

ALLEN OWEN
Mayor

JERRY WYATT
Councilmember at Large Position 1

CHRIS PRESTON
Councilmember at Large Position 2



YOLANDA FORD
Councilmember District A

DON SMITH
Councilmember District B

ANTHONY G. MAROULIS
Councilmember District C

FLOYD EMERY
Mayor Pro Tem
Councilmember District D

CITY COUNCIL SPECIAL MEETING AGENDA

Notice is hereby given of a Special City Council Meeting to be held on **Monday, May 22, 2017, at 6:10 p.m.** at: **City Hall, Council Chamber**, 1522 Texas Parkway, Missouri City, Texas, 77489, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

1. CALL TO ORDER

2. DISCUSSION/POSSIBLE ACTION

- (a) Discussion of the Fiscal Year 2018 proposed budget.
- (b) Discussion on the grant application for an Automobile Burglary and Theft Prevention Taskforce to the Texas Department of Motor Vehicles, Automobile Burglary and Theft Prevention Authority.
- (c) Discussion on municipal voting and Sienna Plantation Municipal Utility District No. 10.

3. CLOSED EXECUTIVE SESSION

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

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

5. 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 May 22, 2017, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on May 19, 2017, at 5:50 p.m.

Evelyn Kimeu, First Assistant City Attorney

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ day of _____, 2017.

Signed: _____ Title: _____



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

May 22, 2017

To: Mayor and City Council
Agenda Item: 2b Auto Burglary and Theft Prevention Authority Grant Application
Submitted by: Jay McClellan, Sergeant, Captain Paul Poulton

SYNOPSIS

The Police Department wishes to seek grant funding from the Texas Department of Motor Vehicles, Automobile Burglary and Theft Prevention Authority (ABTPA). This is a new grant application.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live
- Maintain a financially sound City
- Develop a high performing City team

BACKGROUND

The Missouri City Police Department would like to implement an Auto Burglary and Theft Reduction Unit to assist the department with reducing and investigating crimes burglary of motor vehicles, theft of motor vehicle parts and vehicle thefts. Understanding the importance of being responsive to the growth and the needs of the community that it serves, the department has to find creative ways to leverage new opportunities, technologies and funding sources, in hopes of being able to combat the inherent challenges of a growing population.

BUDGET ANALYSIS

To be determined.

SUPPORTING MATERIALS

1. ABTPA Request for Application (RFA 2018)

STAFF'S RECOMMENDATION

Discuss the grant application for an Automobile Burglary and Theft Prevention Taskforce to the Texas Department of Motor Vehicles, Automobile Burglary and Theft Prevention Authority.

Director Approval: Not available.

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



Automobile Burglary and Theft Prevention Authority Fiscal Year 2018 Request for Applications March 24, 2017

Notice of Request for Applications

The Automobile Burglary and Theft Prevention Authority (ABTPA) authorized the issuance of the Fiscal Years 2018 and 2019 (FY18-19) **Request for Applications (RFA)** at its regularly scheduled meeting held on January 18, 2017. ABTPA is authorized in statute to provide grants to local law enforcement and other organizations to combat motor vehicle burglary and theft and to inform automobile owners about methods to prevent automobile burglary or theft. Eligible applicants may request funds for program operation by submission of an application consistent with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the Texas Register as required by law for at least thirty (30) days prior to the due date of Applications.

Due Date

Grant Applications from eligible applicants must be completely submitted electronically on or before **5:00 PM, June 2, 2017**. **Instructions on electronic submission will be available on or before April 3, 2017 at www.txwatchyourcar.com**

The required Resolution and any optional supporting documents must be scanned and e-mailed as attachments to GrantsABTPA@txdmv.gov on or before **5:00 PM, June 2, 2017**.

OR

The Resolution and other supporting documents must be mailed with a postmark on or before **June 2, 2017**.

Applicable Authority and Rules

Automobile Burglary and Theft Prevention Authority grant programs are governed by one or more of the following statutes, rules, standards and guidelines.

