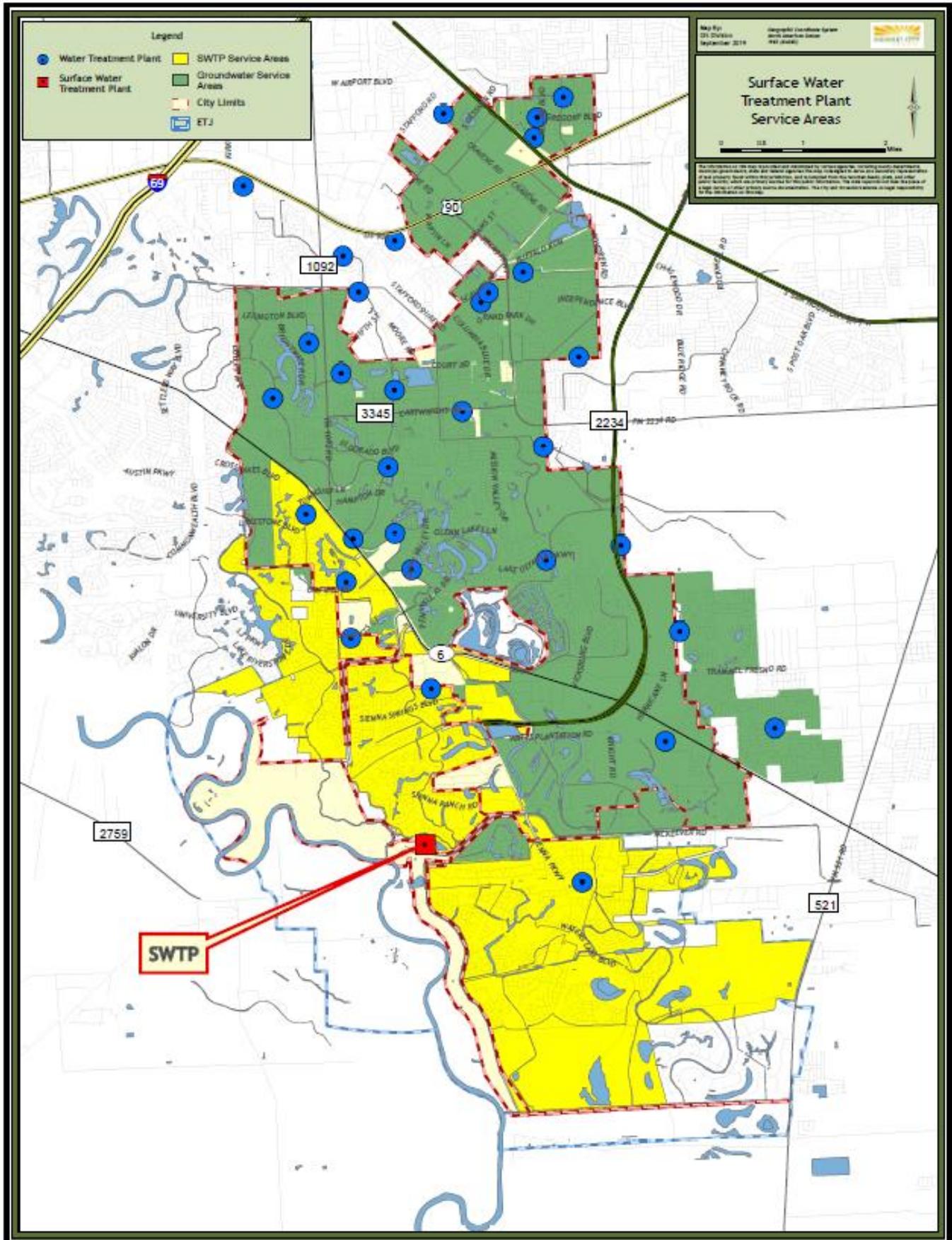
	2020	Notes
Total Cost of Surface Water	\$ 10,469,164	
Total Cost of Groundwater	<u>1,793,021</u>	
Total System Cost	\$ 12,262,185	
Total Estimated Metered Volume (Ground + Surface)	5,144,250,414	
Surface Water Pumpage Fee	\$ 2.38	
Less Groundwater User's Fee	<u>(0.59)</u>	
Groundwater Pumpage Fee	\$ 1.79	
Cost of Groundwater:		
Groundwater Production Cost	\$ 0.59	
Groundwater Production Projection	3,039,018,960	
Estimated Annual Groundwater Production Cost	\$ 1,793,021.19	