- [Texas Revised Civil Statutes Article 4413\(37\)](#)
- [Texas Administrative Code: Title 43; Part 3; Chapter 57](#)
- [Uniform Grant Management Standards \(UGMS\) as promulgated by the Texas Comptroller of Public Accounts](#)
- [The current Automobile Burglary and Theft Prevention Grant Administrative Guide and subsequent adopted grantee instruction manuals](#)
- This Request for Applications issued on March 24, 2017

Eligible Applicants

Law enforcement agencies, local prosecutors, judicial agencies, neighborhood organizations, community organizations, business organizations, and nonprofit organizations for programs designed to reduce the incidence of economic automobile theft are eligible to apply for grants for automobile burglary and theft prevention assistance projects. Nonprofit and other organizations shall provide sufficient documentation with their grant application to inform ABTPA about the level of community support and the potential viability of the organization's existing activities in providing automobile burglary and theft prevention assistance.

Application Category

Applicants meeting the eligibility requirements are also required to meet qualifications listed in the specific type of application that may be submitted. There are three different grant application types:

Continued Grant Category – Only available to agencies that have an FY17 grant. The application must be submitted for substantially the same program as the previous year, or FY2017. The requested funds, match funds, and in-kind match must be within 5% of the previous year. The number of staff positions must be within 5% of the total positions. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application.

Modified Grant Category – Only available to agencies that have an FY17 grant. Current grantees will only enter the portion where a change of greater than 5% is made between the continued grant application and the awarded (including modifications) FY2017 budget. Changes in personnel, fringe, travel, supplies, contract, equipment or changes in number of personnel, match percent or amount would be included in this category. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application.

New Grant Category – Available to all law enforcement agencies and eligible organizations. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application.

Grant Type

This is a total program budget reimbursement grant. Applicants that are awarded grants will expend local funds and will be reimbursed at the agreed match rate for all allowable, reasonable and necessary costs incurred on a quarterly basis.

Grant Term

The grant cycle is one (1) year funding cycle to begin on September 1, 2017 and end August 31, 2018. The ABTPA may provide a second year of funding subject to availability of funds under the same grant application with adjustments allowed based on program need prior to making a new award in FY2019. No obligations or expenses may be incurred or made outside of the grant period.

Method of Application

The grant Application is submitted electronically. **Instructions on electronic submission will be available on or before April 3, 2017 at www.txwatchyourcar.com**

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (*Texas Revised Civil Statutes Article 4413(37)*), to return the grant funds in the event of loss or misuse, and designate the officials that the governing body chooses as its agents to administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree to the grant through interagency agreements as provided under Texas Local Government Code Chapter 362 and Texas Government Code Chapter 791.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official then applicants must provide a copy of the delegation order along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Non-profit Agencies must submit the Resolution signed by its Executive Director and provide authorization from its Board of Directors, a list of agency officers/directors, a copy of the agency's mission/purpose, by-

laws, and information about its program accountability and internal control system. Authority rules require a bond to be posted in the event of the agency being awarded a grant. The amount of the bond will be set by the Authority if an award is offered.

Program Category

To be eligible for consideration for funding, a project must be designed to support one or more of the following ABTPA program categories:

Law Enforcement, Detection, and Apprehension - provide financial support to law enforcement agencies for economic automobile theft enforcement teams (referred to as taskforces). Taskforces will develop organized methods to combat motor vehicle burglary and theft through enforcement of law, detection of criminal enterprise and /or apprehension of law violators and groups.

Prosecution/Adjudication/Conviction - provide financial support to prosecutors and judicial agencies for programs designed to reduce the incidence of economic automobile burglary and theft. Taskforces may incorporate this program category into the organized methods to combat motor vehicle burglary and theft.

Prevention, Anti-Theft Devices and Automobile Registration - provide financial support to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business, and nonprofit organizations designed to reduce the incidence of economic automobile burglary and theft. This program category must provide methods to distribute equipment or technology and/or to test experimental equipment or technology designed for automobile theft and burglary deterrence. The application shall demonstrate how the financial support will assist automobile owners in preventing automobile burglary or theft and / or to establish a uniform program to prevent stolen motor vehicles from entering Mexico.

Reduction of the Sale of Stolen Vehicles or Parts - provide financial support to law enforcement agencies (enforcement teams referred to as taskforces), local prosecutors, judicial agencies, and neighborhood, community, business, and nonprofit organizations for economic automobile theft (including parts). Applicants will develop organized methods to combat the sale of stolen vehicles and parts using vehicle identification number inspection, inspections of facilities that operate motor vehicle part and component distribution enterprises, labeling etching methods including component part labeling and contradicting other fraudulent means to sell stolen vehicles or parts.

Educational Programs and Marketing – provide financial support to law enforcement agencies and other entities to assist automobile owners in preventing automobile burglary or theft. Develop and provide specialized training or education program(s) on automobile burglary and theft prevention, interdiction and prosecution to law enforcement, prosecutors, and other groups combatting motor vehicle theft and burglary. Provide education in automobile burglary and theft prevention to business groups and the public.

Priority Funding

The statute provides that the “*authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate...(TRCS Art.4413(37)§6(k))*,” additionally, the following grant features will be given priority consideration in evaluating **modified and new** grant applications:

Cooperative Priority – Applications for grant programs that place an emphasis on filling in the law enforcement coverage gap (area and personnel). Applications that increase collaboration and cooperation between multiple jurisdictions will be prioritized. This will also include grant programs that expand existing multi-jurisdictional agreements to include additional jurisdictions.

Crime Analysts and Trend Analysis – Applications that introduce, increase, or expand the use of crime

analysts or significant crime trend analysis. Crime analysts that will use data analysis and other methods to support the interdiction of criminals and to disrupt criminal economic enterprises. These positions will also monitor and track the confluence of motor vehicle crime with other major crimes such as organized crime, human trafficking, and drug distribution.

Programs to combat pattern, organized and economic crime – Applications that introduce, increase, or expand efforts to combat pattern, organized and economic crime. A crime pattern is a group of two or more crimes that possess similar characteristics such as lack of connection between victim and offenders. Organized crime includes efforts by criminals to conspire to commit burglary of a motor vehicle and motor vehicle theft. Grant applications that include specific initiatives to target pattern, organized and economic crime will receive prioritization.

Funding Co-location – Applications that demonstrate and provide for managed coordination and operations to improve collaboration and expand the use of resources to combat motor vehicle burglary and theft. It may include collaborative management of resources such as personnel, surveillance equipment, license plate readers, and bait vehicle deployment. Co-location includes establishing a shared physical space or effective communication methods between taskforces and jurisdictions as an effective way to increase collaboration, leverage resources, experience and specialized expertise. The guiding principle of the co-location priority is that resources (human and equipment) provided by the grant will be well managed, available across jurisdictions, and cohesive within the taskforce operations.

Prosecutorial elements – Applications that include Specialized Motor Vehicle Crime Prosecutors to focus specifically on motor vehicle burglary and theft and economic motor vehicle theft (including organized motor vehicle crime) may receive prioritization in considering grant awards. Specialized prosecutors will be available to assist in pursuing convictions related to motor vehicle burglary and theft, economic motor vehicle theft, organized crime related to motor vehicle burglary and theft and motor vehicle crime. Funded prosecutors may develop subject matter resource material and deliver training for all prosecutors around the state.

Supporting Documents

Documents that provide evidence of local support or commitment from other officials or agencies for the application may be submitted following the same instructions as the Resolution. Interagency agreements shall be submitted prior to payments being authorized if an award is made. ABTPA recommends that interagency agreements be completed after award determinations are made to ensure correct amounts are reflected in those agreements.

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes. Supplanting means the replacement of other funds with ABTPA grant funds. It shall also include using existing resources already available to a program activity as cash match.