**Groundwater Reduction Program
Ground Water User's Fee Analysis
July 2020**

2019 Average Cost per 1,000 Gallons (Jan. to Dec.)						
Entity	Cost/1,000 Gals	Active Wells	Gallons Produced	Chemical Costs	Electrical Costs	Maintenance Costs
QVUD	\$0.57	3	451,194,000	\$5,934.55	\$98,467.81	\$131,936.78
Palmer MUD 2	\$0.67	1	116,460,000	\$1,531.78	\$25,416.04	\$47,373.25
Palmer MUD 1	\$0.64	1	127,171,000	\$1,672.66	\$27,753.58	\$47,438.16
COMC Mustang Bayou	\$0.52	2	367,001,000	\$4,827.16	\$71,414.68	\$95,559.07
Fort Bend MUD 42	\$0.52	2	175,773,000	\$2,319.08	\$38,478.90	\$45,738.36
Fort Bend MUD 26	\$0.63	1	121,686,000	\$1,600.55	\$26,556.55	\$47,404.92
Blue Ridge West MUD	\$0.63	1	245,962,000	\$3,235.14	\$53,678.34	\$94,825.58
First Colony MUD 9	\$0.54	2	333,222,000	\$4,382.86	\$72,721.81	\$100,571.78
Fort Bend MUD 23	\$0.62	4	497,858,000	\$6,548.32	\$108,651.68	\$189,687.11
Totals	\$5.34	17	2,436,327,000	\$32,052.10	\$523,139.39	\$800,535.01
Average Cost per 1,000 Gals	\$0.59					

This calculation was reached by evaluating twelve months (Jan. to Dec.) of monthly production operating statements data from 2019. The attached data was taken from fourteen (14) GRP Participants groundwater well groupings. Five (5) of the well groupings were then omitted from the final calculations because of data anomalies. The final data set included nine (9) groundwater well groupings.

3. Water Sources Map



RESOLUTION NO. R-~~18~~20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING THE UTILITY SCHEDULE OF FEES; ~~REPEALING RESOLUTION R-13-25, ADOPTED ON OCTOBER 21, 2013~~PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

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

Section 1. That applications for utility services and related permits and licenses shall be accompanied by a fee paid to the City in the amounts specified in the Schedule of Fees attached hereto as Exhibit "A" and made a part hereof. Additionally, City water customers and groundwater reduction plan participants shall pay groundwater reduction fees as required in the amounts specified in the Schedule of Fees attached hereto as Exhibit "A" and made a part hereof.

Section 2. Resolution R-~~13~~18-~~25~~35 adopted ~~October 21, 2013~~,September 17, 2018, is hereby repealed effective ~~November~~October 1, ~~2018~~.2020.

Section 3. This resolution shall become effective ~~November~~October 1, ~~2018~~.2020.

PASSED, APPROVED and ADOPTED on first and final reading this ~~17th~~21st day of September, ~~2018~~.2020.

~~Allen Owen~~Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

EXHIBIT "A"

SCHEDULE OF FEES

DESCRIPTION		FEES
I.	<u>In General</u>	
	A. Single-Family Residential Customer Water Tap	
	¾ inch	\$1,600.00
	1 inch	\$1,900.00
	Greater than 1 inch	Three times the actual cost of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation
	B. Multifamily Residential, Nontaxable and Commercial Water Tap	
	¾ inch	\$1,000.00 plus three times the cost to the city of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation
	1 inch or greater	\$1,200 plus three times the cost to the city of installing the tap, meter and necessary service lines and of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation.