Cash Match Requirement

All programs must provide at least a twenty (20%) percent cash match. Multijurisdictional agencies must provide details for the method of cash match in Intergovernmental Agreements (*Texas Government Code, Chapter 791*). Interagency agreements shall be submitted prior to payments being authorized if an award is made.

Formulas to calculate cash match:

1. Total ABTPA grant funds requested multiplied by percent of match required = Total Amount of Cash Match Required
2. Total Project Cost minus Total Cash Match Required = Total Authority Grant Request

NICB and DPS in Lieu of Cash – Applicants may enter into formal agreements with the Texas Department of Public Safety (DPS) or the National Insurance Crime Bureau (NICB) to work on grant funded activities. The amount of salary and other direct costs related to the work on grant activity provided by the DPS and NICB may be counted and reported as in lieu of Cash. Time certifications are required to be made by the employee for these positions every month for part-time and every six months for full-time employees.

In-Kind Match

Resources and funds from third-parties that can be quantified should be reported in the proper category in the application. In-Kind contributions shall not be considered cash match. In-kind match is encouraged to be used as an added value inducement to the ABTPA and to adequately document true costs required to implement the program.

Reporting and Attendance Requirements

Applicants that are awarded grants will be required to provide:

Quarterly Progress Reports - The ABTPA requires submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. These include: 1) Monthly progress toward statutorily required performance measures; 2) Monthly progress recorded on the *Goals, Strategies and Activities report*; and 3) Summary and Success section.

Quarterly Financial Reports – Reports of actual expenses are provided to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is true and complete. All expenses must be supported by appropriate documentation.

Webinar Attendance: At least one representative from the applicant organization will attend a monthly training session via teleconference or webinar that includes information on ABTPA grant administration, information sharing on law enforcement issues and other ABTPA issues critical to operating an ABTPA taskforce.

Funding Requirements and Conditions

- a) State Funds Availability– All awards by the ABTPA are subject to availability of state funds.
- b) Right of Refusal–The Authority reserves the right to reject any or all of the applications submitted.
- c) Awards– Publishing the RFA does not obligate the Authority to fund any programs.
- d) Partial Funding– The Authority may choose to offer funds for all or any portion of a program submitted in the Application.
- e) Substitution–The Authority may offer alternative funding sources, special conditions or alternative program elements in response to submitted Applications.
- f) Competitive Application Process–The Application process for the Authority’s Grant Program is competitive. Awards are based on a review of the grant Application. New programs that submit an *Intent to Apply* and that were provided guidance on how to proceed are not guaranteed funding by the Authority nor removed from the competitive nature of the award process.
- g) Review Criteria–Authority staff and designated ABTPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.
- h) Questions and Clarification- During the review period, the applicant may be contacted by Authority staff to ask questions or seek clarification on information written in the application. Failure to promptly respond will not disqualify an applicant but information that arrives beyond the review

- period cannot be considered.
- i) Final Selection–The Authority may select and award programs that best meet the statutory purposes and that reflect its current priorities. No appeal may be made from the Authority’s decisions.
 - j) Changes in Application- If an applicant proposes changes to be made in the program type or participation of jurisdictions after an award is made then the Authority will review the changes and make modifications or alter the grant including the amount as deemed appropriate to the Authority.
 - k) Delayed Start- An applicant that is awarded a grant and that does not begin operations within 45 days of the beginning of the grant term is considered terminated.

Selection Process:

Eligible applications will be reviewed. Grant award decisions by ABTPA are final and not subject to judicial review. Grants will be awarded on or before September 1, 2017.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified ten (10) working days after the due date.

Application Workshop

Potential applicants are requested to attend the “Automobile Burglary and Theft Prevention Authority Grant Application Workshop” which has been scheduled for: **Wednesday, March 22, 2017 from 8:30 A.M. to 4:00 P.M.**

The informational session will provide details on the grant Application process including grant eligibility requirements, completing the various Application sections, and the grant cycle timeline. At least one representative of the potential grant applicant should be present at this workshop. Please register here: [ABTPA Workshop Link](http://www.txdmv.gov/about-us/calendar/icalrepeat.detail/2017/03/22/237/-/auto-burglary-theft-prevention-authority-abtpa-grant-workshop-austin) (or paste/type the link into the browser: <http://www.txdmv.gov/about-us/calendar/icalrepeat.detail/2017/03/22/237/-/auto-burglary-theft-prevention-authority-abtpa-grant-workshop-austin>)

Attendees are responsible for making individual hotel reservations.