II.		Multifamily Residential, Commercial and Nontaxable Customer Inspections	
	A.	Multifamily Residential, Commercial and Nontaxable Customer Prefacility Inspection	\$175.00
	B.	Multifamily Residential, Commercial and Nontaxable Customer Prefacility Reinspection	\$75.00
	C.	Multifamily Residential, Commercial and Nontaxable Customer Facility Inspection	\$175.00
	D.	Multifamily Residential, Commercial and Nontaxable Customer Facility Reinspection	\$75.00
III.		Sewer Connection Inspection or Reinspection	\$125.00
IV.		Grease Trap Inspection	\$75.00
V.		Temporary Meters	
	A.	Installation fee	\$75.00
	B.	City Deposit	\$1000.00
VI.		Miscellaneous Fees	
	A.	Reconnection Fee	\$75.00
	B.	Transfer Fee	\$35.00
	C.	Security Deposit	\$150.00
	D.	Service Inspection	\$50.00
VII.		Groundwater Reduction Plan Participation Fee	
	A.	Nonconverting Non-converting GRP Participation Pumpage Fee	\$1.72 1.79 per 1,000 gallons billed
	B.	Converting GRP Participation Pumpage Fee	\$2.19 2.38 per 1,000 gallons billed
VIII.		Industrial Waste Fee	
	A.	Industrial User Connection Fee	\$175.00
	B.	Annual Industrial User Fee	\$1,000.00

Document comparison by Workshare 9.5 on Wednesday, September 16, 2020
11:44:49 AM

Input:	
Document 1 ID	file:///W:\Legal Department\Resolution\Schedule of Fees\Finals\Schedule of Fees Utilities 2018.DOC
Description	Schedule of Fees Utilities 2018
Document 2 ID	W:\Legal Department\Resolution\Schedule of Fees\Drafts\Schedule of Fees Utilities 2020.09.16.DOC
Description	W:\Legal Department\Resolution\Schedule of Fees\Drafts\Schedule of Fees Utilities 2020.09.16.DOC
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	

Statistics:	
	Count
Insertions	18
Deletions	18
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	36

Proposed Amended Pumpage Fees

Groundwater Reduction Plan



Groundwater Reduction Plan Overview

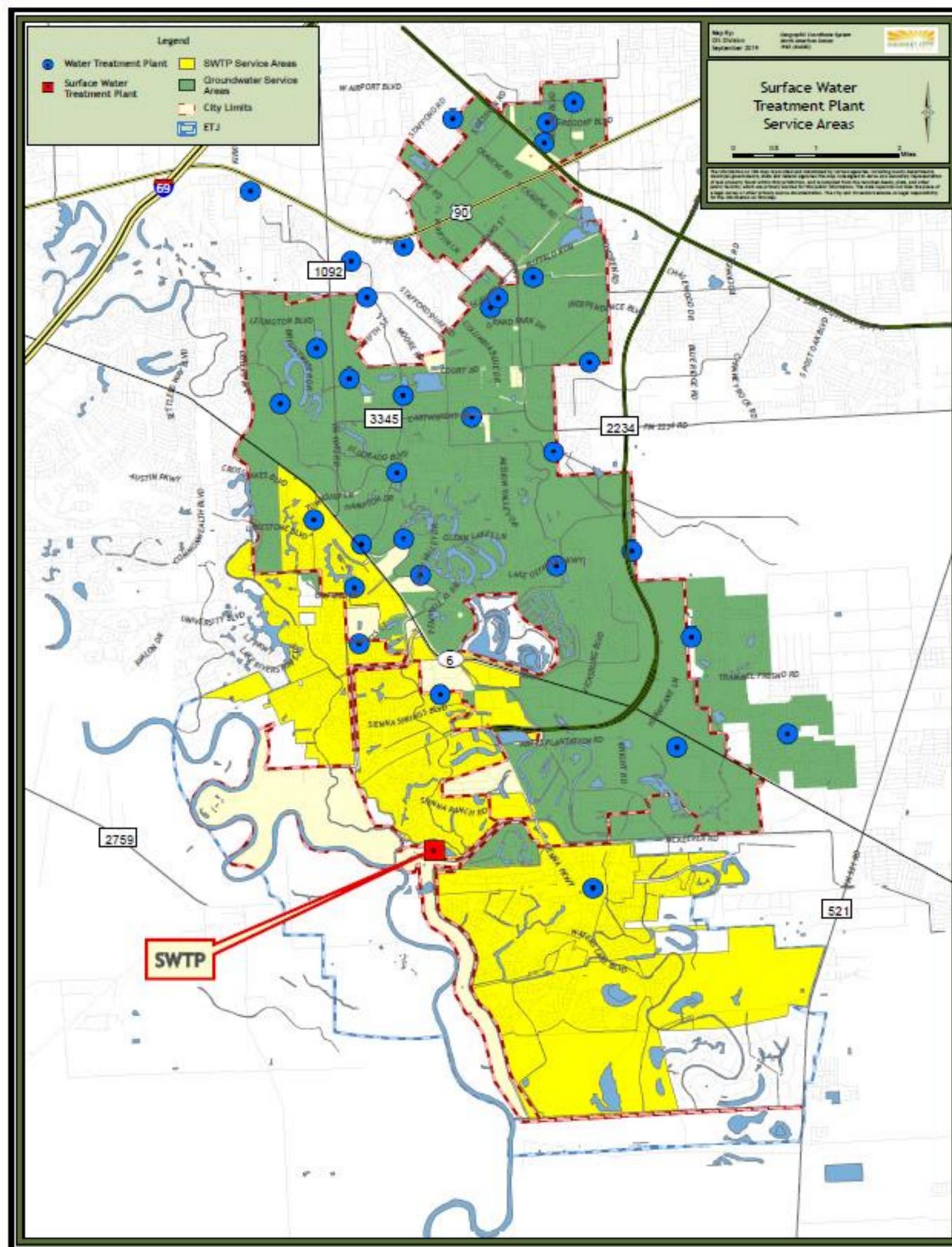
- ❖ Fort Bend Subsidence District (FBSD) created by the Texas State Legislature in 1989
- ❖ FBSD prepared Groundwater Management Plan in 1998
 - The Plan sets forth the following five goals:
 - Provide for the efficient use of groundwater
 - Control and prevent subsidence
 - Address surface water management
 - Address groundwater natural resource issues



Groundwater Reduction Plan Overview

- ❖ Permittee required to submit a Groundwater Reduction Plan (GRP) to FBSD in 2008
- ❖ City is the Administrator of the Missouri City GRP
- ❖ City formed a GRP Oversight Committee to address matters
- ❖ City GRP includes Missouri City and all MUDs in Extra Territorial Jurisdiction
- ❖ Fort Bend Subsidence District Mandates Groundwater Reduction
 - 30% Reduction of Groundwater by 2013
 - 60% Reduction of Groundwater by 2025





Regional Surface Water Treatment Plant



- ❖ Built in 2012 with a plant capacity at 10 Million Gallons/Day (MGD)
- ❖ Current expansion project to 20 MGD (Phase II)
- ❖ Next expansion ~ 33 MGD (Phase III) ?



Groundwater Reduction Plan Costs

- ❖ Daily Surface Water Treatment Plant Costs
 - Purchase of raw water
 - Operations
 - Maintenance
- ❖ Annual Capital Improvement Projects Costs
 - Engineering & Design
 - Construction
- ❖ Fort Bend Subsidence District Mandate Costs
 - Plant Expansions (Phases I, II, III, etc.)



FY2021 Pumpage Fee (Proposed) Overview

- ❖ GRP FY2021 Proposed Fee Analysis Criteria
 - Evaluated actual data from FY2018 and FY2019
 - Projected data for FY2020 thru FY2021
 - Used FY2021 proposed budget with some adjustments



FY2021 Data vs FY2018 Data

- ❖ Total expenses have increased by \$1,848,652 (17%)
 - FY2021 projected expenses are \$12,482,930
- ❖ Total projected revenue has increased by \$1,385,049 (13%)
 - FY2021 projected revenue required is \$10,469,164

Bases for proposed rate increase



FY2021 Data vs FY2018 Data

- ❖ Surface Water operational expenses have increased by \$1,191,304
 - FY2021 projected expenses are \$10,496,164
- ❖ Groundwater production cost has increased by \$463,602
 - FY2021 projected expenses are \$1,793,021