Contact Person

Bryan E. Wilson, ABTPA Director,
 Texas Automobile Burglary and Theft Prevention Authority,
 4000 Jackson Avenue
 Austin, Texas 78731
 (512) 465-1485

GrantsABTPA@txdmv.gov

Issued in Austin, Texas on March 24, 2017

Bryan E. Wilson, ABTPA Director

<p>ABTPA Application Checklist</p> <p>Each Applicant must:</p> <ol style="list-style-type: none"> 1) Complete the on-line Application on or before June 2, 2017; 2) Submit the Resolution and any other supporting documents by: <ol style="list-style-type: none"> a. Scan and e-mail on or before 5:00 PM, June 2, 2017 to GrantsABTPA@txdmv.gov; OR b. Mail with a postmark on or before June 2, 2017.
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Appendix A
Automobile Burglary and Theft Prevention Authority Resolution

2018 **Blank City/ County /Agency Name** Resolution or Order or Ordinance
Automobile Burglary and Theft Prevention Authority Grant Program

WHEREAS, under the provisions of the Texas Revised Civil Statutes Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Automobile Burglary and Theft Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle burglary and theft; and

WHEREAS, _____ (Entity Name) has agreed that in the event of loss or misuse of the grant funds, _____(Entity Name) assures that the grant funds will be returned in full to the Automobile Burglary and Theft Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that the [*County Judge/ Sheriff// City Manager/Police Chief// Executive Director, etc....*] of this [*county//city//agency*] is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Automobile Burglary and Theft Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that _____ (*Position-Example- ABTPA Commander, Chief of Police, etc...*) is designated as the Program Director and _____ (*Position-Example- County Auditor, City CFO, etc...*) is designated as the Financial Officer for this grant. .

Adopted this _____ day of _____, 2017.

NAME
County Judge /Mayor/ Executive Director/City Manager



CITY COUNCIL AGENDA ITEM COVER MEMO

May 22, 2017

To: Mayor and City Council
Agenda Item: 2(c) Sienna Plantation Misinformation Issue
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

This information is being provided to update councilmembers about allegations relating to Sienna Plantation Municipal Utility District No. 10 and municipal voting.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Create a great place to live.

BACKGROUND

One or more members of the City Council were contacted in March of 2017 by a resident of Sienna Plantation Municipal Utility District No. 10 ("MUD No. 10") who claimed that residents of MUD No. 10, who live outside of the City of Missouri City (the "City"), should be able to vote in City elections. Staff responded to the resident in an attempt to be responsive and to provide additional information for clarity. Additionally, Communications, Legal, and Public Works collaborated to prepare a frequently asked questions document, which is attached.

Since March of 2017, the MUD No. 10 resident has contacted multiple individuals and organizations relating to her claim, including the United States Department of Justice and the Greater Houston Coalition for Justice. Staff provided a written response to the Greater Houston Coalition of Justice on or about May 4, 2017, which provided general information about the differences between municipal utility districts and cities, as well as specific information about MUD No. 10 and Sienna Plantation Municipal Utility District Nos. 12 and 13. A copy of the City's frequently asked questions on potential annexation in the Sienna area was also provided.

On May 15, 2017, City staff (City Manager Snipes, Assistant City Managers Atkinson and Elmer, and I) met with the resident, a representative of Congresswoman Sheila Jackson Lee's office, and a representative of the United States Department of Justice. The attached PowerPoint presentation was presented during the meeting and provided to those who requested a copy.

The representative from the United States Department of Justice has invited City staff to participate in a public meeting at a later time (the date has not been set) to exchange additional information to provide the public with a better understanding of cities and municipal utility districts.