Bases for proposed rate increase



Groundwater User's Fee Analysis

2019 Average Cost per 1,000 Gallons (Jan. to Dec.)						
Entity	Cost/1,000 Gals	Active Wells	Gallons Produced	Chemical Costs	Electrical Costs	Maintenance Costs
QVUD	\$0.57	3	451,194,000	\$5,934.55	\$98,467.81	\$131,936.78
Palmer MUD 2	\$0.67	1	116,460,000	\$1,531.78	\$25,416.04	\$47,373.25
Palmer MUD 1	\$0.64	1	127,171,000	\$1,672.66	\$27,753.58	\$47,438.16
COMC Mustang Bayou	\$0.52	2	367,001,000	\$4,827.16	\$71,414.68	\$95,559.07
Fort Bend MUD 42	\$0.52	2	175,773,000	\$2,319.08	\$38,478.90	\$45,738.36
Fort Bend MUD 26	\$0.63	1	121,686,000	\$1,600.55	\$26,556.55	\$47,404.92
Blue Ridge West MUD	\$0.63	1	245,962,000	\$3,235.14	\$53,678.34	\$94,825.58
First Colony MUD 9	\$0.54	2	333,222,000	\$4,382.86	\$72,721.81	\$100,571.78
Fort Bend MUD 23	\$0.62	4	497,858,000	\$6,548.32	\$108,651.68	\$189,687.11
Totals	\$5.34	17	2,436,327,000	\$32,052.10	\$523,139.39	\$800,535.01
Average Cost per 1,000 Gals	\$0.59					

This calculation was reached by evaluating twelve months (Jan. to Dec.) of monthly production operating statements data from 2019. The attached data was taken from fourteen (14) GRP Participants groundwater well groupings. Five (5) of the well groupings were then omitted from the final calculations because of data anomalies. The final data set included nine (9) groundwater well groupings.



Pumpage Fee Calculation (Current Rate)

$$\text{Pumpage Fee} = \frac{\text{Cost of Surface Water} + \text{Cost of Groundwater}}{\text{Volume (1,000 gallons) of Surface} + \text{Groundwater}}$$

Less the groundwater users fee (\$**0.47**/1,000 gallons) for non-converting MUDs

Current Wholesale (Groundwater) pumpage fee is \$**1.72**/1,000 Gallons

Current Surface Water pumpage fee is \$**2.19**/1,000 Gallons

FBSD disincentive fee is \$6.50/1,000 Gallons



Pumpage Fee Calculation (Proposed Rate)

$$\text{Pumpage Fee} = \frac{\text{Cost of Surface Water} + \text{Cost of Groundwater}}{\text{Volume (1,000 gallons) of Surface} + \text{Groundwater}}$$

Less the groundwater users fee (\$**0.59**/1,000 gallons) for non-converting MUDs

Current Wholesale (Groundwater) pumpage fee is \$**1.79**/1,000 Gallons

Current Surface Water pumpage fee is \$**2.31**/1,000 Gallons

FBSD disincentive fee is \$6.50/1,000 Gallons



GRP Pumpage Fees Comparison (\$ per 1,000 gallons)

	Current	Proposed
City of Missouri City	2.19	2.38
North Fort Bend Water Authority	4.30	
City of Richmond	2.42	
City of Rosenberg	2.60	



GRP Proposed Pumpage Fees (\$ per 1,000 gallons)

	Current	Proposed	\$ Change	% Change
Surface Water Pumpage Fee	2.19	2.38	0.19	8.68
Groundwater User's Fee	0.47	0.59	0.12	25.53
Groundwater Pumpage Fee	1.72	1.79	0.07	4.07



Questions





**Council Agenda Item
September 21, 2020**

11. RESOLUTIONS

- (c) Consider a resolution authorizing the city manager to negotiate and execute licenses for locating mobile food units (food trucks) on certain City of Missouri property. (*Proposed presenter: Assistant City Manager Glen Martel*)

Background information attached as follows:

Cover Memo – *forthcoming*

Resolution

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE LICENSES FOR THE LOCATION OF MOBILE FOOD UNITS (FOOD TRUCKS) ON CERTAIN CITY PROPERTY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND MAKING CERTAIN FINDINGS RELATING THERETO.