BUDGET ANALYSIS

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

SUPPORTING MATERIALS

1. City of Missouri City "Frequently Asked Questions" on possible Sienna annexation
2. PowerPoint provided to United States Department of Justice and others

STAFF'S RECOMMENDATION

No action is required at this time.

Director Approval:

E. Joyce Iyamu, City Attorney

[Home](#) > News Flash

Happening in Missouri City

Posted on: February 21, 2017

Frequently Asked Questions

In recent weeks, certain residents of Missouri City's extraterritorial jurisdiction (ETJ) have raised questions regarding annexation. To address residents' inquiries, City staff has compiled a list of frequently asked questions in relation to this topic:

1. What is an ETJ?

An ETJ, or extraterritorial jurisdiction, is the unincorporated area located within three and a half miles of the boundaries of a city with a population of 50,000 to 99,000. Sienna Plantation, Sienna Point, and portions of Riverstone are examples of neighborhoods in Missouri City's ETJ. A map of Missouri City's ETJ's can be viewed on the [City website](#).

2. What is the Sienna Plantation Joint Development Agreement (the "Sienna Agreement") and when did it go into effect?

In 1996, Missouri City entered into the Sienna Agreement with the owners of property to be known as "Sienna Plantation". As part of the agreement, Missouri City has the right to annex land within Sienna Plantation. Currently, some commercial areas are within Sienna Plantation, but most commercial areas that serve Sienna Plantation are within the City. Most residential areas of Sienna are within Sienna Plantation. Some residential areas, such as certain apartments that serve Sienna Plantation, are within the City limits. By creating this agreement, Missouri City officials ensured that this part of the ETJ was not on the City's property tax rolls to encourage and spur the area's residential development. There have been nine amendments to the agreement since it was first signed. As a result of its success, the original boundaries for Sienna Plantation have nearly doubled.

3. What property taxes do Sienna residents pay to the City?

- I. Property owners in the ETJ do not pay Missouri City property taxes. Except for services provided, Missouri City also does not receive any percentage of Municipal Utility District (MUD) tax revenue.
- II. Most commercial properties that serve Sienna Plantation are in the City.

4. How are fire services provided to Sienna residents?

Sienna Plantation has a fire protection agreement with the City of Missouri City wherein the City's Fire & Rescue Services Department provides services at the same level as those received by City residents. These costs are reimbursed by Sienna MUD No. 1 at actual-cost level. The Sienna Agreement provides for audits to ensure that the City is conducting these services at actual-cost and not for profit.

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All categories



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5. **When may Sienna Plantation or parts of Sienna Plantation be annexed into the City?**

The circumstances in which Sienna Plantation or parts of Sienna Plantation may be annexed into the City include, but are not limited to, the following: in the event 90 percent of a Sienna Plantation MUD has been developed with water, wastewater, and drainage facilities and the developer has been reimbursed by the Sienna MUD in accordance with state law; when land is developed as a major commercial area; and in the event of a bona fide effort to incorporate a municipality that includes any portion of Sienna.

6. **What will happen when Sienna is annexed by Missouri City?**

Any area annexed into the City of Missouri City will pay City taxes, will no longer pay MUD taxes, and will begin receiving City services such as Police, Code Enforcement, and Public Works maintenance of infrastructure. The City intends to consider the financial feasibility of annexing a Sienna MUD before such MUD is annexed into the City.

7. **Are all areas in the ETJ subject to the Sienna Agreement?**

No. Some areas in the ETJ are not subject to the Sienna Agreement. Areas that are not subject to the Sienna Agreement may be annexed in accordance with other applicable agreements and state law (i.e. by petition of the land owner, in accordance with a strategic partnership agreement, etc.).

For updates, please watch the [City website](#), like us on [Facebook](#), follow us on [Twitter](#) and [Instagram](#), and watch Missouri City Television (Ch. 16 on Comcast and Ch. 99 on AT&T U-verse).