* * * * *

WHEREAS, Strategic Goal Number 1 of the City of Missouri City, Texas (the "City"), is to create a great place to live; and

WHEREAS, the City finds that allowing mobile food units (food trucks) to locate on City property to serve the public provides the residential areas near the City Hall with additional food options; and

WHEREAS, pursuant to Section 253.001 of the Texas Local Government Code, the governing body of a municipality may sell and convey an interest in land that the municipality owns, holds, or claims as the city hall; and

WHEREAS, the City Council has determined that it is in the best interest of the residents of the City to temporarily license a portion of the City's city hall complex to food truck vendors; now therefore,

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

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. The City Manager is hereby authorized to negotiate and execute temporary licenses, which shall be in a form substantially similar to the license form attached hereto as Exhibit "A," with mobile food unit vendors for the location of mobile food units on the grass and paved areas depicted in Exhibit "B." The location of such units within the area depicted in Exhibit "B" shall be determined by the city manager based on cost to the City, feasibility and potential interference with governmental functions.

Section 3. The fee for a license authorized by this Resolution shall be \$__ per square foot licensed.

Section 4. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution.

Section 5. Repeal. All resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 6. 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 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

MOBILE FOOD VENDOR LICENSE

LICENSOR:

The City of Missouri City, Texas

LICENSOR'S MAILING ADDRESS:

1522 Texas Parkway
Missouri City, TX 77489

LICENSEE:

LICENSEE'S MAILING ADDRESS:

CONSIDERATION:

PROPERTY:

A license for temporary mobile food vending purposes (the "License") over a portion of the Licensor's property located at 1522 Texas Parkway, Missouri City, Texas, in the area depicted on **EXHIBIT "A,"** attached hereto and made a part hereof for all purposes, containing approximately _____ square feet, more or less (the "Property"), said Property being more particularly depicted on **EXHIBIT "B"** attached hereto and made a part hereof.

LICENSE:

Licensor, for the consideration, hereby grants a License over the Property to Licensee.

DURATION:

The duration of the License will be _____ hours, beginning at ____ : ____ AM/PM on the _____ day of _____, 202_____, and ending at ____ : ____ AM/PM on the _____ day of _____, 202_____ (the "Duration Period").

LIMITED USE:

The Licensed Property shall be used only for mobile food vending purposes. All activities related to Licensee's use of the Property, including but not limited to set-up and take-down, shall occur and be limited to the Duration Period. Licensee shall not access the Property prior to the start of the Duration Period, nor remain on the Property past the end of the Duration Period.

Licensee may temporarily access the surface of the Property as provided by this License. Licensee may enter upon the Property to engage in such activities as may be necessary and appropriate in connection with its use of the License for mobile food vending purposes only. Licensee may bring and operate such equipment on the Property as may be necessary or appropriate for the purposes for which the License is granted. However, all of Licensee's equipment, supplies, inventory and merchandise must be located totally within the boundaries of the Property as depicted in **EXHIBIT "B"** and shall be removed from the Property daily during the Duration Period.

Licensee shall be solely responsible for providing all materials, supplies, provisions, inventory, equipment and merchandise it needs to conduct its activities permitted under this License.

Licensee shall not engage in any activity not directly related to the preparation, sale and distribution of food and drink for human consumption while on the Property. Licensee is strictly prohibited from any activity of a political nature while on the Property, including but not limited to, the distribution of politically themed pamphlets, brochures, flyers, cards, pins, balloons, or any other object of a political nature, the placement of political signs and posters, or otherwise promoting, supporting or endorsing any political party or candidate for a national, state, county or local elected position while on the Property.

In connection with its use of the Property pursuant to this License, Licensee shall comply with all City ordinances and State laws that regulate the processing, handling, distribution and sale of food and drink products.

If the City Manager, or his designee, determine that Licensee is not in compliance with the terms of the License, he may revoke this License immediately, and require that the Licensee vacate and stop any further activity on the Property.