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CDBG Draft Action Plan

Next ⇒

Keep Our Scenic City Clean & Green

Other News in Happening in Missouri City

City to Celebrate PSR Week

Posted on: April 19, 2017

Special Treat for Mother's Day

Posted on: April 4, 2017

Police & Fire Academy Begins May 2

Posted on: March 10, 2017

Job Fair & Career Forum Set for 6/7

Posted on: April 7, 2017

CDBG Draft Action Plan

Posted on: April 7, 2017

Keep Our Scenic City Clean & Green

Posted on: December 22, 2016

City's New Executive Hires

Posted on: September 13, 2016

CDBG 2017 Application Process Is Open

Posted on: January 20, 2017

MCPD Earns H-GAC Grant

Posted on: September 20, 2016

Show Me City's 2016 Community Survey

Posted on: September 1, 2016

City Council Unanimously Approve

Posted on: June 22, 2016

City Partners With WCA for 7-Year Municipal Solid Waste Contract

Posted on: December 30, 2015

City Launches SeeClickFix "iReport" Mobile App

Posted on: September 25, 2014

City of Missouri City Sienna Plantation Voting Claim

Department of Justice-Facilitated
Meeting

May 15, 2017



Objective

- ❖ Provide information to certain residents of Sienna MUD No. 10

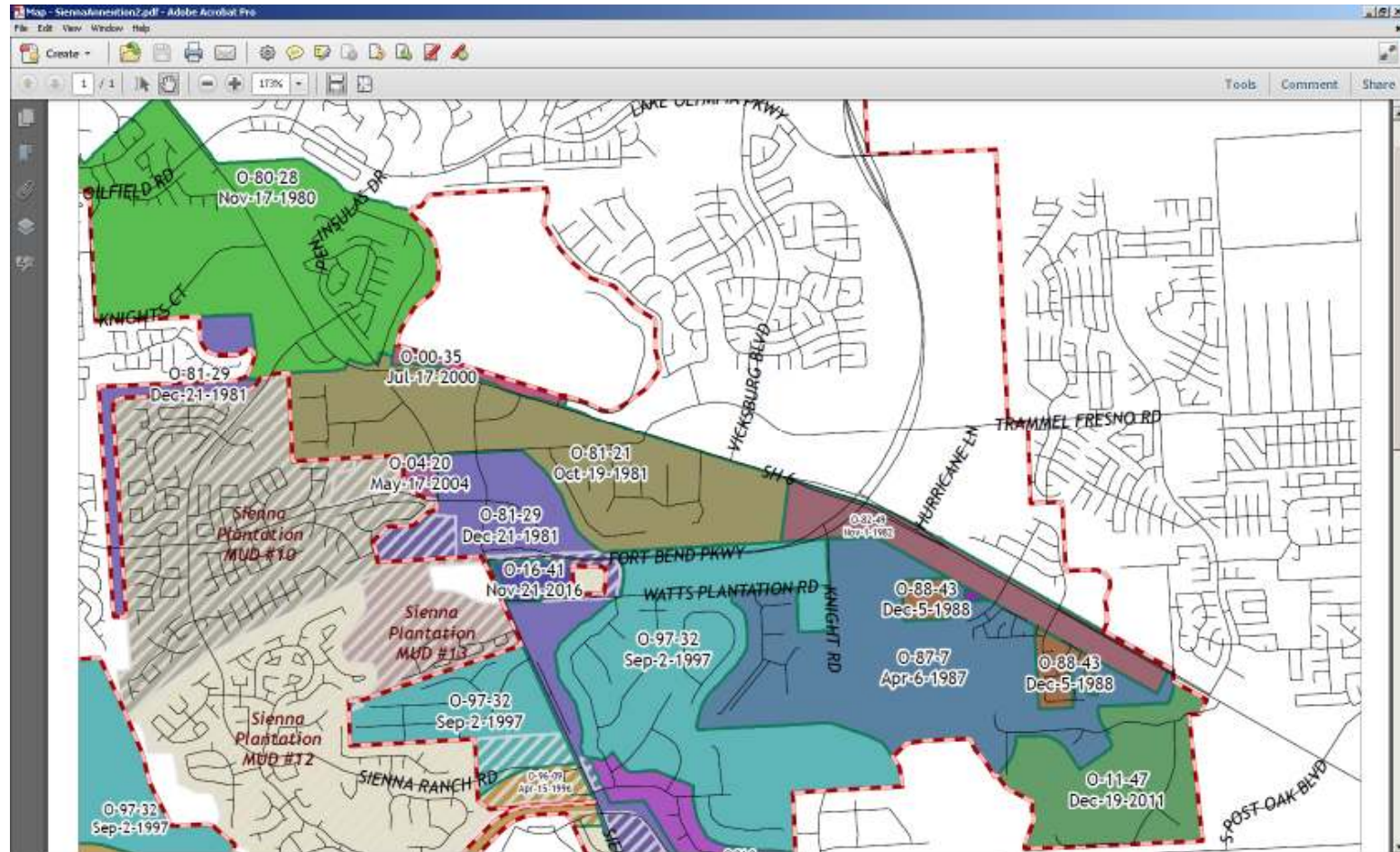
Separate Entities

- ❖ Cities are created by Article XI, Section 4 or Section 5 of the Texas Constitution
- ❖ Municipal utility districts are created by state legislation or Article XVI, Section 59 of the Texas Constitution

Section 11.001, Texas Election Code

- ❖ Sec. 11.001. ELIGIBILITY TO VOTE. (a) Except as otherwise provided by law, to be eligible to vote in an election in this state, a person must:
 - (1) be a qualified voter as defined by Section [11.002](#) on the day the person offers to vote;
 - (2) **be a resident of the territory covered by the election** for the office or measure on which the person desires to vote; and
 - (3) satisfy all other requirements for voting prescribed by law for the particular election.
- (b) For a person who resides on property located in more than one territory described by Subsection (a)(2), the person shall choose in which territory the residence of the person is located.

Residency



City Consent