LICENSEE, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, HEREBY RELEASES AND DISCHARGES LICENSOR AND AGREES THAT IT WILL PROTECT,

DEFEND, INDEMNIFY AND HOLD HARMLESS LICENSOR, ITS SUCCESSORS, ASSIGNS, ELECTED OFFICIALS, EMPLOYEES, AGENTS AND CONTRACTORS FROM ANY AND ALL LIABILITIES, CLAIMS, LOSSES, DAMAGES OR INJURIES TO PERSONS OR PROPERTY, COSTS OR EXPENSES (COLLECTIVELY, "CLAIMS") ARISING OUT OF OR IN CONNECTION WITH THIS LICENSE OR ANY OF THE RIGHTS OR OBLIGATIONS ARISING THEREFROM.

IN ADDITION TO EACH INSURANCE POLICY REQUIRED AND SET OUT BELOW, LICENSEE'S CONTRACTORS SHALL PROVIDE AND MAINTAIN IN FULL FORCE AND EFFECT INSURANCE IN AN AMOUNT COMMENSURATE WITH THE WORK TO BE PROVIDED BY SUCH CONTRACTOR, BUT IN NO CASE SHALL THE AMOUNT BE LESS THAN \$_____ PER OCCURRENCE. LICENSEE'S CONTRACTOR(S) SHALL PROVIDE COPIES OF SUCH INSURANCE CERTIFICATES TO LICENSEE.

Insurance. (1) Without intending limit Licensee's liability under the indemnification provisions set forth above, whenever Licensee or any of its contractors or subcontractors is accessing the Property pursuant to this License, Licensee shall ensure that any such person or entity is maintaining at least the following insurance:

- (a) Worker's Compensation at statutory limits;
- (b) Employer's Liability, including bodily injury by accident and by disease, for \$500,000 combined single limit per occurrence and a twelve (12)-month aggregate policy limit of \$1,000,000;
- (c) Commercial General Liability Coverage, including blanket contractual liability, products and completed operations, personal injury, bodily injury, broad form property damage, operations hazard, pollution, explosion, collapse and underground hazards for \$1,000,000 per occurrence and a twelve (12) month aggregate policy limit of \$2,000,000; and
- (d) Automobile Liability Insurance (for automobiles used by Licensee in the course of its performance under this Agreement, including employer's non-ownership and hired auto coverage) for \$1,000,000 combined single limit per occurrence.

The insurance coverage required hereunder shall be evidenced by one or more certificates of insurance, which shall be provided to Licensor prior to access to the Property by Licensee, its employees, agents or contractors, as appropriate.

The issuer of any policy must have a certificate of authority to transact insurance business in the State of Texas issued by the Texas Board of Insurance and a rating of at least A and a financial size of Class VI or better in the most current edition of Best's Insurance Reports. Each issuer must be responsible and reputable and must have financial capability consistent with the risks covered.

Each policy, except those for Worker's Compensation and Employer's Liability, must name Licensor as an additional insured.

Licensee shall assume and bear any claims or losses falling under or within any deductible amounts under any insurance policy responsive to the requirements of this Agreement and waives any claim it may ever have for the same against Licensor.

Each policy must contain an endorsement to the effect that the issuer waives any claim or right in the nature of subrogation to recover against Licensor.

In witness whereof, the parties have executed this Agreement, in multiple counterparts, each of which is deemed to be an original, to become effective on the date of countersignature by the City.

[Signature pages follow]

IN WITNESS HEREOF, Licensor and Licensee have made and executed this License in multiple copies, each of which is an original.

EXECUTION BY LICENSOR

CITY OF MISSOURI CITY, TEXAS,
a home-rule municipality

_____ Date: _____
Odis Jones, City Manager

EXECUTION BY LICENSEE

LICENSEE'S NAME _____

By:
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Joseph N. Quintal, Assistant City Attorney

Missouri City Hall
Exhibit



Map By:
GIS Division
September 2020



Geographic Coordinate System
North American Datum
1983 (NAD83)



The information on this map is provided and maintained by various agencies, including county departments, municipal governments, state and federal agencies. The map is designed to serve as a secondary representation of real property found within this jurisdiction, and is compiled from the recorded deeds, plats, and other public records, which are primary sources for this public information. The data layers do not take the place of a legal survey or other primary source documentation. The City and its vendors assume no legal responsibility for the information on this map.

SCANLIN RD

ANIMAL
SHELTER



Legend

- Exhibit
- City Limits





**Council Agenda Item
September 21, 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