- ❖ City consent is still required under state law for a MUD to annex, or add land to the MUD.
- ❖ Sec. 42.0425. ADDITION OF LAND IN EXTRATERRITORIAL JURISDICTION OF MUNICIPALITY TO CERTAIN POLITICAL SUBDIVISIONS. (a) A political subdivision, one purpose of which is to supply fresh water for domestic or commercial use or to furnish sanitary sewer services, roadways, or drainage, **may not add land that is located in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution** in accordance with this section and the Water Code. In giving its consent, the municipality may not place any conditions or other restrictions on the expansion of the political subdivision other than those expressly permitted by Section [54.016](#)(e), Water Code.
 - (b) The procedures under Section [42.042](#) governing a municipality's refusal to consent to the creation of a political subdivision apply to a municipality that refuses to consent to the addition of land to a political subdivision under this section.
 - (c) An owner of land in the area proposed to be added to the political subdivision may not unreasonably refuse to enter into a contract for water or sanitary sewer services with the municipality under Section [42.042](#)(c).
 - (d) This section does not apply to a political subdivision created by Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993.

Sienna Plantation Development Agreement

- ❖ Ordinance No. O-96-05 authorized the execution of the Sienna Plantation Joint Development Agreement (“DA”).
- ❖ Since 1996, the DA has been amended several times.
- ❖ Section 3.08 of the DA provides the City’s consent for the creation of Sienna utility districts.

Sienna MUD No. 10

- ❖ Sienna MUD No. 10 was created on or about September 26, 2002.
- ❖ Sienna MUD No. 10 last annexed land in 2016.

Conditions for Annexation

- ❖ 90% of a MUD has been developed with water, wastewater, and drainage facilities
- ❖ Developer has been reimbursed by the MUD
- ❖ Land is developed as a major **commercial** area
- ❖ Bona fide effort to incorporate a municipality that includes the portion of Sienna attempting to incorporate
- ❖ Annexation must otherwise be in accordance with state law

Discussion

